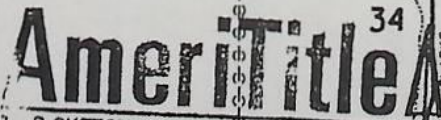


AP IS 125 1" = 2000'



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Damon

After recording, return to:

Arthur J. Clark  
Hershner, Hunter, Andrews,  
Neill & Smith, LLP  
180 East 11th Avenue  
Eugene, Oregon 97401

2002 - 4429

Until a change is requested,  
mail all tax statements to:

Bernard E. Damon and  
Jean M. Damon, Trustees  
2315 Rocky Lane  
Eugene, Oregon 97401

#### SPECIAL WARRANTY DEED

Jean Marie Damon, Grantor, conveys and specially warrants to Bernard E. Damon and Jean M. Damon, Trustees of the Damon Joint Trust dated July 30, 1997, Grantee, the real property described on the attached Exhibit A, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein.

The true consideration for this conveyance is none.

The liability and obligations of Grantor to Grantee and Grantee's successors and assigns under the warranties and covenants contained herein or provided by law shall be limited to the amount, nature, and terms of any title insurance coverage available to Grantor under any title insurance policy, and Grantor shall have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Grantor under any title insurance policy. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

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.

Page 1-SPECIAL WARRANTY DEED

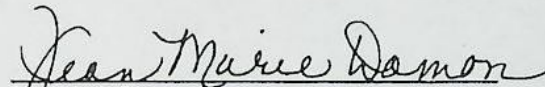
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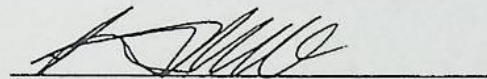
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

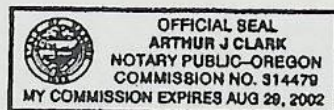
DATED: May 20, 2002.

  
Jean Marie Damon

STATE OF OREGON       )  
                                  ) ss.  
COUNTY OF LANE       )

This instrument was acknowledged before me on May 20, 2002, by Jean Marie Damon.

  
Notary Public for Oregon  
My commission expires: August 29, 2002



Page 2-SPECIAL WARRANTY DEED

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PARCEL I

Section 15: That portion of the West Half described as follows:

Beginning at the Quarter corner common to Section 15 and 22, in Township 2 South, Range 26, East of the Willamette Meridian;  
Thence West a distance of 1,518.00 feet to a point;  
Thence North 1°44' West a distance of 1,980.00 feet to a point;  
Thence North 3°19' West a distance of 660.00 feet to a point;  
Thence North 8°21' West a distance of 660.00 feet to a point;  
Thence South 88°16' East a distance of 396.00 feet to a point;  
Thence South 49°49' East a distance of 792.00 feet to a point;  
Thence South 63°28' East a distance of 801.90 feet to a point;  
Thence South in a straight line a distance of 2,277.00 feet to the place of beginning.

Section 17: All of the Southeast Quarter lying South and West of the highway.

EXCEPTING THEREFROM the following described tract;

Beginning at a point on the Northeasterly right-of-way line of the Oregon-Washington Highway, opposite engineer's station 1806.77, that is approximately 1,016.90 feet North and 610.80 feet West of the section corner common to Sections 16, 17, 20 and 21;  
Running thence North 72°31' East a distance of 244.80 feet to a point;  
Thence North 51°47' East a distance of 480.5 feet to a point;  
Thence North a distance of 188.00 feet to a point;  
Thence West a distance of 374.9 feet to a point;  
Thence South 21°53' West a distance of 233.2 feet to a point;  
Thence South 55°24' West a distance of 352.3 feet to the Northeasterly right-of-way line of said highway;  
Thence following said right-of-way line South 44°25' East a distance of 169.5 feet to a point;  
Thence on a 5,700.00 foot radius curve to the left a distance of 37.00 feet to the point of beginning.

Section 20: All.

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Section 21: The South Half; The South Half of the Northwest Quarter; The Northwest Quarter of the Northwest Quarter; The Northeast Quarter.

EXCEPTING THEREFROM all of the Southeast Quarter of the Southeast Quarter lying South of the North right-of-way line of the State Highway.

ALSO EXCEPTING THEREFROM the following described parcel:

Beginning at a point 760.00 feet East of the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 21, Township 2 South, Range 26, East of the Willamette Meridian, said point being 44.00 feet East of the center line of the Oregon-Washington Highway as located and constructed through Section 21, and running thence East along the East and West center line of the Southeast Quarter of Section 21 to a point marked by a pipe a distance of 1,009.00 feet; thence Southerly 750.00 feet to a point on the North right-of-way line of said highway marked by a pipe, thence in a Northwesterly direction, along said North right-of-way line of said highway, 1,187.00 feet to the point of beginning.

Section 22: The West Half.

Section 28: The West Half of the West Half; The West Half of the East Half of the West Half; The Northwest Quarter of the Northeast Quarter; The East Half of the Northeast Quarter of the Northwest Quarter.

Section 29: The East Half; The Northwest Quarter; The North Half of the Southwest Quarter; and the Southeast Quarter of the Southwest Quarter.

Section 32: That portion of the Northeast Quarter lying North of the County Road.

Section 33: That portion of the Northwest Quarter lying North of the County Road.

EXCEPTING THEREFROM all roads and road rights-of-way.

ALSO EXCEPTING THEREFROM all railroad rights-of-way.

ALSO EXCEPTING FROM Sections 21 and 28 all land lying within the following described parcel;

Beginning at a point 219.5 feet East and 150.9 feet North of the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 21, Township 2 South, Range 26, East of the Willamette Meridian, Morrow County, Oregon:

EXHIBIT A  
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Thence North 34°45' East a distance of 278.00 feet to a point;  
 Thence North 4°35' West a distance of 125.00 feet to a point;  
 Thence North 70°0' West a distance of 259.00 feet along State Highway #207 to a point;  
 Thence North 63°10' West a distance of 145.00 feet along State Highway #207 to a point;  
 Thence North 49°25' West a distance of 459.00 feet along State Highway #207 to a point;  
 Thence North 39°30' West a distance of 140.00 feet along State Highway #207 to a point;  
 Thence North 36°33' West a distance of 653.00 feet along State Highway #207 to a point;  
 Thence North 56°24' East a distance of 69.30 feet across State Highway #207 to a point;  
 Thence South 36°33' East a distance of 386.20 feet along State Highway #207 to a point;  
 Thence in a Southeasterly direction a distance of 612.00 feet along State Highway to a point;  
 Thence in a Northeasterly direction a distance of 548.00 feet to the North line of the Southwest Quarter of the Southeast Quarter to a point;  
 Thence South 87°1' East a distance of 279 feet to a point;  
 Thence North 14°47' West a distance of 235.00 feet to a point;  
 Thence North 48°17' West a distance of 230.00 feet to a point;  
 Thence North 45°28' West a distance of 677.60 feet to a point;  
 Thence North 54°09' West a distance of 554.00 feet to a point;  
 Thence North 53°39' West a distance of 703.80 feet to a point;  
 Thence North 80°45' West a distance of 234.10 feet to a point;  
 Thence North 38°28' West a distance of 313.40 feet to a point;  
 Thence South 49°22' West a distance of 281.10 feet to a point;  
 Thence South 45°57' East a distance of 408.00 feet along State Highway #207 to a point;  
 Thence South 42°11' East a distance of 196.00 feet along State Highway #207 to a point;  
 Thence South 57°46' West a distance of 50.00 feet across State Highway #207 to a point;  
 Thence North 45°11' East a distance of 329.80 feet along West side of State Highway #207 to a point;  
 Thence South 50°19' West a distance of 105.10 feet to Center of Union Pacific Railroad Right-of-Way at Station 2278 + 83.9;  
 Thence South 55°15' West a distance of 492.80 feet to a point;  
 Thence South 43°13' West a distance of 400.20 feet to an Iron Peg;  
 Thence South 8°17' West a distance of 518.20 feet to an Iron Peg;  
 Thence South 44°37' East a distance of 152.60 feet along barbed wire fence to an Iron Peg;  
 Thence South 42°56' East a distance of 233.10 feet

