

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Flying Feather Orchards, Inc.		PHONE (HM) N/A	
PHONE (WK) 503.858.7865	CELL N/A	FAX N/A	
ADDRESS 21810 NE North Valley Road			
CITY Newberg	STATE OR	ZIP 97132	E-MAIL * michael@hazelnut-farm.com

Organization

NAME Same as Above		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE	FAX
			CELL
CITY	STATE	ZIP	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate

Applicant Signature

Michael Severeid, President
Print Name and Title if applicable

6/14/2023
Date

For Department Use: App. Number: _____

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SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

- | | | |
|----------------------------------|---|---------|
| 1. Jost, Stanley K., | 15125 NE FLYING FEATHER LN, NEWBERG, OR 97132 | TL 1600 |
| 2. Browning, Edred L. & Lila S., | 22005 NE HIGHWAY 240, NEWBERG, OR 97132 | TL 1700 |
| 3. DeWolfe, Nila, | 21875 NE HIGHWAY 240, NEWBERG, OR 97132 | TL 1701 |
| 4. Haney, Stephen L., | 23070 NORTH VALLEY RD, NEWBERG, OR 97132 | TL 300 |
| 5. Willamette Hazelnut, Inc., | 14975 NE TANGEN RD, NEWBERG, OR 97132 | TL 2200 |
| 6. Mitchell, William J., | 4 HARRINGTON RD, MORAGA, CA 94556 | TL 2600 |

***Note:** All the above properties are leased for farming by Flying Feather Orchards, Inc.

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

The following table is a list of tax lots from which the water is diverted, crossed, and/or used as depicted on the application map.

TWP	RNG	SEC	TAXLOT	Owner, FF=FlyFeath
3 S	3 S	11	100	FF
3 S	3 S	11	200	FF
3 S	3 S	11	1600	Jost
3 S	3 S	11	1700	Browning
3 S	3 S	11	1701	DeWolfe
3 S	3 S	12	300	Haney
3 S	3 S	12	400	FF
3 S	3 S	12	500	FF
3 S	3 S	12	2001	FF
3 S	3 S	12	2100	FF
3 S	3 S	12	2200	Will. Hazenut
3 S	3 S	12	2300	FF
3 S	3 S	12	2400	FF
3 S	3 S	12	2600	Mitchell
3 S	3 S	12	2700	FF

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SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Tangen Reservoir	Tributary to: Chehalem Creek
TRSQQ of POD: T3S, R3W, S12, NW-SW	
Source 2: Davis Reservoir	Tributary to: Chehalem Creek
TRSQQ of POD: T3S, R3W, S12, NW-SE	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

Here is a list of water right documents associated with Tangen and Davis Reservoir:

1. Cert. 22118 (Tangen Reservoir)
2. Cert. 22119 (Use of Tangen)
3. Cert. 22284 (Davis Reservoir)
4. Cert. 22285 (Use of Davis)
5. Cert. 95697 (Use of Tangen and Davis)

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

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This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water

Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

N/A

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Tangen Reservoir	Irrigation	March 1 through October 31	25.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Davis Reservoir	Irrigation	March 1 through October 31	9.4 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: 209 Acres Supplemental: 0 Acres Nursery Use: 0 Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): N/A

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 34.4

- If the use is **municipal or quasi-municipal**, attach Form M, N/A
- If the use is **domestic**, indicate the number of households: N/A
- If the use is **mining**, describe what is being mined and the method(s) of extraction: N/A

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 15 horsepower at Davis reservoir and 7.5 horsepower at Tangen reservoir, both centrifugal.
- Other means (describe): N/A

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

The pumps are both electric-powered centrifugal pumps that have a fish screen and meter that conveys water via underground and above ground mainlines and laterals to a series of drip lines that are located along the rows of trees.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
drip

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

- The farmer uses water to establish the Hazelnut orchard, but then the orchard may need much less water after that time; however, an occasional watering on a mature orchard at the correct time will greatly increase the production of the orchard.
- The farmer grows Hazelnuts that sometimes need water depending on the weather, soil conditions, aspect, and age of the orchard. The farmer constantly monitors the Hazelnut trees and only waters when it is most beneficial.
- No water will runoff of the site because drip irrigation is used and in small amounts, and in dry weather, so no adverse effect to surface waters is possible.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: **The POD's are already fish screened; see COBU for permit S-55066 and/or attachment B. Attachment B is the fish screen approval for both reservoir POD's. Both fish screens were sized to handle much more water than would be needed if this application was approved.**
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: **N/A, the POD's have already been constructed for the earlier certificates, so no riparian disturbance is needed.**
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe planned actions and additional permits required for project implementation: **N/A**
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: **The irrigation water is applied using a very controlled drip system having very low rates, so no irrigation related runoff or erosion can be expected to occur.**
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
None known

SECTION 8: PROJECT SCHEDULE

- Date construction will begin: **Summer 2023**
- Date construction will be completed: **Summer 2028**
- Date beneficial water use will begin: **Summer 2023**

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SECTION 9: WITHIN A DISTRICT

- Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name None Known	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. *(Attach additional sheets if necessary).*

We understand that the water has already been appropriated under S-88358 and agree to cancel this water right if, and only if, a new permit for this application is approved.

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Minimum Requirements Checklist

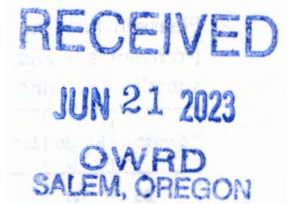
Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks



Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$1425.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if **well** is outside of the area of use)

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

Applicant

NAME FLYING FEATHER ORCHARDS, INC.		PHONE (HM) N/A	
PHONE (WK) 503.858.7865	CELL N/A	FAX N/A	
ADDRESS 21810 NE NORTH VALLEY ROAD			
CITY NEWBERG	STATE OR	ZIP 97132	E-MAIL* MICHAEL@HAZELNUTNURSERY.COM

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
3S	3W	11	NA	500, 1600, 1700, 1701	EF80 or EF20	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
3S	3W	12	NA	300, 500, 2200, 2300, 2400, 2600	EF80 or EF20	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Yamhill

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Groundwater
 Surface Water (name) _____

Estimated quantity of water needed: 34.4
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

The applicant is planning to use the existing stored water to irrigate filberts.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

SECTION 402.02(A) of the 9620

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME: <i>LANCE WOODS</i>		TITLE: <i>ASSOCIATE PLANNER</i>
SIGNATURE: <i>[Signature]</i>	PHONE: <i>(503) 434-7516</i>	DATE: <i>6/14/2023</i>
GOVERNMENT ENTITY: <i>YAMHILL COUNTY PLANNING DEPT.</i>		

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

A PORTION OF THAT TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 200626280, RECORDED NOVEMBER 15, 2006, YAMHILL COUNTY DEED RECORDS, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF SAID TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 200626280, YAMHILL COUNTY DEED RECORDS.

