



Clatsop County
Community Development
800 Exchange Street, Suite 100
Astoria, Oregon 97103
Phone 503 325-8611 Fax 503 338-3606
comdev@co.clatsop.or.us www.co.clatsop.or.us

LOT OF RECORD DETERMINATION

Application 20170502

STAFF REPORT DATE: October 6, 2017

REQUEST: Lot of Record Determination

OWNER: Stephany J. Moody
Gary and Stephany Moody Trust
(Reference Instruments #201603042 and #201604728)
PO Box 1156
Wilsonville, OR 97070

APPLICANT: Michael Doyle
14001 SW Pleasant Valley Road
Beaverton, OR 97007

PROPERTY DESCRIPTION: T4N, R10W, SEC 30BB, TL 01601

ZONING DESIGNATION: AC-RCR – Arch Cape Rural Community Residential,
7,500 square foot minimum if served by Arch Cape Sanitary Sewer
District.

PROPERTY SIZE: 0.12 Acres, ~5,227 square feet

EXISTING STRUCTURES: Clatsop County Assessor's records indicate a single family dwelling
currently located on this parcel.

COUNTY STAFF REVIEWER: Clancie Adams, Permit Tech

The following determination by Clatsop County Community Development is based in part on the following: Information provided by the applicant; Clatsop County deed and records; and the Clatsop County Land and Water Development and Use Ordinance #80-14 (LWDUO).

LOT-OF RECORD BACKGROUND:

There are two steps to a lot of record determination. The first is to determine whether or not the subject property was created legally and is based on the following provision in Ordinance #80-14, Section 1.030, Definitions, "Lot-of-Record", which reads:

LOT OF RECORD -- Any lot or parcel lawfully created by a subdivision or partition plat of record in the County Clerk's Office, or lawfully created by deed or land sales contract prior to land use partitioning requirements, and of record in the Deed Records of Clatsop County.

LOT OF RECORD STATUS:

Staff Finding: The subject T4N, R10W, SEC30BB, TL01601 was created by the recording of a Bargain and Sale Deed from Gary E. Moody and Stephany J. Moody, husband and wife, to Gary E. and Stephany J. Moody, husband and wife, and recorded with the Clatsop County Clerk on January 28, 2003 (Clatsop County Deed Records - Instrument 200301344) "for the purpose of separation of a tax lot account number." The parcel was created after the land use partitioning requirement date of September 30, 1980. **The subject property does NOT meet the county's definition of "lot of record". LWDUO §1.030.**

PARCEL BACKGROUND:

The second step is to determine if the property is a "parcel", as defined in LWDUO1.030 Definitions; and if it qualifies for a general exception to lot size, as defined in S1.030 General Exception to Lot Size Standards:

1.030 Land & Water Development and Use Ordinance (LWDUO) Definitions:

Parcel:

- (1) Includes a unit of land created:
 - By partitioning of land as defined in ORS 92.010;
 - (A) In compliance with all applicable planning, zoning and partitioning ordinances and regulations; or
 - (B) By deed or land sales contract, if there were no applicable planning, zoning or partitioning ordinances or regulations.
- (2) Does not include a unit of land created solely to establish a separate tax account.

S1.030. General Exception to Lot Size Standards:

- (2) In all other areas:
 - (A) If, at the time the applicable zone or an amendment to the applicable lot size or dimension standards was adopted, a lot of record has an area or dimension that does not meet the requirements of the zone, and the lot of record was not in the same ownership with a contiguous lot or parcel which does not meet the minimum area or dimension requirements, the lot of record may be developed as allowed by the applicable zone and county development standards.

PARCEL STATUS:

Staff Finding:

LWDUO 1.030(1)-(2) apply. The subject T4N, R10W, SEC30BB, TL01601 was created on January 28, 2003, for the purpose of separation of a tax lot account number (Clatsop County Deed Records Instrument 200301344) after the land use partitioning requirement date of September 30, 1980.

S1.030(2)(A). The subject T4N, R10W, SEC30BB, TL01601 is located in the Rural Community Residential Zone and is served by a community sewer system. The minimum lot size for the zone is 7,500 square feet. The subject TL01601 measures 0.12 acres (~5,227 square feet) and is substandard in size. While not contiguous with another substandard lot in the same ownership, the lot is a tract with TL01600 and S1.030 does not apply.