EXHIBIT A  
 Page 3 of 5

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Thence South 27°40' East a distance of 132.30 feet  
 along said fence to an Iron Peg;  
 Thence South 45°58' West a distance of 155.90 feet to a  
 point;  
 Thence South 51°06' East a distance of 1,390.60 feet to  
 an Iron Peg;  
 Thence South 60°24' East a distance of 527.20 feet to  
 an Iron Peg;  
 Thence South 71°48' East a distance of 820.90 feet to  
 an Iron Peg;  
 Thence South 65°14' East a distance of 190.30 feet  
 along fence to an Iron Peg;  
 Thence North 0°21' West a distance of 440.60 feet along  
 fence to an Iron Peg;  
 Thence North 35°07' West a distance of 68.80 feet along  
 fence to an Iron Peg;  
 Thence along a fence with a right hand curve, the long  
 chord of which bears North 79°01' East a distance of  
 210.30 feet to a point on the Northwest side of  
 Union Pacific Railroad Right-of-Way.  
 Distances from chord to fence are:  
 Station 0 + 50 13.70 feet  
 Station 1 + 00 10.40 feet  
 Station 1 + 50 0.00 feet  
 Thence North 30° East a distance of 100.00 feet to  
 point of beginning.

ALSO EXCEPTING THEREFROM the following: all of the  
 Southeast Quarter of the Southeast Quarter of Section  
 21 and the Southwest Quarter of Section 22 in Township  
 2 South, Range 26 East of the Willamette Meridian,  
 Morrow County, Oregon lying South of the following  
 described line;

Beginning at the Northwest corner of the Southwest  
 Quarter of the Southeast Quarter of Section 22;  
 Thence West a distance of 330.00 feet to a point;  
 Thence South 56°19' West a distance of 1,145.10 feet to  
 a point;  
 Thence South 78°37' West a distance of 1,800.48 feet  
 more or less to the North Right-of-way line of the  
 state highway;  
 Thence following the North line of the state highway in  
 a Northwesterly direction to the West line of the  
 Southeast Quarter of the Southeast Quarter and point  
 of ending of this description.

All in Township 2 South, Range 26 East of the Willamette Meridian,  
 Morrow County, Oregon.

EXHIBIT A  
 Page 4 of 5

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PARCEL II

Section 17: All of the Southwest Quarter of the Northeast Quarter lying South and West of the highway;

Section 21: The Northeast Quarter of the Northwest Quarter.

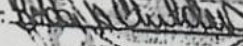
All in Township 2 South, Range 26 East of the Willamette Meridian, Morrow County, Oregon.

STATE OF OREGON

County of Morrow

I certify that this instrument was received and recorded in the book of records of said county.

BARBARA BLOODSWORTH  
Morrow County Clerk

by:  Deputy.

Doc#: 2008-429  
Rcpt: 22918 56.00  
06/04/2002 4:33 pm

EXHIBIT A  
Page 5 of 5

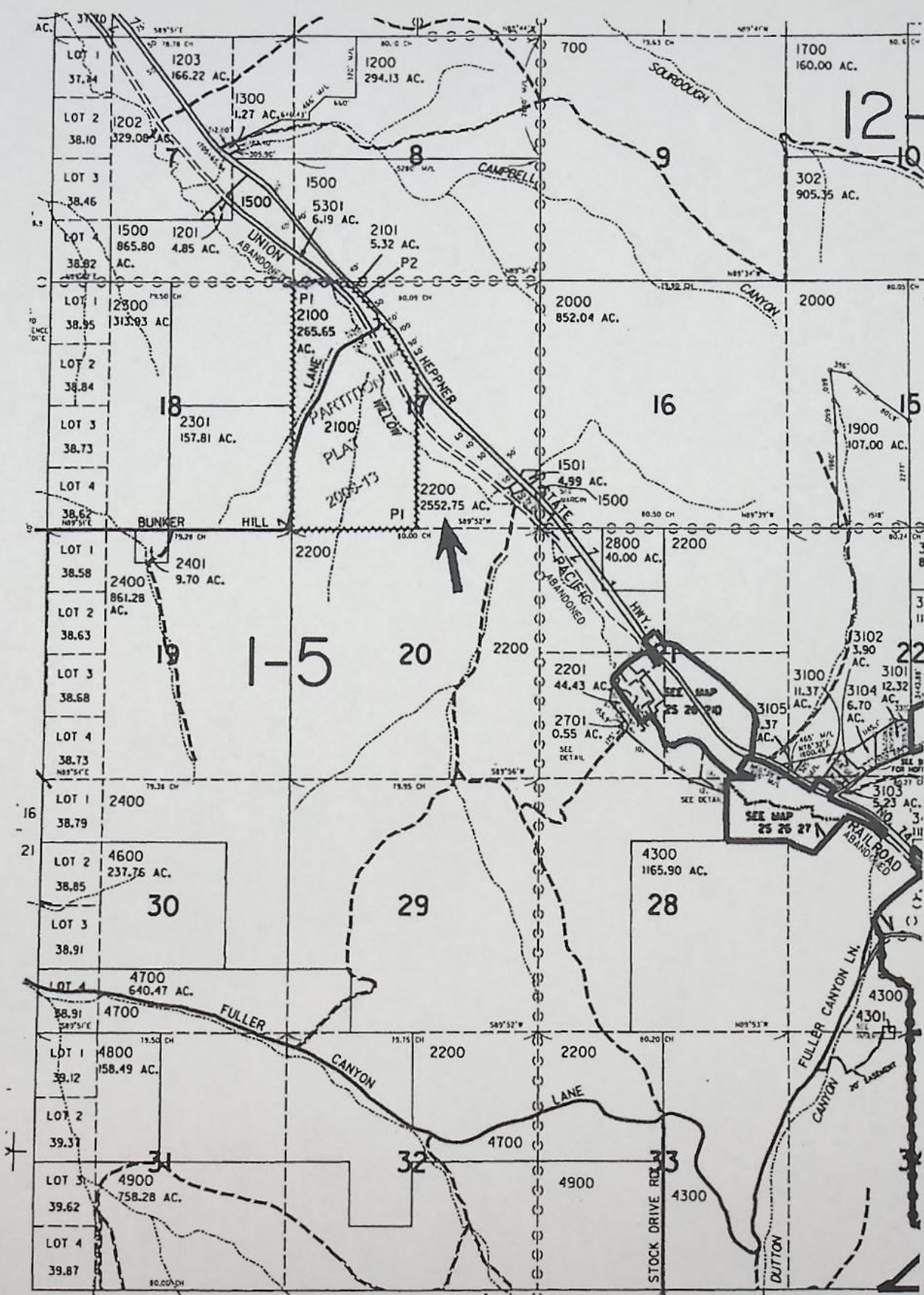
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**AmeriTitle**