EXCEPTING THE FOLLOWING PORTION OF SAID INSTRUMENT NO. 200626280:

COMMENCING AT THE NORTHWEST CORNER OF THE JOSEPH HESS D.L.C. NO. 69, SAID POINT ALSO BEING ON THE CENTERLINE OF NORTH VALLEY ROAD (MARKET ROAD NO. 4); THENCE ALONG THE NORTH LINE OF SAID D.L.C. NO. 69 AND THE CENTERLINE OF SAID NORTH VALLEY ROAD SOUTH 89°15'31" EAST, 1629.23 FEET; THENCE LEAVING SAID NORTH LINE OF D.L.C. NO. 69 SOUTH 00°44'29" WEST, 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID NORTH VALLEY ROAD, BEING 30.00 FEET SOUTHERLY OF THE CENTERLINE THEREOF (WHEN MEASURED PERPENDICULAR THERETO) AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°44'29" WEST, 317.39 FEET; THENCE SOUTH 89°15'31" EAST, 274.49 FEET; THENCE NORTH 00°44'29" EAST, 317.39 FEET TO AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF NORTH VALLEY ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 89°15'31" WEST, 274.49 FEET TO THE TRUE POINT OF BEGINNING.

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EXHIBIT "A"

R3311 00100

A part of the DLC of Joseph Hess and Mary L. Hess, his wife, being Claim No. 69, Not. No. 1406, and parts of Sections 11, 12, 13 and 14 Township 3 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, said part being more particularly described as follows, to-wit:

Beginning at a point one chain South and North $89^{\circ}31'$ West 31.38 chains from the Northeast corner of said DLC at a stake in the center of the County Road; thence South $0^{\circ}30'$ West 17.39 chains to a stake on North line of Hess land; thence South $09^{\circ}31'$ West along North line of Hess land 22.80 chains to stake; thence North $0^{\circ}30'$ East 17.73 chains to stake in center of County Road; thence South $89^{\circ}30'$ East along center of said road 22.00 chains to the place of beginning.

SUBJECT to rights of the public in and to that portion of the premises lying in roads or highways.

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EXHIBIT "A"

PLM 158 PAGE 1550

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That BENSON C. MITCHELL, JR. and GRACE E. MITCHELL, his husband and wife, as tenants in common, w/no right of survivorship hereinafter called the grantor, for the consideration hereinafter set forth to grantor paid by FLYING FEATHERS ORCHARDS, INC., an Oregon corporation, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, certain real property, with the tenements, hereditaments and appurtenances therunto belonging or appertaining situated in the County of Yamhill and State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

BENSON C. MITCHELL, JR. and GRACE E. MITCHELL, Route 1, Box 187 Newberg, OR 97132
GRANTOR'S NAME AND ADDRESS

FLYING FEATHERS ORCHARDS, INC. Route 1, Box 187 Newberg, OR 97132
GRANTEE'S NAME AND ADDRESS

After recording return to: STAN BUNN, ATTORNEY 408 E. FIRST STREET NEWBERG, OREGON 97132
NAME, ADDRESS, ZIP

Should a change be requested, all had statements shall be sent to the following address: FLYING FEATHERS ORCHARDS, INC. Route 1, Box 187 Newberg, OR 97132
NAME, ADDRESS, ZIP

01175 STATE OF OREGON
 10.50 County of Yamhill

I certify that the within instrument was received for record on the 19 day of Feb, 1911, at 1:34 o'clock P.M., and recorded in book 158 on page 1550 of file/real number



Record of Deeds of said county. Witness my hand and seal of County aforesaid.

CHARLES STERN, COUNTY CLERK
 By *Charles Stern* Recording Officer Deputy

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FILM 158 PAGE 1551

To Have and to Hold the same unto the said grantees and grantees' heirs, successors and assigns forever.
And said grantor hereby covenants to and with said grantees and grantees' heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances.

and grantor will warrant and forever defend the above granted 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 and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-
However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 22nd day of December, 1980, if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

EFFECTIVE DECEMBER 1, 1980 BUT SIGNED
DECEMBER 22, 1980

(If executed by a corporation,
the corporate seal)

Benson C. Mitchell, Jr.
Benson C. Mitchell, Jr.

Grace R. Mitchell
Grace R. Mitchell

STATE OF OREGON,

County of Yamhill
December 22, 1980

Personally appeared the above named
Benson C. Mitchell, Jr. and
Grace R. Mitchell

and acknowledged the foregoing instru-
ment to be their voluntary act and deed.

[Signature]
Notary Public for Oregon
My commission expires: 02-23, 1981



STATE OF OREGON, County of _____

Personally appeared _____, who, being duly sworn, each for himself and not one for the other, did say that the foregoing is the true and correct copy of the original instrument and that the latter is the original instrument.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in the full of said corporation by authority of its board of directors and each of them acknowledged said instrument to be its voluntary act and deed.

[Signature]
Notary Public for Oregon
My commission expires: _____

(OFFICIAL SEAL)

1980 1980

EXHIBIT "A"

Being a part of the North half of the Original Donation Land Claim of Joseph Hess and Mary L. Hess, his wife in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, said part being bounded and described as follows, to-wit:

Beginning at a point on the East line of said Claim 21.82 chains South of the Northeast corner and running thence North following the East line of said Claim 255 1/2 feet; thence West 1441 and 10/12 feet; thence Southerly parallel with the East line of said Claim, 255 1/2 feet; thence East 1441 and 10/12 feet to the place of beginning.

SUBJECT to rights of the public in and to that portion, if any, of the premises lying in roads or highways.