The subject T4N, R10W, SEC30BB, TL01601 does NOT meet the definition of "parcel" and is part of a tract.

CONCLUSION:

The subject T4N, R10W, SEC30BB, TL01601 is substandard in size and was created for the purpose of the separation of a tax lot account number. The lot does not meet the county's definition of "lot of record" or "parcel". The subject lot **does not** meet either lot of record requirement and, therefore, is not a land use lot of record.

APPEAL: This determination is a Type I procedure, as defined in Section 2.015, Type I Procedure. Pursuant to Ordinance #80-14, Section 2.230, Request for Review/Appeal, this determination may be appealed within twelve (12) days of this decision. The deadline for filing an appeal is 4:00 PM on October 18, 2017.



Receipt

This is not a Permit

Clatsop County Community Development
800 Exchange St Ste 100
Astoria, OR 97103

Ph. (503) 325 - 8611 Fax (503) 338 - 3606

For Department Use Only

Permit #: **20170502**
Permit Type: **Type I Complex**
Entry Date: **10/2/2017**
Entered By: **Will Caplinger**
Assigned To: **Clancie Adams**
Permit Status: **Completed**

Permit Timeline

User	Status	Date
Clancie Adams	Assigned	10/02/2017
Will Caplinger	Entered	10/02/2017
Clancie Adams	Completed	10/06/2017

Proposed Use

Proposed Use: **Lot of Record Detemination**

Zone: **AC-RCR** Description: Lot of Record Determination
Overlay District: **GHO**

Owner/Project Location

Owner: Name: **Moody Stephany J & Moody Gary and Stephany T** Ph. #: (503) 436-3600
 Address: PO Box 1422 Cell: () -
 City, State, Zip: Cannon Beach, OR 97110-1422 Fax: () -

Situs Address: **31941 Cottage Ln** I R S Q S Qq S Taxlot
 City: **ARCH CAPE** State: **OREGON** 4 10 30 B B 01601

Applicant/Agent

Applicant: Name: Michael Doyle Ph. #: (503) 781-4989
 Address: 14001 SW Pleasant Valley Rd Cell: () -
 City, State, Zip: Beaverton, OR 97007 Fax: () -

Ph. #: () -
 Cell: () -
 Fax: () -

Fees

<u>Fee Type:</u>	<u>Permit Fee Total:</u>
Planning/Development	\$163.00
	Total: <u>\$163.00</u>

Receipt

<u>Payor Name:</u>	<u>Pymnt Type</u>	<u>Check #</u>	<u>Pymnt Date</u>	<u>Pymnt Amount:</u>
STEPHANY J MOODY	Credit Card		09/28/2017	\$163.00
			Balance Due:	<u>\$0.00</u>

Signatures

1. For Commercial and industrial uses, include parking and loading plan, sign plan and erosion control plan.
2. For residential and other uses, include an erosion control plan.
3. Review attached applicant's statement and sign below.

I have read and understand the attached APPLICANT'S STATEMENT and agree to abide by the terms thereof.

Applicant Signature: _____ **Date:** _____
Owner Signature: _____ **Date:** _____
Agent Signature: _____ **Date:** _____



Receipt

For Department Use Only

Clatsop County Community Development
800 Exchange St Ste 100
Astoria, OR 97103

Permit #: 20170502

Ph. (503) 325 - 8611 Fax (503) 338 - 3606

Zoning District Requirements

Property Access Info.

Access to Property:
County Permit Required?
State Permit Required?

Direction	Setbacks	
	Req.	Actual
F:		
S1:		
S2:		
R:		

Property Information

Compliance/Permit Requirements

Clatsop County Compliance

Except as noted, the Clatsop County Community Development Department finds the proposed use(s)/action(s) in compliance with the Clatsop County Land & Water Development and Use Ordinance and with the Clatsop County Comprehensive Plan.

The evaluation of the land parcels outlined above is based on the information presented at this time, standards provided in the Clatsop County Land & Water Development & Use Ordinance, and policies of the Comprehensive plan, and the Zoning/ Comprehensive Plan Map.

The applicant or property owner must comply with the conditions noted below and on the attached applicants statement. This permit is not valid unless the conditions are met.