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

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m-52544

After recording, return to:

Hershner, Hunter, Andrews,  
Neill & Smith, LLP  
180 East 11th Avenue  
Eugene, Oregon 97401

Until a change is requested, mail all tax  
statements to:

Bernard E. Damon and Jean M. Damon, Trustees  
2176 Birchwood Avenue  
Eugene, Oregon 97401  
Tax Account No. \_\_\_\_\_

### BARGAIN AND SALE DEED

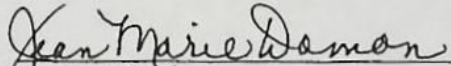
JEAN MARIE DAMON, Grantor, conveys to BERNARD E. DAMON and JEAN M. DAMON, Trustees of the Damon Joint Trust dated July 30, 1997, Grantees, the real property described on the attached Exhibit A.

The true consideration for this conveyance is none.

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.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

DATED this 31 day of July, 1997.

  
Jean Marie Damon

Page 1--BARGAIN AND SALE DEED

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OWRD

Attachment 1  
Page 64 of 95



STATE OF OREGON )  
 ) ss.  
COUNTY OF LANE )

This instrument was acknowledged before me this 31 day of July, 1997, by Jean Marie Damon.



M. A. Birmingham  
Notary Public for Oregon  
My commission expires: 1/16/01

Page 2--BARGAIN AND SALE DEED

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EXHIBIT A

The Southeast quarter of the Southwest quarter, the Southwest quarter of the Southeast quarter, the East half of the Southeast quarter of Section 7; the South half of Section 8; the West half of Section 15, except the following: Beginning at the quarter corner common to Section 15 and 22, in Township 2 South, Range 26, East of the Willamette Meridian, thence West 23 chains, thence due North 1 degree 44' West 30 chains, thence North 3 degrees 19' West 10 chains, thence North 8 degrees 21' West 10 chains, thence South 88 degrees 16' East 6.0 chains, thence South 49 degrees 49' East 12.0 chains, thence South 63 degrees 28' East 12.15 chains, thence South in a straight line to the place of beginning, 34.5 chains.

ALSO EXCEPTING the following: Beginning at a point on highway right-of-way, that is 20 chains West and 2 chains South of the East quarter corner of Section 7, Township 2 South, Range 26, E.W.M., thence Southeast along said right-of-way a distance of 7 chains, thence South 49 degrees West a distance of 7 chains, thence North a distance of 8.3 chains to the point of beginning.

Beginning at a point that is 20 chains West and 10.3 chains South of the East quarter corner of Section 7, Township 2 South, Range 26, E.W.M., thence South a distance of 9.7 chains, thence West a distance of 10.0 chains, thence North 49 degrees East a distance of 13.0 chains to a point of beginning.

All of Section 16; the North half of the Northeast quarter, the Northeast quarter of the Southeast quarter of Section 17; also beginning at the Northeast corner of the Northwest quarter of Section 17, running thence West 23 chains, thence South 45 degrees 45' East 7 chains, thence South 37 degrees East 10.30 chains, thence South 19-1/2 degrees East 6.67 chains, thence South 34 degrees 17.30 chains to the East line of said Northwest quarter, thence North 34.15 chains to the place of beginning, all in Section 17. EXCEPT the following: All of the Northeast quarter of the Southeast quarter of Section 17, in Township 2 South, Range 27, E.W.M., lying South and West of the State Highway as the same now crosses the said Northeast quarter of the Southeast quarter of said Section 17, and containing approximately one acre of land, more or less.

All of the Northwest quarter of the Southeast quarter, all of the South half of the Northeast quarter, and all of the Southeast quarter of the Southeast quarter of Section 17, lying North and East of the State Highway as the same now runs through the said property. The Northeast quarter of Section 18.

EXCEPTING all land deeded to State Highway.

All being in Township 2 South, Range 26, East of the Willamette Meridian, in Morrow County, Oregon.

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PARCEL X

Section 15: That portion of the West Half described as follows:

Beginning at the Quarter corner common to Section 15 and 22, in Township 2 South, Range 26, East of the Willamette Meridian;  
Thence West a distance of 1,518.00 feet to a point;  
Thence North 1°44' West a distance of 1,980.00 feet to a point;  
Thence North 3°19' West a distance of 660.00 feet to a point;  
Thence North 8°21' West a distance of 660.00 feet to a point;  
Thence South 88°15' East a distance of 396.00 feet to a point;  
Thence South 49°49' East a distance of 792.00 feet to a point;  
Thence South 63°28' East a distance of 801.90 feet to a point;  
Thence South in a straight line a distance of 2,277.00 feet to the place of beginning.

Section 17: All of the Southeast Quarter lying South and West of the highway.

EXCEPTING THEREFROM the following described tract;

Beginning at a point on the Northeasterly right-of-way line of the Oregon-Washington Highway, opposite engineer's station 1806.77, that is approximately 1,016.90 feet North and 610.80 feet West of the section corner common to Sections 16, 17, 20 and 21;  
Running thence North 72°31' East a distance of 244.80 feet to a point;  
Thence North 51°47' East a distance of 480.5 feet to a point;  
Thence North a distance of 188.00 feet to a point;  
Thence West a distance of 374.9 feet to a point;  
Thence South 21°53' West a distance of 233.2 feet to a point;  
Thence South 55°24' West a distance of 352.3 feet to the Northeasterly right-of-way line of said highway;  
Thence following said right-of-way line South 44°25' East a distance of 169.5 feet to a point;  
Thence on a 5,700.00 foot radius curve to the left a distance of 37.00 feet to the point of beginning.

Section 20: All.

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Section 21: The South Half; The South Half of the Northwest Quarter; The Northwest Quarter of the Northwest Quarter; The Northeast Quarter.

EXCEPTING THEREFROM all of the Southeast Quarter of the Southeast Quarter lying South of the North right-of-way line of the State Highway.

ALSO EXCEPTING THEREFROM the following described parcel:

Beginning at a point 760.00 feet East of the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 21, Township 2 South, Range 26, East of the Willamette Meridian, said point being 44.00 feet East of the center line of the Oregon-Washington Highway as located and constructed through Section 21, and running thence East along the East and West center line of the Southeast Quarter of Section 21 to a point marked by a pipe a distance of 1,009.00 feet; thence Southerly 750.00 feet to a point on the North right-of-way line of said highway marked by a pipe, thence in a Northwesterly direction, along said North right-of-way line of said highway, 1,187.00 feet to the point of beginning.