RECEIVED

JUN 21 2023

OWRD
SALEM, OREGON

EXHIBIT "A"

EXHIBIT "A"

R3312 02700

Part of the Joseph Hess Donation Land Claim #69 in Township 7 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, said part being situated in Section 12 in said Township and Range, and being a portion of that certain tract of land conveyed to W. O. Wildman et ux by deed recorded September 20, 1961 in Film Volume 18, Page 012, Deed and Mortgage Records, Yamhill County, Oregon, said portion being more particularly described as follows: Beginning at a point in the center of a 60 foot county road, said point being the Northeast corner of said Wildman tract, said point also being 66 feet South and 390.72 feet North 89° 31' West from the Northeast corner of said Hess Donation Land Claim; thence North 89° 20' West along the North line of said Wildman tract, following the center line of said County Road, a distance of 266.30 feet to the true place of beginning of the herein described property; thence South 01° 06' West 795.45 feet to an iron pipe; thence North 88° 54' West 207.30 feet to an iron pipe; thence South 08° 22' West a distance of 332.70 feet to an iron pipe set on the South line of said Wildman tract; thence North 89° 33' West along the South line of said Wildman tract 1043.1 feet to the Southwest corner thereof; thence North 0° 30' East following the West line of said Wildman tract 1247.74 feet to the Northwest corner thereof, said point being situated in the center of said 60 foot county road; thence South 89° 20' East along said center line and the North line of said Wildman tract, a distance of 1314.06 feet to the place of beginning.

RECEIVED

JUN 21 2023

OWRD
SALEM, OREGON

EXHIBIT "A"



After recording return to Grantee and until a change is requested all tax statements shall be sent to the Grantee at the following address:
 William J. Mitchell and Denise M. Mitchell
 4 Harrington Road
 Moraga, CA 94556

Grantor Address:
 Lyle Urick and Peggy Grunden

22560 NE North Valley Road
 Newberg, OR 97132

File No.: 1032-1805861 (CCB)
 Date: December 22, 2011

THIS SPACE RESERVED FOR RECORDER'S USE

OFFICIAL YAMHILL COUNTY RECORDS
 REBEKAH STERN DOLL, COUNTY CLERK

2012-00003



\$46.00

01/03/2012 10:44:31 AM

DMR-DDMR Cnt=1 Stn=2 ANITA
 \$10.00 \$10.00 \$11.00 \$15.00

FIRST AMERICAN TITLE | 80 5861

STATUTORY WARRANTY DEED

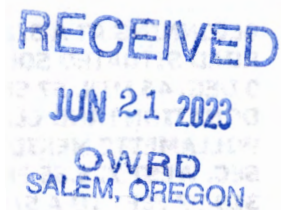
Lyle Urick and Peggy Grunden, as tenants by the entirety, Grantor, conveys and warrants to **William J. Mitchell and Denise M. Mitchell**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$370,000.00**. (Here comply with requirements of ORS 93.030)



RECEIVED

JUN 21 2023

OWRD
SALEM, OREGON

APN: 72209

Statutory Warranty Deed
- continued

File No.: 1032-1805861 (CCB)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 29th day of December, 2011.

[Signature]
Lyle Urick

[Signature]
Peggy Grunden

STATE OF Oregon)
)ss.
County of Yamhill)

This instrument was acknowledged before me on this 29th day of December, 2011
by **Lyle Urick and Peggy Grunden.**

[Signature]

Notary Public for Oregon
My commission expires: 4/18/14



LEGAL DESCRIPTION: Real property in the County of Yamhill, State of Oregon, described as follows:

BEGINNING AT A 5/8" ROD AND CAP ON THE SOUTHERLY RIGHT-OF-WAY OF THE COUNTY ROAD SITUATED SOUTH 66.0 FEET, NORTH 89 DEG, 30 MIN. WEST, 796.92 FEET AND SOUTH 0 DEG. 46 MIN. 57 SEC. WEST, 30.0 FEET FROM THE NORTHEAST CORNER OF THE HESS DONATION LAND CLAIM IN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON; THENCE SOUTH 0 DEG. 46 MIN 57 SEC. WEST 775.55 FEET TO AN IRON PIPE; THENCE SOUTH 0 DEG. 46 MINS. 57 SEC. WEST, 319.37 FEET TO A 5/8" ROD AND CAP; THENCE NORTH 89 DEG. 51 MINS. 43 SEC. EAST 408.09 FEET TO A 5/8" ROD AND CAP; THENCE NORTH 0 DEG. 00 MIN 43 SEC. WEST, 256.96 FEET TO A 5/8" ROD AND CAP; THENCE SOUTH 85 DEG. 21 MIN. 50 SEC. EAST, 15.05 FEET TO A 5/8" ROD AND CAP; THENCE NORTH 0 DEG. 04 MIN. WEST 825.63 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID 60 FOOT COUNTY ROAD; THENCE ALONG SAID SOUTH LINE, NORTH 89 DEG. 30 MIN. WEST, 406.20 FEET TO THE POINT OF BEGINNING.

2/2

RECEIVED

JUN 21 2023

OWRD
SALEM, OREGON

After recording, return to:
 Order Number: 15877

Western Title & Escrow
 1215 NE Baker
 McMinnville, OR 97128

Grantee Name(s)
 Willamette Filbert Growers, Inc., an Oregon Corporation
 Attn: Benson C. Mitchell
 14975 NE Tangen Road 14975 NE Tangen Road
 Newberg, OR 97132

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

OFFICIAL YAMHILL COUNTY RECORDS
REBEKAH STERN DOLL, COUNTY CLERK

200900480



\$31.00

0031596720090004800020025

01/13/2009 02:32:55 PM

DMR-DDMR Cnt=1 Stn=2 ANITA
\$10.00 \$10.00 \$11.00

STATUTORY WARRANTY DEED

William G. Flatters, Grantor(s) convey and warrant to Willamette Filbert Growers, Inc., an Oregon Corporation, Grantee the following described real property free of encumbrances except as specifically set forth herein:

SEE ATTACHED EXHIBIT "A"

Account No(s): 72076
Map/Tax Lot No(s): R3312-02200

This property is free of encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable and lease by Grantees as landlord and William G. Flatters and Delores Flatters as tenants, and executed as part of this transaction.