Entered by: Will Caplinger

Entered Date: 10/02/2017

Applicants Signature: _____

Date: _____

Clatsop County Authorization: _____

Date: _____



Receipt

Applicant's Statement

- 1. Pertaining to the subject property described, I hereby declare that I am the legal owner of record, or an agent having the consent of the legal owner of record, and am authorized to make the application for a Development Permit/Action so as to obtain the following permits: Building, Sanitation, U.S. Army Corps of Engineers, Oregon Division of State Lands, Oregon Department of Transportation, Oregon Department of Parks and Recreation, or a Clatsop County Road Approach. I shall obtain any and all necessary permits before I do any of the proposed uses or activities. The statements within this application are true and correct to the best of my knowledge and belief. I understand that if the permit authorized was based on false statements, or it is determined that I have failed to fully comply with all conditions attached to and made a part of this permit, this permit approval is hereby revoked and null and void.*
- 2. It is expressly made a condition of this permit that I at all times fully abide by all State, Federal, and local laws, rules, and regulations governing my activities conducted or planned pursuant to this permit.*
- 3. As a condition for issuing this Development Permit/Action, the undersigned agrees that he/she will hold Clatsop County harmless from and indemnify the County for any and all liabilities to the undersigned, his/her property or any other person or property, that might arise from any and all claims, damages, actions, causes of action or suits of any kind or nature whatsoever, which might result from the undersign's failure to build, improve or maintain roads which serve as access to the subject property or from the undersign's failure to fully abide by any of the conditions included in or attached to this permit.*
- 4. WAIVER OF VESTED RIGHTS DURING APPEAL PERIOD FOR ZONING AUTHORIZATIONS.**
I have been advised that this Land and Water Development Permit/Action by the Clatsop County Community Development Director may be appealed within twelve (12) calendar days of the date of of permit issuance and authorization (note: if the twelfth day is a Saturday, Sunday or legal holiday, the appeal period lasts until the end of the next day which is not a Saturday, Sunday or legal holiday). I understand that if the approval authorized by the County and referenced above is reversed on appeal, then the authorization granted prior to the end of the appeal period will be null and void. I further understand and consent to the fact that any actions taken by me in reliance upon the authorization granted during the appeal period shall be at my own risk, and that I hereby agree not to attempt to hold Clatsop County responsible for consequences or damages in the event that removal of improvements constructed during the appeal period is ordered because an appeal is sustained.
- 5. I am aware that failure to abide by applicable Clatsop County Land and Water Development and Use Ordinance 80-14, as amended and Standards Document regulations may result in revocation of this permit or enforcement action by the County to resolve a violation and that enforcement action may result in levying of a fine.*
- 6. I understand that a change in use, no matter how insignificant, may not be authorized under this permit and may require a new Development Permit/Action (check first, with the Clatsop County Community Development Department).*
- 7. I understand that this Development Permit/Action expires 180 days from the date of issuance unless substantial construction or action pursuant to the permit has taken place. Upon expiration, a new development permit must be obtained.*



Clatsop County
Community Development
800 Exchange Street Suite 100
Astoria Oregon 97103
Phone 503 325 8611 Fax 503 348 4606

Attn: Will
2017 0502

Lot of Record Determination
Fee: \$163

GHO

Determination Property Description

T 4 R 10 S 3088 TL 1601 Acres .12 Zone AC-RCR
T R S TL Acres Zone
T R S TL Acres Zone

Contiguous Property Description:

T 4 R 10 S 3088 TL 1600 Acres .19 Zone AC-RCR
T R S TL Acres Zone
T R S TL Acres Zone
T R S TL Acres Zone
T R S TL Acres Zone

Applicant: Michael Doyle Email: mdoyle955@hotmail.com
Mail Address: 14001 SW Pleasant Valley Rd City/State/Zip: Beaverton OR 97007
Phone: 503-781-4989
Signature: Mike Doyle Date: 9-28-17

Owner: Stephany Moody Email: capecottage10@gmail.com
Mail Address: P.O. Box 1156 City/State/Zip: Wilsonville, OR 97070
Phone: (503) 436-3600
Signature: Stephany Moody Date: 9/27/17

Other: Email:
Mail Address: City/State/Zip:
Phone: Phone:
Signature: Date:

Map



Clatsop County Webmaps

Disclaimer: This map was produced using Clatsop County GIS data. The GIS data is maintained by the County to support its governmental activities. This map should not be used for survey or engineering purposes. The County is not responsible for map errors, omissions, misuse or misinterpretation. Photos may not align with taxlots.