Section 22: The West Half.

Section 28: The West Half of the West Half; The West Half of the East Half of the West Half; The Northwest Quarter of the Northeast Quarter; The East Half of the Northeast Quarter of the Northwest Quarter.

Section 29: The East Half; The Northwest Quarter; The North Half of the Southwest Quarter; and the Southeast Quarter of the Southwest Quarter.

Section 32: That portion of the Northeast Quarter lying North of the County Road.

Section 33: That portion of the Northwest Quarter lying North of the County Road.

EXCEPTING THEREFROM all roads and road rights-of-way.

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ALSO EXCEPTING THEREFROM all railroad rights-of-way.

ALSO EXCEPTING FROM Sections 21 and 28 all land lying within the following described parcel;

Beginning at a point 219.5 feet East and 150.9 feet North of the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 21, Township 2 South, Range 26, East of the Willamette Meridian, Morrow County, Oregon:

Thence North 34°45' East a distance of 278.00 feet to a point;  
Thence North 4°35' West a distance of 125.00 feet to a point;  
Thence North 70°0' West a distance of 259.00 feet along State Highway #207 to a point;  
Thence North 63°10' West a distance of 145.00 feet along State Highway #207 to a point;  
Thence North 49°25' West a distance of 459.00 feet along State Highway #207 to a point;  
Thence North 39°30' West a distance of 140.00 feet along State Highway #207 to a point;  
Thence North 36°33' West a distance of 653.00 feet along State Highway #207 to a point;  
Thence North 56°24' East a distance of 69.30 feet across State Highway #207 to a point;  
Thence South 36°33' East a distance of 386.20 feet along State Highway #207 to a point;  
Thence in a Southeasterly direction a distance of 612.00 feet along State Highway to a point;  
Thence in a Northeasterly direction a distance of 548.00 feet to the North line of the Southwest Quarter of the Southeast Quarter to a point;  
Thence South 87°1' East a distance of 279 feet to a point;  
Thence North 14°47' West a distance of 235.00 feet to a point;  
Thence North 48°17' West a distance of 230.00 feet to a point;  
Thence North 45°28' West a distance of 677.60 feet to a point;  
Thence North 54°09' West a distance of 554.00 feet to a point;  
Thence North 53°39' West a distance of 703.80 feet to a point;  
Thence North 80°45' West a distance of 234.10 feet to a point;  
Thence North 38°28' West a distance of 313.40 feet to a point;  
Thence South 49°22' West a distance of 281.10 feet to a point;  
Thence South 45°57' East a distance of 408.00 feet along State Highway #207 to a point;

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Thence South 42°11' East a distance of 196.00 feet  
 along State Highway #207 to a point;  
 Thence South 57°46' West a distance of 50.00 feet  
 across State Highway #207 to a point;  
 Thence North 45°11' East a distance of 329.80 feet  
 along West side of State Highway #207 to a point;  
 Thence South 50°19' West a distance of 105.10 feet to  
 Center of Union Pacific Railroad Right-of-Way at  
 Station 2278 + 83.9;  
 Thence South 55°15' West a distance of 492.80 feet to a  
 point;  
 Thence South 43°13' West a distance of 400.20 feet to  
 an Iron Peg;  
 Thence South 8°17' West a distance of 518.20 feet to an  
 Iron Peg;  
 Thence South 44°37' East a distance of 152.60 feet  
 along barbed wire fence to an Iron Peg;  
 Thence South 42°56' East a distance of 233.10 feet  
 along said fence to an Iron Peg;  
 Thence South 27°40' East a distance of 132.30 feet  
 along said fence to an Iron Peg;  
 Thence South 45°58' West a distance of 155.90 feet to a  
 point;  
 Thence South 51°06' East a distance of 1,390.60 feet to  
 an Iron Peg;  
 Thence South 60°24' East a distance of 527.20 feet to  
 an Iron Peg;  
 Thence South 71°48' East a distance of 820.90 feet to  
 an Iron Peg;  
 Thence South 65°14' East a distance of 190.30 feet  
 along fence to an Iron Peg;  
 Thence North 0°21' West a distance of 440.60 feet along  
 fence to an Iron Peg;  
 Thence North 35°07' West a distance of 68.80 feet along  
 fence to an Iron Peg;  
 Thence along a fence with a right hand curve, the long  
 chord of which bears North 79°01' East a distance of  
 210.30 feet to a point on the Northwest side of  
 Union Pacific Railroad Right-of-Way.  
 Distances from chord to fence are:  
 Station 0 + 50 13.70 feet  
 Station 1 + 00 10.40 feet  
 Station 1 + 50 0.00 feet  
 Thence North 30° East a distance of 100.00 feet to  
 point of beginning.

ALSO EXCEPTING THEREFROM the following: all of the  
 Southeast Quarter of the Southeast Quarter of Section  
 21 and the Southwest Quarter of Section 22 in Township  
 2 South, Range 26 East of the Willamette Meridian,  
 Morrow County, Oregon lying South of the following  
 described line;

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Beginning at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 22;  
Thence West a distance of 330.00 feet to a point;  
Thence South 56°19' West a distance of 1,145.10 feet to a point;  
Thence South 78°37' West a distance of 1,800.48 feet more or less to the North Right-of-way line of the state highway;  
Thence following the North line of the state highway in a Northwesterly direction to the West line of the Southeast Quarter of the Southeast Quarter and point of ending of this description.

All in Township 2 South, Range 26 East of the Willamette Meridian, Morrow County, Oregon.

PARCEL II

Section 17: All of the Southwest Quarter of the Northeast Quarter lying South and West of the highway;

Section 21: The Northeast Quarter of the Northwest Quarter.

All in Township 2 South, Range 26 East of the Willamette Meridian, Morrow County, Oregon.

STATE OF OREGON

County of Morrow

} SS

I certify that this instrument was received and recorded in the book of records of said county.

BARBARA BLOODSWORTH,  
Morrow County Clerk

by: Shirley McNeal Deputy.