The true consideration for this conveyance is \$600,000.00. (Here comply with requirements of ORS 93.030.)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11 OF CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Executed this 13 day of January, 2009

William G. Flatters

State of Oregon, County of Yamhill) ss.

This instrument was acknowledged before me on this 13 day of January, 2009 by William G. Flatters

Notary Public for Oregon



1/2

WESTERN TITLE & ESCROW 15877

EXHIBIT "A"

A part of the Joseph Hess Donation Land Claim, in Sections 11 and 12 in Township 3 South, Range 3 West of the Willamette Meridian, Yamhill County and State of Oregon, described as follows: Beginning at a point on the East line of said Donation Land Claim, 23.718 chains South of the Northeast corner of said Donation Land Claim, which place of beginning is the Northeast corner of Parcel 4 of that tract conveyed to Elmer Erbe, et ux, by deed recorded September 28, 1964 in Film Vol. 40, Page 424; thence South 89° 45' West along the North line of said Erbe tract, 36.97 chains, more or less, to the Southwest corner of that tract conveyed to James R. Hess by deed recorded December 29, 1939 in Book 116, Page 211, and as shown by Yamhill County Surety #2900; thence North along the West line of said Hess tract 5.89 chains, more or less, to the South line of that tract conveyed to Carl Marnach, et ux, by deed recorded November 17, 1951 in Book 163, Page 655; thence North 89° 38' East along the South line of said Marnach tract and the South line of that tract conveyed to Benson C. Mitchell, et ux, by deed recorded January 22, 1963 in Film Vol. 27, Page 795, 15.255 chains, more or less, to the Northwest corner of that tract conveyed to Benson C. Mitchell, et ux, by deed recorded April 30, 1964 in Film Vol. 36, Page 987; thence Southerly along the West line of the last above said Mitchell tract, 2551/2 feet to the Southwest corner thereof; thence East along the South line of said Mitchell tract 1441.10 feet to the Southeast corner of said Mitchell tract; thence South along the East line of said Donation Land Claim, 1.8 chains, more or less, to the place of beginning.

RECEIVED
JUN 21 2023
OWRD
SALEM, OREGON

2/2

VOL 36 PAGE 987

KNOW ALL MEN BY THESE PRESENTS, That I, L. SANTINO DARE, also known as SANTINA L. DARE, a single woman

in consideration of Ten and no/100ths - - Dollars, hereinafter called the grantor,

to grantor paid by BENSON G. MITCHELL, Jr. and GRACE ROSE MITCHELL, husband and wife, hereinafter called the grantee,

does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the State of Oregon and the county therein named below, described as follows, to-wit:

Being a part of the North half of the Original Donation Land Claim of Joseph Hess and Mary L. Hess, his wife in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, said part being bounded and described as follows, to-wit:

Beginning at a point on the East line of said Claim 21.82 chains South of the Northeast corner and running thence North following the East line of said Claim 255 1/2 feet; thence West 1441 and 10/12 feet; thence Southerly parallel with the East line of said Claim, 255 1/2 feet; thence East 1441 and 10/12 feet to the place of beginning.

SUBJECT to rights of the public in and to that portion, if any, of the premises lying in roads or highways.

6.60 TRS.

To Have and to Hold the above described and granted premises unto the said grantee and grantee's heirs and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will and grantor's heirs, executors and administrators shall warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand and seal this 20 day of April, 1964

L. Santino Dare (SEAL)

(SEAL)

(SEAL)

(SEAL)

(ORS 93.490)

STATE OF OREGON, County of Yamhill) ss. April 20, 1964

Personally appeared the above named L. Santino Dare, also known as Santina L. Dare, a single woman

and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires October 1, 1964

RECEIVED

JUN 21 2023

OWRD SALEM, OREGON



EXHIBIT "A"

Part of the William Jones Donation Land Claim No. 44 in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

BEGINNING at a point in the center of small brook 31.73 chains South and 1294.10 feet West of the Northeast corner of said claim, said point being also on the North line of tract conveyed to Ralph and Elsie W. Lehmann by Deed recorded March 30, 1945 in Book 128, Page 481, Deed Records of Yamhill County, Oregon, and being also 280 feet East of the Southwest corner of tract conveyed to M. L. and Margaret L. Walker by Deed recorded August 11, 1942 in Book 120, Page 169, Deed Records; thence West along the North line of said Lehmann tract 619 feet, more or less, to an iron pipe being the Southeast corner of that tract of land conveyed to C. E. Darling et ux by Deed recorded May 6, 1974 in Film Volume 99, Page 1751, Yamhill County Deed Records; thence North 1021.37 feet to an iron pipe set on the Southerly margin of North Valley Road at a point 30 feet from the centerline of said road (measured at right angle to); thence North 30 feet to the center of said road; thence Northeasterly along the centerline of said road to the Northwest corner of that tract of land conveyed to John T. McPhee et ux by Deed recorded June 13, 1960 in Film Volume 11, instrument #60958 Deed Records of Yamhill County; thence South 285 feet; thence Easterly parallel with the center of said County Road 68 feet, more or less, to the West line of said Walker tract; thence South along the West line of said Walker tract to a point which is 335 feet North of the Southwest corner of said Walker tract, said point being the most Southerly Southwest corner of said McPhee tract; thence East 248 feet along the South line of the McPhee tract to the Southeast corner thereof, being in the center of a small brook; thence Southerly along the center of the small brook to the Place of Beginning.

EXCEPTING THEREFROM that portion dedicated for public roadway purposes in deed to Yamhill County recorded May 22, 1974 in Film Volume 100, Page 408, Deed Records.