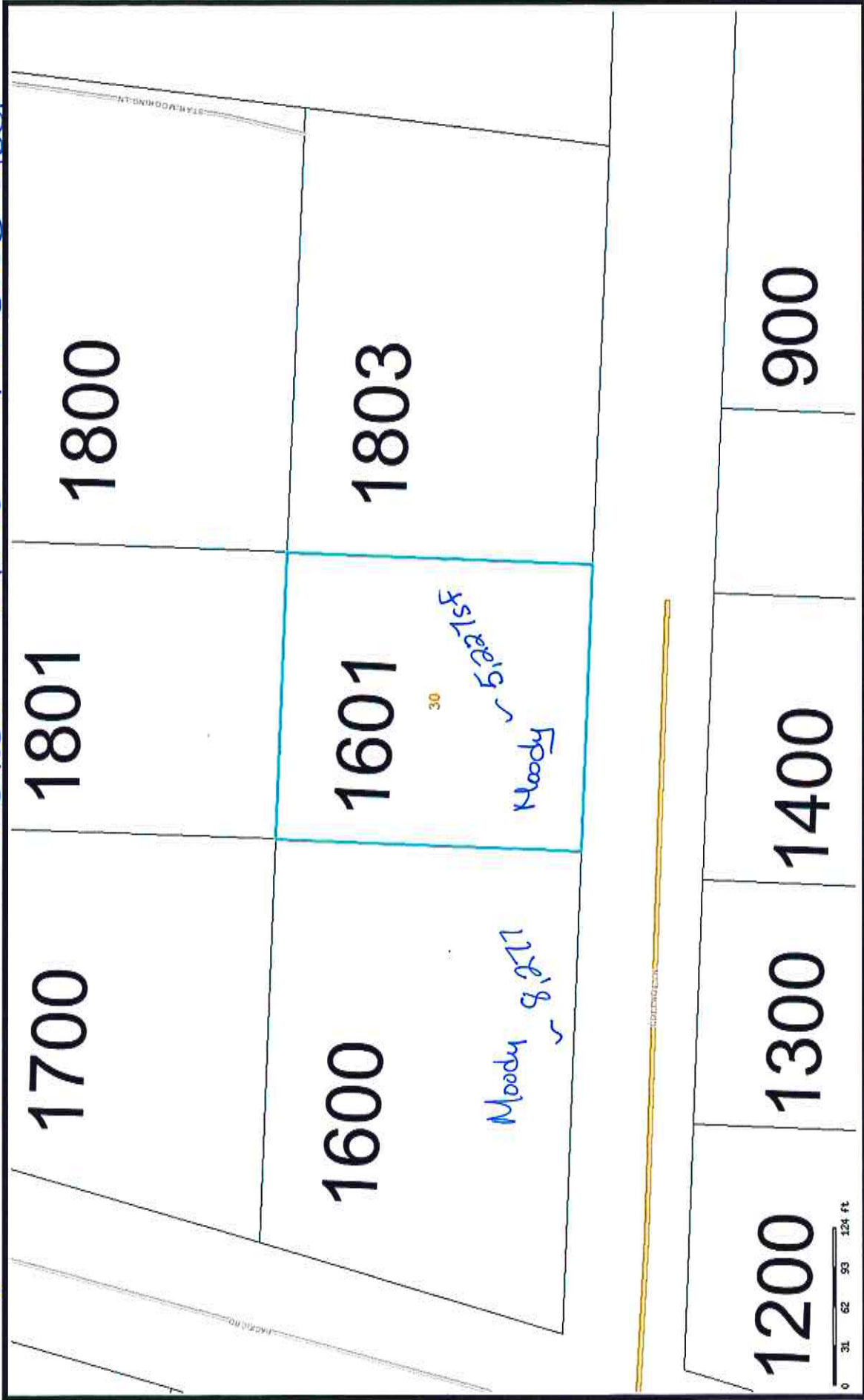
Map 36

7.50058

AC-RCE

10.10.03

4 10 30BB 01601



Clatsop County Webmaps

Disclaimer: This map was produced using Clatsop County GIS data. The GIS data is maintained by the County to support its governmental activities. This map should not be used for survey or engineering purposes. The County is not responsible for map errors, omissions, misuse or misinterpretation. Photos may not align with taxlots.