DOC#: 52544

RCPT: 6028

10/23/97 11:30 AM

70.00

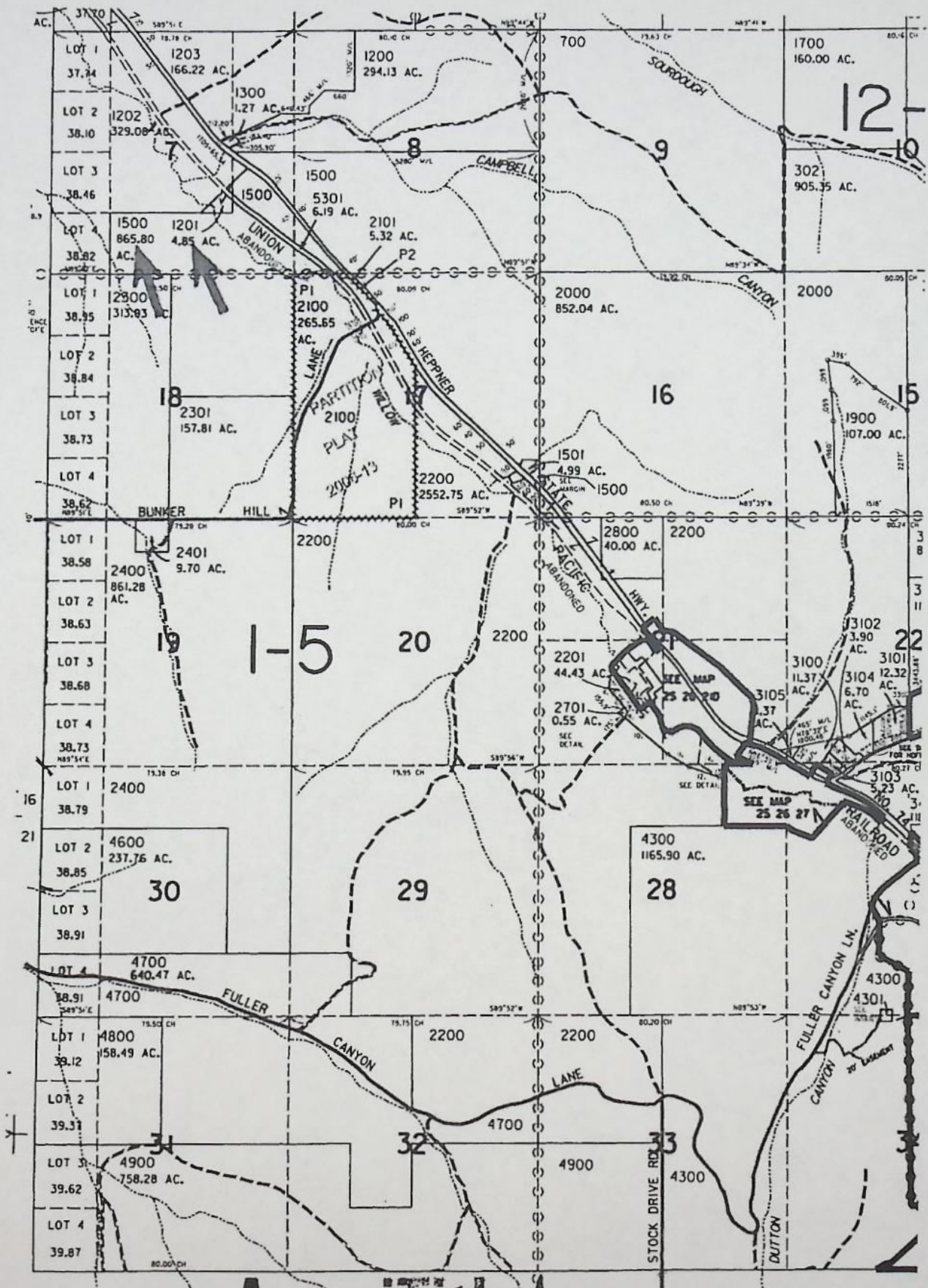
EXHIBIT A--Page 6 of 6

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MAR 08 2018

QWRD

Attachment 1  
Page 71 of 95



# AmeriTitle

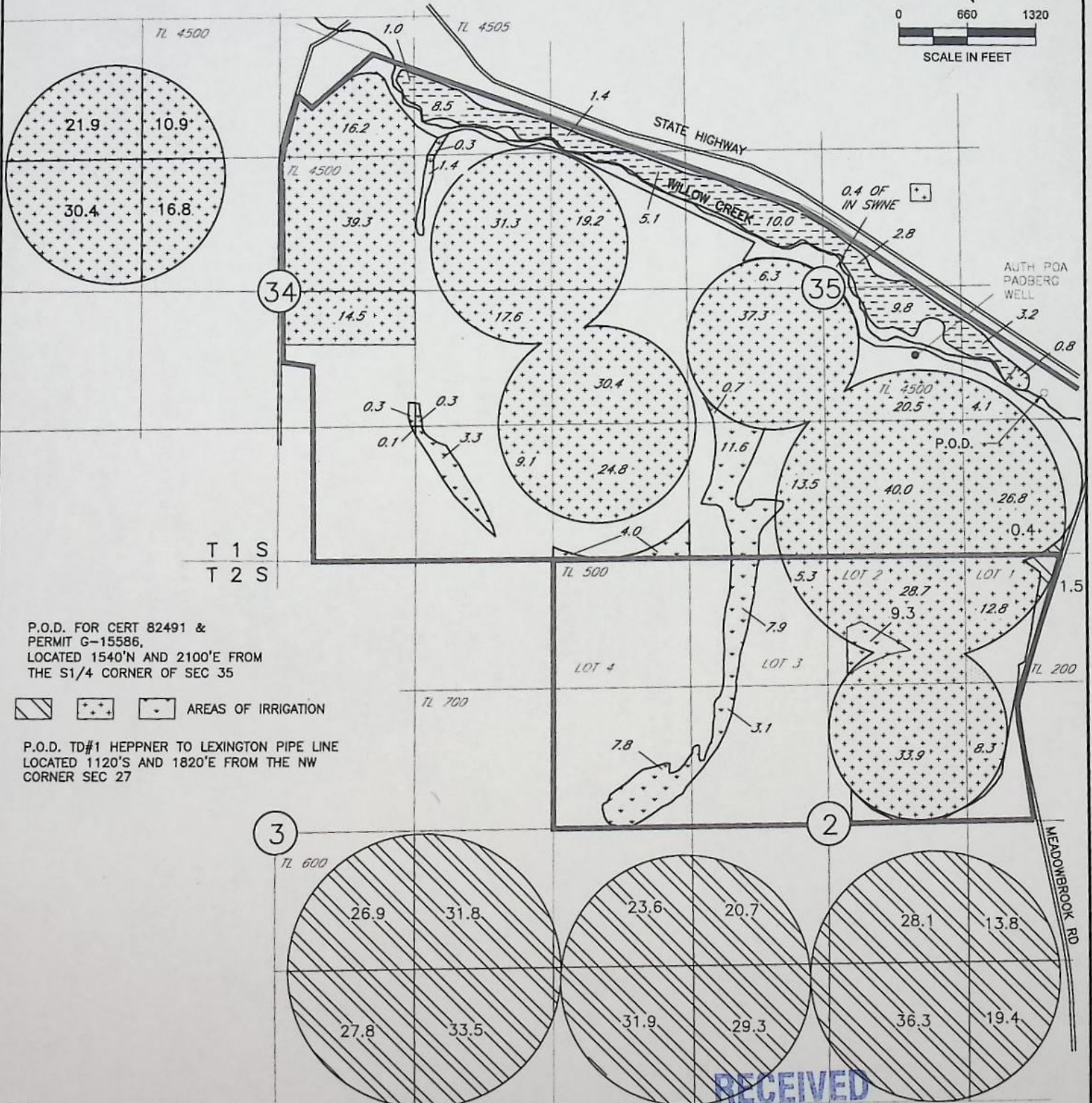
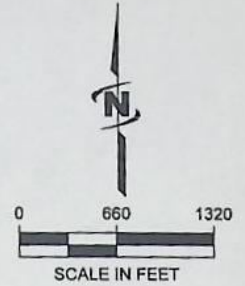
THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

