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MINOR PARTITION STREET IMPROVEMENT AGREEMENT

KNOW ALL PERSONS BY THESE PRESENTS: That

whereas, United States National Bank of Oregon, hereinafter referred to as "petitioners," have made application to the planning administrator for a minor partitioning of property located at 1515 Boone Road; and

WHEREAS, one of the conditions of approval of Minor Partitioning Plat No. 83-12M is the improvement of Boone Road; and

WHEREAS, petitioners have requested that the street improvement be delayed until such time the City Council makes a determination that the condition be implemented and the improvement made; NOW, THEREFORE,

The premises being as set forth in the above recitals, the petitioners, their heirs and assigns, as a condition of approval of partitioning the following described real property, to-wit:

Parcel 1

Beginning at an iron rod which is 30.00 feet North $00^{\circ} 26' 08''$ East and 234.09 feet South $89^{\circ} 54'$ East from the Southwest corner of Lot 1 in Cornforth Fruit and Dairy Farms in Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, (see Volume 6, Page 41, Book of Town Plats); and running thence North $01^{\circ} 36'$ East 171.00 feet to an iron rod; thence South $89^{\circ} 54'$ East 104.50 feet to an iron rod; thence South $01^{\circ} 36'$ West 171.00 feet to an iron rod; thence North $89^{\circ} 54'$ West 104.50 feet to the point of beginning.

Parcel 2

Beginning at an iron rod which is 30.00 feet North $00^{\circ} 26' 08''$ East from the Southwest corner of Lot 1 in Cornforth Fruit and Dairy Farms in Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, (see Volume 6, Page 41, Book of Town Plats); and running thence North $00^{\circ} 26' 08''$ East, along the West line of said Lot 1, a distance of 1627.94 feet to the Northwest corner thereof; thence South $89^{\circ} 25' 04''$ East to an iron rod at the Northwest corner of Lot 3 in said Cornforth Fruit and Dairy Farms; thence South $89^{\circ} 29'$ East 264.11 feet to an iron rod at the Northeast corner of said Lot 3; thence South $00^{\circ} 15' 08''$ West, along the East line of said Lot 3, a distance of 1621.60 feet to an iron rod which is 30.00 feet North $00^{\circ} 15' 08''$ East from the Southeast corner of said Lot 3; thence North $89^{\circ} 54'$ West 453.31 feet to an iron rod; thence North $01^{\circ} 36'$ East 171.00 feet to an iron rod; thence North $89^{\circ} 54'$ West 104.50 feet to an iron rod; thence South $01^{\circ} 36'$ West 171.00 feet to an iron rod; thence North $89^{\circ} 54'$ West 234.09 feet to the point of beginning.

Subject to an easement to Pacific Telephone and Telegraph Co. as recorded in Volume 268, Page 117, Marion County Deed Records.

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hereby agree to make the following street improvement:

A one-half street improvement to residential street standards along the frontage of Parcels 1 and 2.

The petitioners agree to make said street improvement at such time as the Common Council of City shall determine in its sole discretion that there is a public need for the improvement. Upon the Council's making of such determination, written notice thereof shall be given to petitioners and petitioners shall promptly thereafter proceed with the construction of the aforesaid described street improvement.

WITNESS our hands and seals this 18th day of October, 1983.

United States National Bank of Oregon,
Personal Representative of the Estate
of Clarence E. Jeffers, Dec'd.

by *Gregory H. Mullen*

Gregory H. Mullen
Trust Administrative Officer

STATE OF OREGON)
) ss.
County of Marion)

THIS CERTIFIES that on the 18th day of October, 1983, before me, the undersigned notary personally appeared Gregory H. Mullen a Trust Administrative Officer of United States National Bank of Oregon known to me to be the identical persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

James X. Larson
Notary Public for Oregon
My commission expires: 3/14/87

APPROVED AS TO FORM:

Jennette M. Jauner
Asst. City Attorney