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Property History

Account ID:52346

Legal Description:

<u>Legal Type</u>	<u>Twncshp</u>	<u>Range</u>	<u>Sec</u>	<u>QSec</u>	<u>QQSec</u>	<u>TaxLot</u>	<u>TaxMapKey</u>
Metes and Bounds	4	10	30	B	B	01601	41030BB01601

Additional Information:

'03 Seg from TL 1600 daf; Comm at a pt on the N bdry li of Cottage Ave as laid out in the Declaration And Street Plan rec in Deed Rec of Clatsop Co in Bk 138, Pg 523, on Feb 23, 1937, mkd by an iron pipe, 731.62' S and 161.16' E of the meander cor between Sec 19 and 30; said meander cor is also the NW cor of Lot 1, Sec 30, T4N, R10W, WMCCO;

th Ely brng S 89' 32' e alg the N bdry li of Cottage Ave a dist of 70' to the SE cor of the prop hereby desc;

th Nly brng N 0' 28' E a dist of 75' to the NE cor of the prop hereby desc;

th Wly brng N 89' 32' W a dist of 70' to the NW cor of the property hereby desc;

th Sly brng S 0' 28' W a dist of 75' to the pob and the SW cor of the property hereby desc.

Account History:

Owner(s):

Current Ownership:

<u>Owner Name</u>	<u>Ownrshp %</u>	<u>Type</u>
Moody Stephany J		Trustee
Moody Gary and Stephany Trust		Trust

Ownership History:

<u>Create Dte</u>	<u>Effective Dte</u>	<u>Instrmnt ID</u>		
03/13/2003	01/27/2003	200301344	Moody Gary E	Husband & Wife
03/13/2003	01/27/2003	200301344	Moody Stephany J	Husband & Wife
04/29/2016	11/18/2015	201603042	Moody Stephany J	Owner
06/28/2016	05/06/2016	201604627	Moody Stephany J	Trustee
06/28/2016	05/06/2016	201604627	Moody Gary and Stephany Trust	Trust

Voucher History:

Voucher 1	Source: Clerk	Effective Date: 05/06/2016	Map Key: 41030BB01601
Document Type Code: Warranty Deed	Operation: Name Change	Date Created: 06/28/2016	Instrument Id: 201604627
Operation Type: Name	Completed Date: 06/28/2016	Voucher Type: Assessment	Book:
Completeness Status: Completed	Partition Flag: No	Consideration: \$0	Page:
Partition Flag: No	User Id: HCHAPMAN	Remarks:	Status: Active

Voucher 2	Source: Clerk	Effective Date: 11/18/2015	Map Key:
Document Type Code: Death Certificat	Operation: Name Change	Date Created: 04/29/2016	Instrument Id: 201603042
Operation Type: Name	Completed Date: 04/29/2016	Voucher Type: Assessment	Book:
Completeness Status: Completed	Partition Flag: No	Consideration:	Page:
Partition Flag: No	User Id: HCHAPMAN	Remarks: DC for Gary E Moody	Status: Active

Property History

Account ID:52346

Voucher 3	Source: Clerk	Effective Date: 01/27/2003	Map Key: 41030BB01601
Document Type Code: Bargain & Sale	Operation: Posting Only	Date Created: 12/04/2003	Instrument Id: 200317575
Operation Type: Information	Completed Date: 12/04/2003	Book:	Page:
Completeness Status: Completed	Voucher Type: Assessment	Status: Active	
Partition Flag: No	Consideration:		
User Id: MHILLARD	Remarks: Rerecorded instrument ID # 200301344 to correct tax lot number		
Voucher 4	Source: Clerk	Effective Date: 01/27/2003	Map Key: 41030BB01600
Document Type Code: Bargain & Sale	Operation: New Account	Date Created: 03/13/2003	Instrument Id: 200301344
Operation Type: Segregation	Completed Date: 03/13/2003	Book:	Page:
Completeness Status: Completed	Voucher Type: Assessment	Status: Active	
Partition Flag: Yes	Consideration:		
User Id: MPINCOMBE	Remarks:		



GARY E. MOODY & STEPHANY J. MOODY
 P.O. Box 10
 ARCH CAPE, OR 97102
Grantor's Name and Address
 GARY E. MOODY & STEPHANY J. MOODY
 P.O. BOX 10
 ARCH CAPE, OR 97102
Grantee's Name and Address
 After recording, return to (Name, Address, Zip):
 GARY E. MOODY & STEPHANY J. MOODY
 P.O. BOX 10
 ARCH CAPE, OR 97102
 Until requested otherwise, send all tax statements to (Name, Address, Zip):
 GARY E. MOODY & STEPHANY J. MOODY
 P.O. BOX 10
 ARCH CAPE, OR 97102