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Attachment 1  
Page 72 of 95



WILLOW CREEK DISTRICT IMPROVEMENT CO.  
 THOMPSON — MEADOWBROOK FARM, LLC  
 APPLICATION MAP FOR 1000 ACFT  
 STORED IN WILLOW CREEK RESERVOIR  
 CERTIFICATE 86314  
 T1&T2S, R25E WM  
 MORROW CO



P.O.D. FOR CERT 82491 &  
 PERMIT G-15586,  
 LOCATED 1540'N AND 2100'E FROM  
 THE S1/4 CORNER OF SEC 35

AREAS OF IRRIGATION

P.O.D. TD#1 HEPPNER TO LEXINGTON PIPE LINE  
 LOCATED 1120'S AND 1820'E FROM THE NW  
 CORNER SEC 27

NOTE:  
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION  
 OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION  
 RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

DRAWING: \\Kwkfiles\public\Project\30-08-016 - Porfily Water Rights Consulting\--00 Misc Engineering\Cad\WILLOW CREEK 10-5-17\30-08-016 THOMPSON.dwg  
 PRINTED BY: rwillard on 03/06/18 04:51 AM

MAR 08 2018

OWRD



mc TC 8986

Until a change is requested all tax statements should be sent to Grantee at the following address:

Meadowbrook Farms, LLC  
63615 E. Jacobs Rd.

Benton City, WA 99320

After Recording Please Return to:

MID-COLUMBIA TITLE COMPANY

P.O. BOX 290

BOARDMAN, OR 97818

MORROW COUNTY, OREGON 2014-34103

D-WD

05/08/2014 01:53:28 PM

Cnt=1 Str=23 TC

\$25.00 \$11.00 \$20.00 \$10.00

\$66.00



00023407201400341030050054

I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Bobbi Childers - County Clerk



## STATUTORY WARRANTY DEED

*KNOW ALL MEN BY THESE PRESENTS THAT, ANDRE MEYER, KATHLEEN L. MEYER, FRANK MEYER, JULIA MEYER, AND ANDRE MEYER AND KATHLEEN L. MEYER, AS CUSTODIANS FOR VICTOR MEYER, UNDER THE OREGON UNIFORM TRANSFERS TO MINORS ACT, Grantors herein, do hereby grant, bargain, sell, convey and warrant unto MEADOWBROOK FARMS, LLC, AN OREGON LIMITED LIABILITY COMPANY, Grantee, the following described tract of land in the County of Morrow, and State of Oregon, more particularly described as follows:*

**FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO.**

*TO HAVE AND TO HOLD the granted premises unto the said Grantees, its heirs and assigns forever.*

*And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any, and that they will, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as stated below:*

**THE TRUE AND ACTUAL CONSIDERATION IS \$2,775,000.00 PAID TO A QUALIFIED INTERMEDIARY PURSUANT TO AN IRC §1031 TAX-DEFERRED EXCHANGE FOR GRANTORS.**

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.

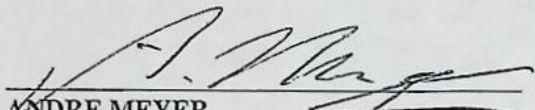
RECEIVED

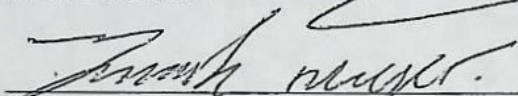
MAR 08 2018

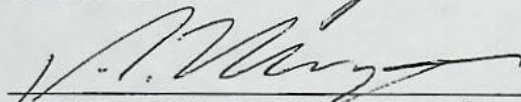
OWRD

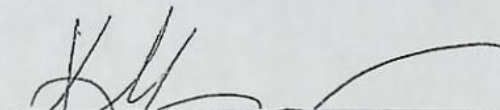


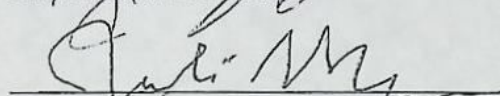
Dated this 7<sup>th</sup> day of MAY, 2014.


  
ANDRE MEYER

  
FRANK MEYER

  
ANDRE MEYER, AS CUSTODIAN FOR  
VICTOR MEYER, UNDER THE  
OREGON UNIFORM TRANSFERS TO  
MINORS ACT


  
KATHLEEN L. MEYER

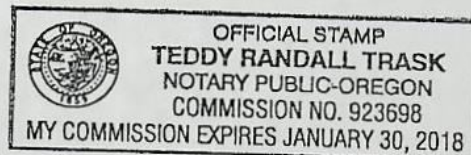
  
JULIA MEYER

  
KATHLEEN L. MEYER, AS  
CUSTODIAN FOR VICTOR MEYER,  
UNDER THE OREGON UNIFORM  
TRANSFERS TO MINORS ACT

STATE OF OREGON  
COUNTY OF Washington


This instrument was acknowledged before me this 7<sup>th</sup> day of May, 2014 by ANDRE MEYER, individually and as custodian for Victor Meyer, under the Oregon Transfers to Minors Act and KATHLEEN L. MEYER, individually and as custodian for Victor Meyer, under the Oregon Transfers to Minors Act.

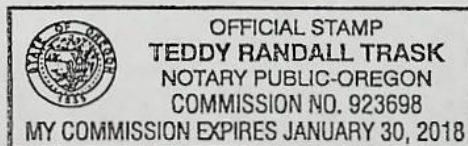
  
Notary Public for the State of OREGON  
My Commission Expires: January 30, 2018



STATE OF OREGON  
COUNTY OF Washington

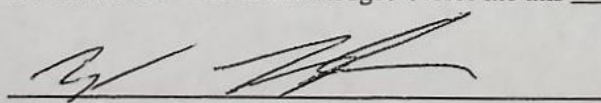
This instrument was acknowledged before me this 7<sup>th</sup> day of May, 2014 by FRANK MEYER.

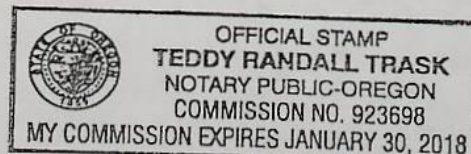
  
Notary Public for the State of OREGON  
My Commission Expires: January 30 2018



STATE OF OREGON  
COUNTY OF Washington

This instrument was acknowledged before me this 7<sup>th</sup> day of May, 2014 by JULIA MEYER.