Tax Lot No. 3312-300

YCT&E 132553
1233-16-2

RECEIVED

JUN 21 2023

OWRD
SALEM, OREGON

2-4-94

R3312 00400



After recording return to:
Flying Feather Orchards, Inc.
14875 NE Tangen Road
Newberg, OR 97132

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


Flying Feather Orchards, Inc.
14875 NE Tangen Road
Newberg, OR 97132

File No.: 1032-1881821 (JW)
Date: May 14, 2012

THIS SPACE RESERVED FOR RECORDER'S USE

OFFICE OF YAMHILL COUNTY RECORDS
REBEKAH STEIN DOLL, COUNTY CLERK

2012-07200



\$81.00

06/01/2012 09:28:54 AM

OPERATOR: Clerk Staff KAREN
 1251 15 0 00 \$20 00 \$11.00 \$15 00

STATUTORY WARRANTY DEED

Marilyn C. Davis Wernli, Richard K. Davis and Lee P. Daggett as Successor Co-Trustees of The Davis Family Revocable Living Trust dated 13th day of Oct 1992, Grantor, conveys and warrants to Flying Feather Orchards, Inc., an Oregon corporation, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Yamhill, State of Oregon, described as follows:

A PART OF THE ORIGINAL D. L. C. OF WILLIAM JONES AND WIFE, BEING CLAIM NO. 44 IN TOWNSHIP 3 SOUTH, RANGE 3 WEST AND CLAIM NO. 38 IN TOWNSHIP 3 SOUTH, RANGE 2 WEST OF THE W. M. IN YAMHILL COUNTY, OREGON, AND SAID PART BEING DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A STAKE 31.73 CHAINS SOUTH OF THE MOST NORTHERLY NE CORNER OF SAID D. L. C., WHERE A RED FIR 60 INCHES IN DIAMETER BEARS NORTH 49° WEST 58 LINKS AND A FIR 36 INCHES IN DIAMETER BEARS SOUTH 54° WEST 25 LINKS, AND RUNNING THENCE SOUTH 16.98 CHAINS TO A STAKE ON THE EAST LINE OF SAID D. L. C. WHERE A FIR 18 INCHES IN DIAMETER BEARS SOUTH 24 LINKS; THENCE WEST 71/2 RODS; THENCE NORTH 8.49 CHAINS; THENCE WEST 33.975 CHAINS TO A STAKE ON THE WEST LINE OF SAID D. L. C. WHERE A FIR 48 INCHES IN DIAMETER BEARS NORTH 85° EAST, 86 LINKS; THENCE NORTH 8.49 CHAINS TO A STAKE WHERE AN OAK 36 INCHES IN DIAMETER BEARS NORTH 60° EAST, 274 LINKS; THENCE EAST 35.85 CHAINS TO THE PLACE OF BEGINNING. SAVE AND EXCEPT THEREFROM THE PREMISES CONVEYED TO YAMHILL COUNTY, OREGON BY DEED RECORDED IN VOLUME 96, PAGE 234, DEED RECORDS OF YAMHILL COUNTY, OREGON.

Subject to:

RECEIVED
JUN 21 2012
OWRD
SALEM, OREGON

FIRST AMERICAN TITLE 1861821

APN: 71166

Statutory Warranty Deed
- continued

File No.: 1032-1881821 (JW)

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$375,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 29 day of May, 2019.

Davis Family Revocable Living Trust

Marilyn C. Davis-Wernli
Marilyn C. Davis-Wernli, Successor Trustee

Richard K. Davis
Richard K. Davis, Successor Trustee

Lee P. Daggelt
Lee P. Daggelt, Successor Trustee

RECEIVED
JUN 21 2023
OWRD
SALEM, OREGON

MAR 31 AM 8:49 F230P1974

Northwest Title Company

RECEIVED

JUN 21 2023

STATUTORY WARRANTY DEED

ADOLF P. HARTHUN and LORA ANN HARTHUN, husband and wife

OWRD SALEM OREGON

conveys and warrants to PLYING FEATHER ORCHARDS INC.

Grantee.

the following described real property free of liens and encumbrances, except as specifically set forth herein: A tract of land in Section 12, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and being a part of the William Jones Donation Land Claim No. 38 in said Township and Range, more particularly described as follows:

Beginning at a point on the West boundary line of said Jones Donation Land Claim that is 43.81 chains South and 35.85 chains West of the Northeast corner of said Donation Land Claim, said point being the Southwest corner of that tract conveyed to Adolph F. Harthun and wife, by Deed recorded December 3, 1964 in Film Volume 42, Page 003, Deed and Mortgage Records, and the TRUE POINT OF BEGINNING. Thence North 30 feet to a point; thence East 1129.92 feet to a point; thence North 530.34 feet to a point on the North line of said Harthun tract; thence West along the North line 1129.29 feet to the Northwest corner of said Harthun tract; thence South to the point of beginning. EXCEPTING therefrom that part lying within County Road No. 4.

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.

This property is free of liens and encumbrances, EXCEPT: Zoning or classification for Farm Use.; Rights of the public to roads and highways.

The true consideration for this conveyance is \$ 120,000.00

DATED this 29th day of March 19 89.

Adolph F. Harthun

Lora Ann Harthun

NORTHWEST TITLE COMPANY

CORPORATE ACKNOWLEDGMENT

STATE OF OREGON, County of Yamhill)ss. STATE OF OREGON, County of)ss.

The foregoing instrument was acknowledged before me this 29th day of March 19 89 by Adolph F. Harthun and Lora Ann Harthun

The foregoing instrument was acknowledged before me this ___ day of ___ 19 ___ by ___ and ___ of ___ a corporation, on behalf of the corporation.



Notary Public for Oregon My commission expires: 5/5/91

Notary Public for Oregon My commission expires:

SEAL

THIS SPACE RESERVED FOR RECORDER'S USE

Title Order No. 53131 Escrow No. 13648

After recording returns to: Northwest Title Company P.O. Box 736 Newberg, OR 97132 NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address: Flying Feather Orchards Inc. 21800 NE North Valley Road Newberg, OR 97132 NAME, ADDRESS, ZIP



OA

R3312 02001

1986 JAN 21 AM 11:40

WARRANTY DEED

RECEIVED

JUN 21 2023

KNOW ALL MEN BY THESE PRESENTS, That ROSE G. MATHIS

OWRD SALEM, OREGON

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by FLYING FEATHERS ORCHARDS, INC., hereinafter called

the grantee, does hereby grant, bargain, sell and convey 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 Yamhill and State of Oregon, described as follows, to-wit:

--Beginning at the Southeast corner of that portion of the Donation Land Claim of Joseph Hess and wife, Claim #69, Township 3 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, set off to Mary L. Hess by the United States Land Office; running thence South 89°45' West 35.76 chains; thence South 10.42 chains; thence East 35.76 chains; thence North 10.42 chains to the place of beginning.--

Saving and Excepting therefrom the East 30 feet thereof conveyed to Yamhill County, Oregon by Deed recorded in Book 96 at Page 237, Deed Records of Yamhill County, Oregon.