STATE OF OREGON,) ss.
 County of CLATSOP

I certify that the within instrument was received for record on _____ at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

SPACE RESERVED FOR RECORDER'S USE



Recording Instrument #: 200301344
 Recorded By: Clatsop County Clerk
 # of Pages: 1 Fee: 26.00
 Transaction date: 01/28/2003 09:27:53
 Deputy: tcharlton

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that GARY E. MOODY & STEPHANY J. MOODY HUSBAND AND WIFE hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto GARY E. MOODY & STEPHANY J. MOODY HUSBAND AND WIFE hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in CLATSOP County, State of Oregon, described as follows, to-wit:

THIS DEED IS FOR THE PURPOSE OF SEPERATION OF TAX LOT ACCOUNT NUMBER.

XX

PARCEL NO 2 LOT 1601 ADJACENT TO TAX ACCOUNT NUMBER 1007 41030BB 01600
 SITUS ADDRESS 31921 COTTAGE LANE ARCH CAPE OR 97102

PARCEL NO. 2

Commencing at a point on the North boundary line of Cottage Avenue as laid out in the Declaration And Street Plan recorded in Deed Records of Clatsop County in Book 138, Page 523, on February 23, 1937, marked by an iron pipe, 731.62 feet South and 161.16 feet East of the meander corner between Section 19 and 30; said meander corner is also the Northwest corner of Lot 1, Section 30, Township 4 North, Range 10 West, Willamette Meridian, Clatsop County, State of Oregon;
 thence Easterly bearing South 89' 32' East along the North boundary line of Cottage Avenue a distance of 70.0 feet to the Southeast corner of the property hereby described;
 thence Northerly bearing North 0'28' East a distance of 75.0 feet to the Northeast corner of the property hereby described;
 thence Westerly bearing North 89' 32' West a distance of 70.0 feet to the Northwest corner of the property hereby described;
 thence Southerly bearing South 0'28' West a distance of 75.0 feet to the point of beginning and the Southwest corner of the property hereby described.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols Φ , if not applicable, should be deleted. See ORS 93.030.)

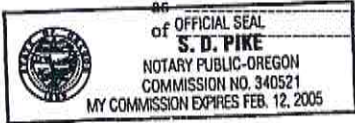
In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on JANUARY 27, 2003; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Gary E. Moody
Stephany J. Moody

STATE OF OREGON, County of CLATSOP) ss. 1/27/03
 This instrument was acknowledged before me on
 by Gary E. Moody & Stephany J. Moody
 This instrument was acknowledged before me on
 by _____



[Signature]
 Notary Public for Oregon
 My commission expires 2/12/05

Property History

Account ID:52347

Legal Description:

<u>Legal Type</u>	<u>Twncshp</u>	<u>Range</u>	<u>Sec</u>	<u>QSec</u>	<u>QQSec</u>	<u>TaxLot</u>	<u>TaxMapKey</u>
Metes and Bounds	4	10	30	B	B	01600	41030BB01600

Additional Information:

'03 Less TL 1601

Account History:

Owner(s):

Current Ownership:	<u>Owner Name</u>	<u>Ownrshp %</u>	<u>Type</u>
	Moody Stephany J		Trustee
	Moody Gary and Stephany Trust		Trust

Ownership History: Book 883, Page 319

<u>Create Dte</u>	<u>Effective Dte</u>	<u>Instrmnt ID</u>		
03/13/2003	01/27/2003	200301344	Moody Gary E	Husband & Wife
03/13/2003	01/27/2003	200301344	Moody Stephany J	Husband & Wife
04/29/2016	11/18/2015	201603042	Moody Stephany J	Owner
06/28/2016	05/06/2016	201604628	Moody Stephany J	Trustee
06/28/2016	05/06/2016	201604628	Moody Gary and Stephany Trust	Trust

Voucher History:

Voucher 1	Source: Clerk	Effective Date: 05/06/2016	Map Key: 41030BB01600
	Document Type Code: Warranty Deed	Date Created: 06/28/2016	Instrument Id: 201604628
	Operation: Name Change	Completed Date: 06/28/2016	Book:
	Operation Type: Name	Voucher Type: Assessment	Page:
	Completeness Status: Completed	Consideration: \$0	Status: Active
	Partition Flag: No	Remarks:	
	User Id: HCHAPMAN		