  
Notary Public for the State of OREGON  
My Commission Expires: January 30 2018



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**Parcel I:**

That portion of the following described property lying South of Hwy 74, described as follows:

**Township 1 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon;**

**Section 34:** The South Half of the North Half, and the Southeast Quarter.

ALSO, beginning at the corner common to Sections 27, 28, 33, and 34; thence East 2,189.5 feet, more or less, to a point which is the intersection of the South line of Section 27 with the Southwest line of Depot Street as shown by the re-survey of Penland's Addition to the Town of Lexington; thence South 39°00' East along the Southwesterly side of Depot Street, 1,175.60 feet, more or less; thence North 51°00' East, 1,440 feet more or less along the Southeasterly side of "A" Street as shown by the re-survey of Penland's Addition to the Town of Lexington, this being the point of intersection of the South line of Section 27 with the Southeasterly line of said "A" Street; thence East along said Section line 1,197 feet, more or less, to the corner common to Sections 26, 27, 34, and 35; thence South 80 rods; thence West 320 rods; thence North 80 rods, to the point of beginning, Said property being the North half of the North half of Section 34, EXCEPTING the platted portions thereof.

**EXCEPTING THEREFROM** those parts of the West Half of the Southeast Quarter of Section 34, described as follows:

Beginning at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 34; thence South 5.26 chains; thence East 4.29 chains; thence North 5.26 chains; thence West 4.29 chains to the point of beginning. Also beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of Section 34; thence North 600 feet; thence East 4.29 chains; thence South 600 feet; thence West 4.29 chains to the point of beginning.

**ALSO EXCEPTING** the following: Beginning at the Southeast corner of the Lexington cemetery as its boundaries are constituted and shown on assessor's plats (said point lying in the Southeast Quarter of Section 34, Township 1 South, Range 25, East of the Willamette Meridian); thence South 248 feet; thence West 284 feet; thence North, 248 feet; thence East along the South boundary line of said cemetery 284 feet, more or less, to the point of beginning.



**ALSO EXCEPTING** beginning at a point on the South line of Section 27, Township 1 South, Range 25, East of the Willamette Meridian; said point being 2220 feet, more or less, East of the Southwest corner of said Section and being at the angle made by the Town limits of Lexington and said Section line; thence South 39° East along the Town limits 300 feet; thence North 84° West 525 feet; thence North 71°15' West 575 feet; thence East along the Section line 877 feet, more or less to the point of beginning.

**Section 35:** All that portion lying South of Hwy 74;

**EXCEPTING** That portion of the Southeast Quarter of the Southeast Quarter lying South and East of County Road No. 643 aka Meadow Brook Road.

**ALSO EXCEPTING** all roads and road rights of way.

**PARCEL II:**

**Township 2 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon:**

**Section 2:** Lots 1, 2, 3 and 4, South half of the North half.

**EXCEPTING THEREFROM** beginning at the East Quarter corner of Section 2 and running thence West along the center line of said Section 2, 8.15 chains to the County Road; thence North 10°40' West 19.10 chains along County Road; thence North 19°00' East, 33 chains along County Road; thence East 1 chain to the East line of Section 35, Township 1 South, Range 25, East of the Willamette Meridian; thence South along the East line of said Section 35 and 2, 49.70 chains to the place of beginning.

**ALSO EXCEPTING** all roads and road rights of way.

**Subject to:**

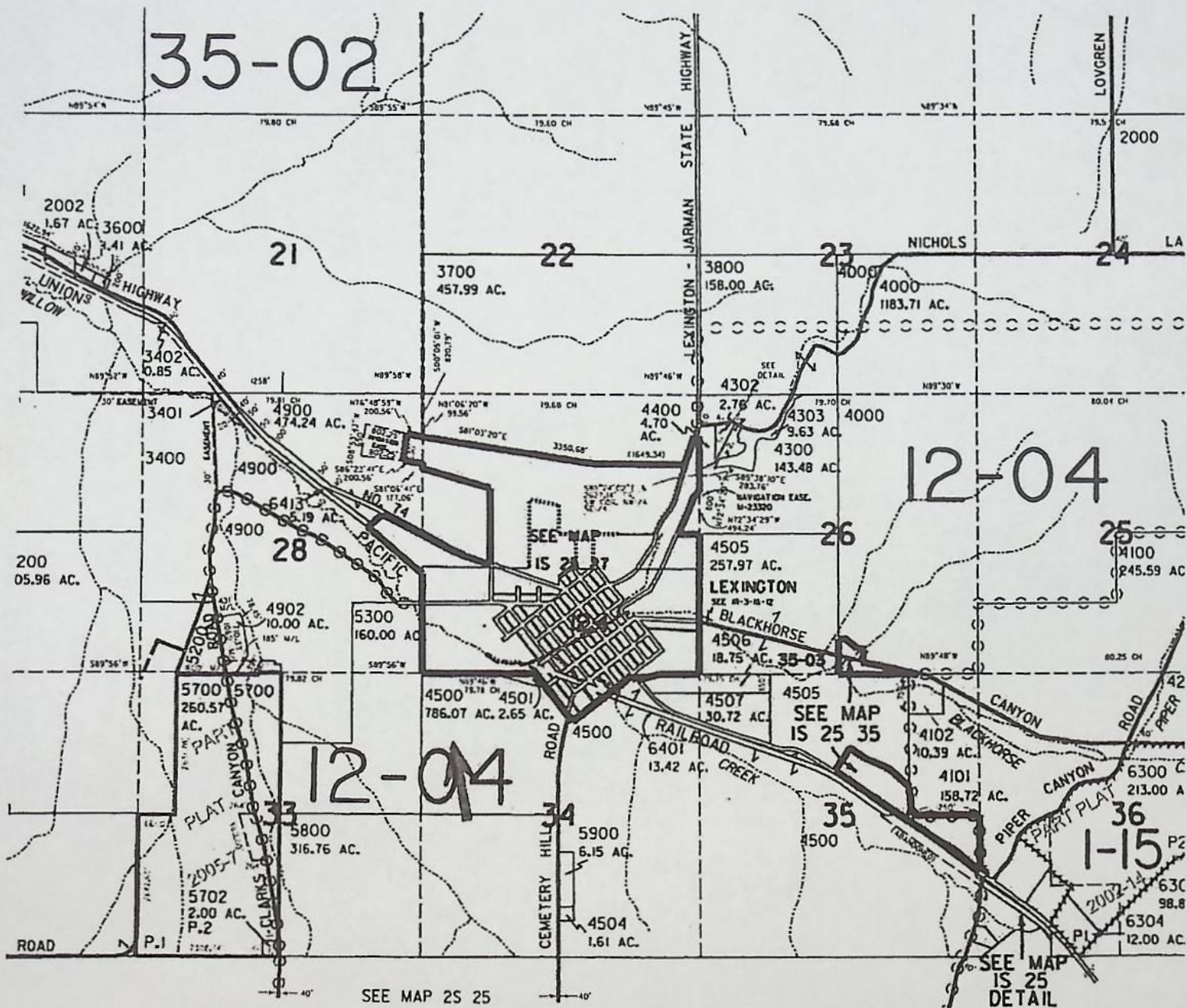
Statutory Warranty Deed  
Meyer/Meadowbrook Farms, LLC