Also Excepting a perpetual right and easement to construct and maintain a dam upon 65 by 150 feet of the said property above described granted to Aubrey L. Tangen and Margaret Tangen, husband and wife by instrument dated June 7, 1941 and recorded July 11, 1941 in Book 118 at Page 178, Deed Records of Yamhill County, Oregon.

(continued on reverse)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 as of August 9, 1977, and free from all encumbrances since said date placed, permitted or arising by, through or under the grantee.

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 and actual consideration paid for this transfer, stated in terms of dollars, is \$ 50,864.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 9 day of January, 1986, if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Rose G. Mathis
Rose B Mathis

STATE OF OREGON, }
County of Yamhill } ss.
January 9, 1986

Personally appeared the above named
Rose G. Mathis

and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:
(OFFICIAL SEAL) Coleman Brown
Notary Public for Oregon
My commission expires: 10-6-86

STATE OF OREGON, County of Yamhill) ss.
19

Personally appeared _____ and _____ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____

_____ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:
Notary Public for Oregon
My commission expires:
(OFFICIAL SEAL)
(If executed by a corporation, affix corporate seal)

Rose G. Mathis

STATE OF OREGON,

R 3312 02100 updated

EXHIBIT "A "

Date: 30 Dec. 2015

WILLAMETTE FILBERT GROWERS - Legal Description of New TL 2100 (58 Ac. more or less)

A part of the Joseph Hess Donation land Claim #69 in Sections 11 and 12, Township 3 South, Range 3 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning on the east line of said Hess DLC at a point that is 36.548 chains south of the northeast corner of said Hess DLC, said point also being southeast corner of the division allotted to Mary I. Hess by the United States Government; thence North 89°52' West 2850.54 feet more or less along said division line to an iron pipe; thence North 01°17' East 18.755 chains to an iron pipe; thence South 89°40'21" East 865.11 feet to an iron rod; thence South 01°09'19" West 235.35 feet to an iron rod; thence South 88°36'42" East 339.64 feet to an iron rod; thence South 02°00'29" West 145.81 feet to an iron rod; thence South 89°49'52" East 34.83 feet to an iron pipe; thence South 89°51'42" East 1587.55 feet to the east line of said Hess DLC; thence South 00°34'20" West 12.83 chains more or less along said east line to the point of beginning as shown by CS- 13173 .

EXCEPTING that tract of land described in deed from FLYING FEATHER ORCHARDS to WILLAMETTE FILBERT GROWERS and recorded in Film Volume 307 Page 464; Film Volume 248 Page 1292 and Film Volume 194 Page 97.

ALSO EXCEPTING that tract of land described in deed from BENSON C. MITCHELL, JR to WILLAMETTE FILBERT GROWERS and recorded in Film Volume 111 Page 1611 and Film Volume 151 Page 1633.

ALSO EXCEPTING that tract of land described in deed from GRACE MITCHELL to WILLAMETTE FILBERT GROWERS and recorded in Film Volume 151 Page 1635.

Leland MacDonald
MacDonald & Assoc.
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 503-472-7904
Fax: 503-472-0367



R3312 02100

EXHIBIT "A"

PARCEL NO. 1: Part of the Joseph Hess Donation Land Claim #69, in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point on the division line of said Claim, 27.20 rods East of the Southeast corner of land conveyed to W.P. Carter by deed recorded March 19, 1901, in Book 40, Page 356, Deed Records; thence East on the division line 50 rods to an iron pipe; thence North 18.74 chains to an iron pipe; thence West 50 rods to an iron pipe; thence South 18.74 chains to the place of beginning.

PARCEL NO. 2: An undivided 1/3 interest in the following described tract of land:

Part of the Joseph Hess Donation Land Claim #69 in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows: Beginning at a point on the North line of said Claim 36.46 chains East of the Northwest corner thereof, said point being the Northeast corner of land conveyed to J.S. Baker by deed recorded March 19, 1899 in Book 25, Page 58, Deed Records; thence South 17 chains to the Southeast corner of said Baker tract; thence West along the South line of said Baker tract, 1.17 rods; thence North parallel with the East line of said tract, 17 chains to the North line of said Claim; thence East 1.17 rods to the place of beginning.

PARCEL NO. 3: Being a part of the Joseph Hess Donation Land Claim, Notification #1400, Claim #59 in Sections 11-12 in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon and beginning at an iron pin set 23.718 chains South and 24.28 chains North 89° 51' West from the Northeast corner of said Hess claim and said point being the ~~Northwest corner of property now owned by Tanden~~; thence North 2° 27' West 1.829 chains; thence West 10.942 chains; thence North 4.00 chains; thence West 7.39 chains to iron pipe; thence South 1° 17' West 18.755 chains to iron pipe set on division line of Claim; thence South 89° 52' East along division line of Claim 19.650 chains to anchor post at Southwest corner of Tanden property; thence North 3° 28' West 12.86 chains to the place of beginning.

SAVING AND EXCEPTING therefrom 3 acres conveyed to James P. Hess by deed recorded December 29, 1939, in Book 116, Page 211, Deed Records of Yamhill County, Oregon.

PARCEL NO. 4: Part of the Joseph Hess Donation Land Claim #69 in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point in the center of the county road 36.93 chains South of the Northeast corner of said Donation Land Claim, said beginning point being also the Southeast corner of the division allotted to Mary L. Hess by the United States Government; thence South 99° 45' West 23.38 chains to a stake; thence North 4° West 12.86 chains to stake; thence North 89° 45' East 23.83 chains to center of county road; thence South along center line of said county road 12.83 chains to the place of beginning. EXCEPTING THEREFROM that portion conveyed to Yamhill County by deed recorded March 2, 1927 in Book 90, Page 237, Deed Records.