Voucher 2	Source: Clerk	Effective Date: 11/18/2015	Map Key:
	Document Type Code: Death Certificat	Date Created: 04/29/2016	Instrument Id: 201603042
	Operation: Name Change	Completed Date: 04/29/2016	Book:
	Operation Type: Name	Voucher Type: Assessment	Page:
	Completeness Status: Completed	Consideration:	Status: Active
	Partition Flag: No	Remarks: DC for Gary E Moody	
	User Id: HCHAPMAN		

Voucher 3	Source: Clerk	Effective Date: 01/27/2003	Map Key: 41030BB01600
	Document Type Code: Bargain & Sale	Date Created: 03/13/2003	Instrument Id: 200301344
	Operation: New Account	Completed Date: 03/13/2003	Book:
	Operation Type: Segregation	Voucher Type: Assessment	Page:
	Completeness Status: Completed	Consideration:	Status: Active
	Partition Flag: Yes	Remarks:	
	User Id: MPINCOMBE		

STEPHANY J. MOODY, *a widow
TO:
GARY E. MOODY AND STEPHANY J. MOODY
JOINT REVOCABLE LIVING TRUST DATED
FEBRUARY 8, 2009, STEPHANY J. MOODY,
TRUSTEE

GRANTOR

GRANTEE

After recording, return to:

LEONARD J. KOVAC, JR.

11073 S.E. Main Street

Milwaukie, OR 97222

Until a change is requested, all
tax statements shall be sent to
the following address:

No Change.



Recording Instrument #: 201604628

Recorded By: Clatsop County Clerk

of Pages: 2 Fee: 52.00

Transaction date: 6/27/2016 09:24:17

Deputy: nstethem

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That, **STEPHANY J. MOODY, *a widow**, hereinafter called the Grantor, for the consideration hereinafter stated, to grantor paid by GARY E. MOODY AND STEPHANY J. MOODY JOINT REVOCABLE LIVING TRUST DATED FEBRUARY 8, 2009, STEPHANY J. MOODY, TRUSTEE, hereinafter called the Grantee, does hereby grant, bargain, sell and convey her interest unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Clatsop and State of Oregon, described as follows, to-wit:

See attached legal description
Subject to easements and restrictions of record.

Map Key 41030BB 01600 Tax Acct. No. 52347
Situs : 31921 Cottage Lane, Arch Cape, OR 97102

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

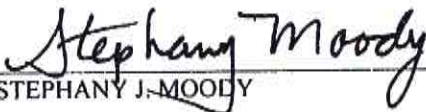
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as described above and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS \$ *NONE . *THIS CONVEYANCE IS FOR ESTATE PLANNING PURPOSES ONLY.

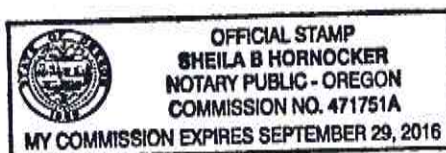
In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 6th day of May, 2016.

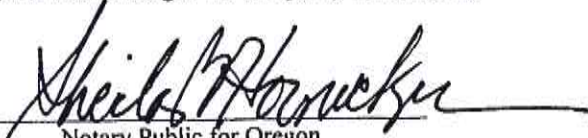
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.


STEPHANY J. MOODY

STATE OF OREGON, County of Clackamas) ss. May 6, 2016
Personally appeared before me STEPHANY J. MOODY the above-named, and acknowledged the foregoing instrument to be her voluntary act and deed.



Before Me:


Notary Public for Oregon

Legal Description

Beginning at a point of intersection of East boundary line of Pacific Street and the North boundary line of Cottage Avenue as laid out in the Declaration and Street Plan recorded in Book 138, Page 523, Deed Records, marked by an iron pipe, which is 730.67 feet South and 44.83 feet East of the meander corner between Sections 19 and 30, said meander corner being also the Northwest corner of Lot 1, Section 30, Township 4 North, Range 10 West, Willamette Meridian, in the County of Clatsop, State of Oregon;

thence Easterly bearing South 89°32' East along the North boundary line of Cottage Avenue a distance of 116.33 feet;

thence Northerly bearing North 0°28' East a distance of 75 feet;

thence Westerly bearing North 89°32' West 97.165 feet to the East line of Pacific Street;

thence Southerly bearing South 14°48' West along the East boundary line of Pacific Street a distance of 77.415 feet to the point of beginning.

4_10_30_B_B_01600____1007

f Descriptions of Real Properties

10-07

ACCOUNT NUMBER

OFFICE OF COUNTY ASSESSOR, CLATSOP COUNTY, OREGON

CODE NUMBER

SECTION..... 30

TOWNSHIP..... 4 ..B RANGE..... 10 ..W.M.

MAP NO. 410 30BB

AERIAL PHOTO

1600

TAX LOT NUMBER

LOT

BLOCK

NO.....

NO.....

ADDITION.....

CITY.....

INDENT EACH NEW COURSE TO THIS LINE

LEGAL DESCRIPTION

DEED RECORD

ACRES REMAINING

YEAR VOLUME PAGE

LEGAL DESCRIPTION	DEED RECORD			ACRES REMAINING
	YEAR	VOLUME	PAGE	
V Olmstead, Jeffrey R. 1/2; Olmstead, Stephen P. 1/2 BSD 11-19-81		565	308	11-09-81
Correction BSD O'Donnell, James M./Sarah K.	12-4-81	566	311	11-24-81
	WD 12-4-81	566	313	11-24-81
Stewart, Timothy W./Laurie D.	WD 6/19/92	787	439	6/10/92
Moody, Gary E/Stephany J	WD 10-20-95	883	319	10-10-95

410-3028-1600

30 BB 4 10-16

Official Record of Descriptions of Real Properties

19 11
37-1

ACCOUNT NUMBER

OFFICE OF COUNTY ASSESSOR, CLATSOP COUNTY, OREGON

CODE NUMBER

16 TAX LOT NUMBER	SECTION.....30.....	TOWNSHIP.....4 N	RANGE...10 W.W.M.	MAP NO...30 BB 4 10	AERIAL PHOTO
	LOT NO.....	BLOCK NO.....	ADDITION.....	CITY.....	

INDENT EACH NEW COURSE TO THIS LINE	LEGAL DESCRIPTION	DEED RECORD			ACRES REMAINING
		YEAR	VOLUME	PAGE	
Y	Baap of inters of the E bdy ln of Pac St & the N bdy ln of Cottage Ave as ld out in the decla & St plan rec in Bk 138, page 523, D Rec, marked by an ip, wh is 730.67' S & 44.83' E of the meander cor betw Sec 19 & 30, sd meander cor being also the NW cor of Lt 1, Sec 30, T4N, R10W, WM, in the C of C, S of O;		215	313	
	th Ely bear S 89°32' E alg the N bdy ln of Cottage Ave a dis of 116.33';	58	245	384	
	th Nly bear N 0°28' E a dis of 75';	59	251	220	
	th Wly bear N 89°32' W 97.165' to the E ln of Pac St;		223	322	
	th Sly bear S 14°48' W alg the E bdy of Pac St a dis of 77.415' to the pob.		294	240	
		Cert. of Death '73	374	643-644	
		WD '73	377	531	
		Deed '73	377	679-681	
	Doherty, Marguerite T. ½; Doherty, Raymond E. ½				
	Olmstead, C. B. & Jessie D.	WD 11-20-79	514	745	10-03-79
	Also includes TL 1500 daf;				
	C a p on the N bdy ln of Cottage Ave as ld out in the Dec & St Plan rec in D rec of C C in Bk 138 on Pg 523 on 2-23-37 marked by an ip wh is 731.62 ft S & 161.16 ft E of the meander cor bet Secs 19 & 30;				
	sd meander cor is also the NW cor of Lt 1, Sec 30, T4N, R10W, WM, C of C, S of OR;				
	th ELY bear S 89° 32' E alg the N bound li of Cottage Ave a dist of 70.00 ft to the SE cor of the prop HD;				
	th NLY bear N 0° 38' E a dist of 75.0 ft to the NE cor of the prop HD;				
	th WLY bear N 89° 32' W a dist of 70.0 ft to the NW cor of the prop HD;				
	th SLY bear S 0° 28' W a dist of 75.0 ft to the pob & the SW cor of the prop HD.				
	Olmstead, C.B. & Jessie D.				.30 ac