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JUN 21 2023
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SALEM, OREGON

WARRANTY DEED

FILM 158 PAGE 1544

KNOW ALL MEN BY THESE PRESENTS, That BENSON C. MITCHELL, JR. and GRACE R. MITCHELL, husband and wife, tenants in common, hereinafter called the grantor, for the consideration hereinafter stated to grantor paid by COMMON FLYING FEATHERS ORCHARDS, INC., hereinafter called the grantee,

does hereby grant, bargain, sell and convey 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 Yamhill and State of Oregon, described as follows, to-wit:

See Exhibit "A" attached hereto

excluding those portions of property conveyed to Willamette Filbert Growers Inc. on June 25, 1980, and recorded in Volume 151, pages 1633-1635

BENSON C. and GRACE R. MITCHELL
Route 1, Box 187
Newberg, OR 97132
GRANTOR'S NAME AND ADDRESS

FLYING FEATHERS ORCHARDS, INC.
Route 1, Box 187
Newberg, OR 97132
GRANTEE'S NAME AND ADDRESS

After recording return to:

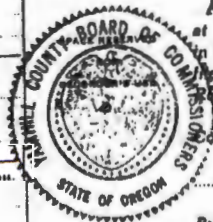
STAN BUNN, ATTORNEY
408 E. FIRST STREET
NEWBERG, OREGON 97132
NAME, ADDRESS, ZIP

Mail a change of requestor and fee statement shall be sent to the following address:

FLYING FEATHERS ORCHARDS, INC.
Route 1, Box 187
Newberg, OR 97132
NAME, ADDRESS, ZIP

CLINT
0-52
STATE OF OREGON
County of Yamhill

I certify that the within instrument was received for record on the 12 day of Feb., 1981, at 1:30 o'clock P. M., and recorded in book 158 on page 1544 or as per reel number



Record of Deeds of said county. Witness my hand and seal of said county.

CHARLES STERN, COUNTY CLERK
By Sam Christie, Recording Officer
Deputy.

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To Have and to Hold the same unto the said grantees and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantees and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances.

and grantor will warrant and forever defend the above granted 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 and actual consideration paid for this transfer, stated in terms of dollars, is \$.....
However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.036.)

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 22 day of December, 1980.

By order of the Board of Directors EFFECTIVE DECEMBER 1, 1980 BUT SIGNED DECEMBER 22, 1980

Benson C. Mitchell, Jr.
Benson C. Mitchell, Jr.

Grace R. Mitchell
Grace R. Mitchell



STATE OF OREGON, County of Multnomah
December 22, 1980
Personally appeared the above named Benson C. Mitchell, Jr. and Grace R. Mitchell

STATE OF OREGON, County of _____) ss.
Personally appeared _____ and _____ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

and acknowledged the foregoing instrument to be their voluntary act and deed. Before me: [Signature] Notary Public for Oregon My commission expires: (Dec 31) 1981

Before me: [Signature] Notary Public for Oregon My commission expires: 11/3/1981

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EXHIBIT "A"

PARCEL NO. 1: Part of the Joseph Hess Donation Land Claim #60, in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point on the division line of said Claim, 27.20 rods East of the Southeast corner of land conveyed to W.P. Carter by deed recorded March 19, 1901, in Book 40, Page 356, Deed Records; thence East on the division line 56 rods to an iron pipe; thence North 18.74 chains to an iron pipe; thence West 50 rods to an iron pipe; thence South 18.74 chains to the place of beginning.

PARCEL NO. 2: An undivided 1/3 interest in the following described tract of land:

Part of the Joseph Hess Donation Land Claim #60 in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows: Beginning at a point on the North line of said Claim 36.46 chains East of the Northwest corner thereof, said point being the Northeast corner of land conveyed to J.S. Baker by deed recorded March 15, 1893 in Book 35, Page 58, Deed Records; thence South 17 chains to the Southeast corner of said Baker tract; thence West along the South line of said Baker tract, 1.17 rods; thence North parallel with the East line of said tract, 17 chains to the North line of said Claim; thence East 1.17 rods to the place of beginning.

PARCEL NO. 3: Being a part of the Joseph Hess Donation Land Claim, Notification #1406, Claim #69 in Sections 11-12 in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon and beginning at an iron pin set 23.718 chains South and 24.28 chains North 89° 51' West from the Northeast corner of said Hess claim and said point being the Northwest corner of property now owned by Tannen; thence North 3° 22' East 1.823 chains; thence West 10.942 chains; thence North 4.00 chains; thence West 7.39 chains to iron pipe; thence South 1° 17' West 18.755 chains to iron pipe set on division line of Claim; thence South 89° 52' East along division line of Claim 19.650 chains to anchor post at Southwest corner of Tannen property; thence North 3° 22' West 12.06 chains to the place of beginning.

SAVING AND EXCEPTING therefrom 3 acres conveyed to James P. Hess by deed recorded December 29, 1939, in Book 116, Page 211, Deed Records of Yamhill County, Oregon.

PARCEL NO. 4: Part of the Joseph Hess Donation Land Claim #60 in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point in the center of the county road 36.53 chains South of the Northeast corner of said Donation Land Claim, said beginning point being also the Southeast corner of the division allotted to Mary L. Hess by the United States Government; thence South 89° 45' West 23.38 chains to a stake; thence North 4° West 12.86 chains to stake; thence North 89° 45' East 23.03 chains to center of county road; thence South along center line of said county road 12.03 chains to the place of beginning. EXCEPTING THEREFROM that portion conveyed to Yamhill County by deed recorded March 3, 1927 in Book 96, Page 237, Deed Records.

EXHIBIT "A"

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EXHIBIT "A"

A part of the South half of the Original Donation Land Claim of Joseph Hess and Mary L. Hess, his wife, Claim No. 69, Notification No. 1406 in Sections 11, 12, 13 and 14, Township 3 South, of Range 3 West of the Willamette Meridian, in Yamhill County, State of Oregon, said part being further described as follows:

Being a portion of Lot 6 of County Survey No. 1117 of said County and said Lot being bounded and particularly described as: Beginning at a point on the division line between Lots 5 and 6 of said County survey, 29.70 chains South 89°40' West and 10.46 chains South from the Northeast corner of the South half of said Claim and running thence West 5.96 chains; thence South 44° West 2.22 chains to a point on the East boundary line of that tract conveyed to Ray Schmoer by deed recorded May 7, 1979 in Film Volume 139, Page 1411, Deed and Mortgage Records of Yamhill County, Oregon; thence South 28.03 chains to the South boundary line of said Claim; thence South 68°45' East on said South boundary line 3.84 chains to the Southeast corner of said portion of Lot 6; thence North along the West line of that tract conveyed to Derry V. Anderson by deed recorded December 27, 1979 in Film Volume 147, Page 82, Deed and Mortgage Records of Yamhill County, Oregon, 12.5 chains; thence South 68°45' East 4 chains to a point on the boundary line of Lots 6 and 5; thence North (var. 20°30' East) on a line between Lots 5 and 6 of said Survey 21.45 chains to the place of beginning.

E. B.

L. S. B.

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Exhibit A

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200717195



\$26.00

00277637200700171950010017

07/31/2007 01:54:14 PM

DMR-DDMR Cnt=1 Stn=2 ANITA
\$5.00 \$10.00 \$11.00

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200713962



\$26.00

00273834200700139620010014

06/26/2007 01:53:53 PM

DMR-DDMR Cnt=1 Stn=2 ANITA
\$5.00 \$10.00 \$11.00

After Recording return to:
Colin Lamb
Attorney at Law
7410 SW Oleson Road
Portland, OR 97223

Until change, all tax statements
shall be sent to the following:
Nila DeWolfe
21875 NE Highway 240
Newberg, OR 97132

WARRANTY DEED OF PERSONAL REPRESENTATIVE

Irwin Hesedahl, the Personal Representative of the Estate of RAY OTHEL SCHMOE, Deceased, conveys to ~~Nila DeWolfe~~, Grantee, the following described real property:

*correction
by
Colin Lamb
Attorney*

NILA

A part of the south half of the Original Donation Land claim of JOSEPH HESS and MARY L. HESS his wife, claim no. 69, Notification No. 1406 in Township 3 south, of Range 3 west of the Willamette Meridian, in Yamhill County, State of Oregon, said part being further described as follows:

Being all of Lot 7 and a portion of Lot 6 of the County Survey No. 1117 of said county and said lots being bounded and particularly described as: Beginning at a point on the division line between the north and south halves of said claim 35.46 chains south 89 degrees 40' west (var. 21 degrees east) from the northeast corner of the south half of said claim, and running thence south 89 degrees 45' west (var. 21 degrees east) on said division line between said halves of said claim 6.66 chains to the northwest corner of said Lot 7 of said survey;

Thence south on division line between Lots 7 and 8 of said survey 38.10 chains to the south boundary line of said claim; thence south 68 degrees 45' east on said south boundary line 5.49 chains to the southeast corner of said Lot 7; thence north (var. 20 degrees 30' east) 28.03 chains; thence north 44 degrees east 2.22 chains; thence north 10.46 chains to the place of beginning and containing 23.25 acres of land, more or less.

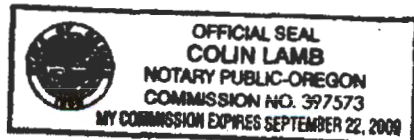
The consideration for this conveyance is none.

Dated this 14th day of ~~May~~^{June}, 2007

Irwin C. Hesedahl
Irwin Hesedahl, Personal Representative, Grantor

State of Oregon)
County of Yamhill) ss

On the 14 day of ~~May~~^{June}, 2007, before me, the undersigned, personally appeared Irwin Hesedahl, known to me to be the individual who executed this document and acknowledged to me that he executed this deed freely and voluntarily.



Colin Lamb
Notary Public for the State of Oregon

Being re-recorded to correct grantee's name

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SALEM, OREGON

EXHIBIT "A"

TRACT NO. 1: Beginning at a point on the division line between the North and South halves of the Joseph Hess Donation Land Claim No. 69 in Section 11, Township 3 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, said point being the Southeast corner of that tract conveyed to W. R. Carter by Deed recorded March 12, 1901 in Book 40, Page 356, Deed Records; thence East along said division line, 24.30 rods; thence North 18.74 chains; thence West 24.30 rods; thence South 18.74 chains to the place of beginning.

EXCEPTING THEREFROM that tract conveyed to Harvey Nelson, et ux., by Deed recorded January 20, 1953 in Book 168, Page 465, Deed Records.

TRACT NO. 2: A part of the Donation Land Claim of Joseph Hess and Mary L. Hess, his wife, being Claim No. 69 in Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, the said part being bounded and described as follows, to wit:

Beginning at a point on the division line between the North and South half of said Claim, 24.30 rods East of the Southeast corner of a tract of land conveyed to W. R. Carter by deed recorded March 12, 1901 in Book 40, Page 356, Deed Records; thence running East on said division line, 12.90 rods to the West line of the tract conveyed to John H. Hess by Deed recorded May 16, 1901 in Book 40, Page 449, Deed Records; thence North along said West line 18.74 chains; thence West 12.90 rods to the East line of the tract of land conveyed to Virginia R. Hillier, by Deed Recorded February 18, 1902 in Book 42, Page 177, Deed Records; thence South along said East line, 18.74 chains to the place of beginning.

SUBJECT TO: As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. Power Line Easement as created by his pendens recorded August 20, 1968 in Film Volume 71, Page 921, Deed and Mortgage Records. Together with a non-exclusive easement for roadway purposes recorded in Film Volume 128, Page 721, dated April 13, 1978, and recorded April 14, 1978, Deed and Mortgage Records.

An undivided one-third interest in the following described Parcel of land:

PARCEL 3: A tract of land in the County of Yamhill and State of Oregon, and being a part of the North half of the Original Donation Land Claim of Joseph Hess and Mary L. Hess, his wife, Claim No. 69; Notification No. 1406, in Township 3 South, Range 3 West of the Willamette Meridian, more particularly described as follows:

Beginning at a point on the North Boundary line of said Claim 36.46 chains East of the Northwest corner of said Claim, said point being also the Northeast corner of a tract of land conveyed to J. S. Baker by James C. Lucas & wife, on the 10th day of August, 1896, and running thence Southerly following the East line of said Tract, 17 chains to the Southeast corner of said tract of land; thence Westerly following South line of said Tract of land 1.17 rods; thence Northerly parallel with and 1.17 rods distance from East line of said Tract of land 17 chains to North line of said Claim at a point which is 1.17 rods West of the place of beginning and Northeast corner of said Tract of land; and thence Easterly following North line of said Claim, 1.17 rods to the Northeast corner of said tract of land and place of beginning.

CERTIFIED A TRUE COPY

Ex A

1992 MAR -3 AM 9:24

F 265 P 1942

3-3-92

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