**RECEIVED**  
**MAR 08 2018**  
**OWRD**



1. The rights of the public in roads and highways.
2. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
3. Easement for Electric transmission and distribution lines, including the terms and provisions thereof, in favor of Pacific Power & Light, recorded February 13, 1951, in Book 53, Page 594, Morrow County Deed Records.
4. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded April 15, 1974, as Microfilm No. M-6709, Morrow County Microfilm Records.
5. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded November 7, 1979, as Microfilm No. M-16349, Morrow County Microfilm Records.
6. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded November 7, 1979, as Microfilm No. M-16350, Morrow County Microfilm Records.
7. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded May 28, 1987, as Microfilm No. M-29003, Morrow County Microfilm Records.
8. Mineral Deed, including the terms and provisions thereof, by and between Union Pacific Railroad Company as Grantor and Union Pacific Land Resources Corporation, as Grantee, recorded November 9, 1995 as Microfilm No. M-46451, Morrow County Microfilm Records.
9. Easement Deed and Agreement, including the terms and provisions thereof, by and between Union Pacific Railroad Company, as Grantor and Morrow County, as Grantee, recorded November 6, 1996 as Microfilm No. M-49401, Morrow County Microfilm Records.
10. Easement for a Water Pipeline and Electrical Line, including the terms and provisions thereof, in favor of Elden L. Padberg, recorded February 16, 2005, as Microfilm No. M-2005-13197, Morrow County Microfilm Records.
11. Disclaimer Statement, including the terms and provisions thereof, recorded on June 04, 2008, as Microfilm No. M-2008-21987, Morrow County Microfilm Records.





# AmeriTitle

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

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MAR 08 2018

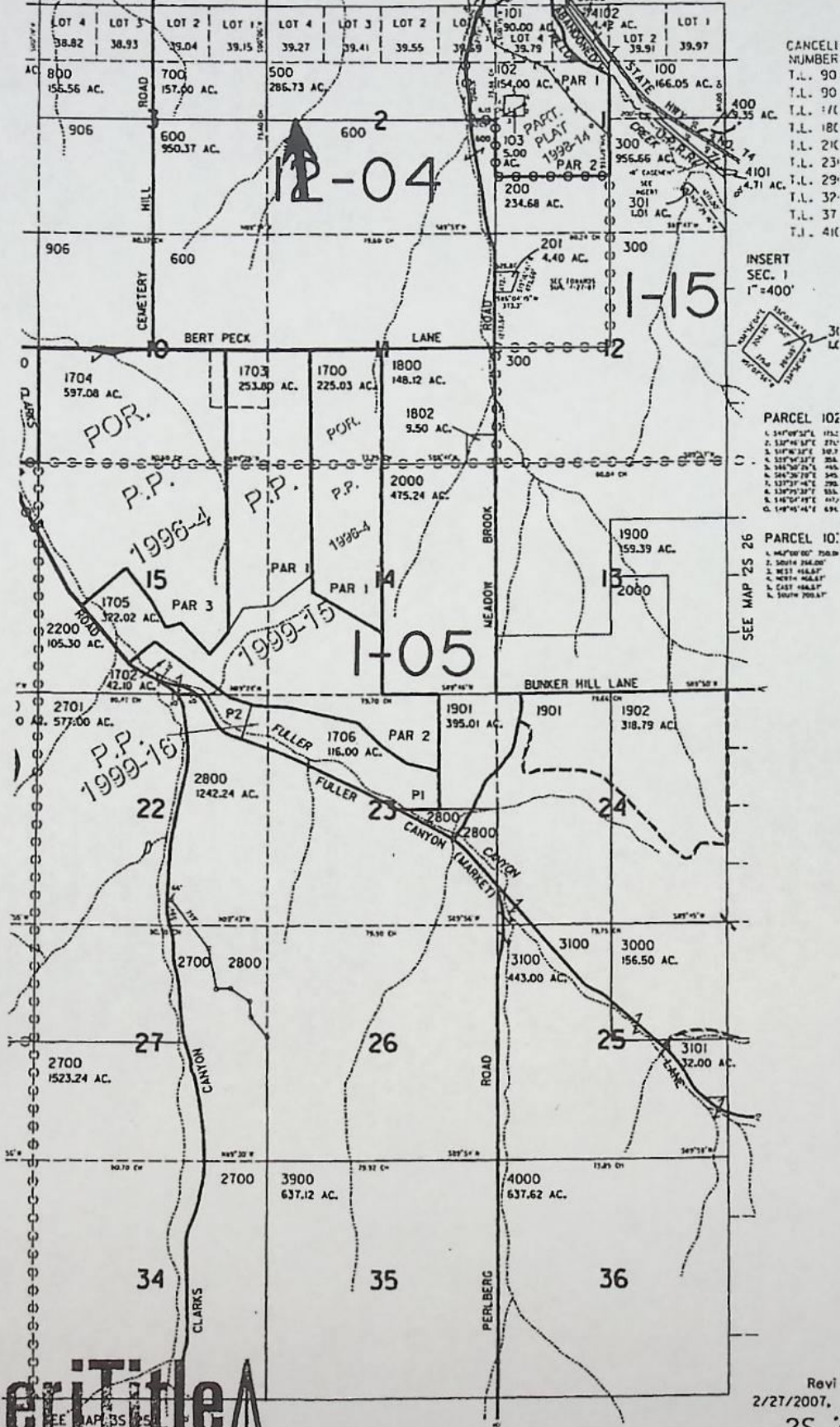
OWRD

Attachment 1  
Page 49 of 95



# ORROW COUNTY

S 25, 1" = 2000'



**AmeriTitle**

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

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Rev  
2/27/2007,  
2S 25

Attachment 1  
Page 48 of 95



Box 207

Until a change is requested all tax statements  
should be sent to Grantee at the following address:

Meadowbrook Farms, LLC  
63615 E. Jacobs Rd.  
Benton City, WA 99320

After Recording Please Return to:  
MID-COLUMBIA TITLE COMPANY  
P.O. BOX 290  
BOARDMAN, OR 97818

MORROW COUNTY, OREGON 2014-34104  
D-WD 05/08/2014 01:53:46 PM  
Crt=1 Stn=23 TC  
\$15.00 \$11.00 \$20.00 \$10.00 \$58.00



00023408201400341040030038  
I, Bobbi Childers, County Clerk for Morrow  
County, Oregon, certify that the instrument  
identified herein was recorded in the Clerk  
records.

Bobbi Childers - County Clerk



### STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, ANDRE MEYER, KATHLEEN L. MEYER, FRANK MEYER, JULIA MEYER, AND ANDRE MEYER AND KATHLEEN L. MEYER, AS CUSTODIANS FOR VICTOR MEYER, UNDER THE OREGON UNIFORM TRANSFERS TO MINORS ACT, Grantors herein, do hereby grant, bargain, sell, convey and warrant unto MEADOWBROOK FARMS, LLC, AN OREGON LIMITED LIABILITY COMPANY, Grantee, the following described tract of land in the County of Morrow, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any, and that they will, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as stated below:

THE TRUE AND ACTUAL CONSIDERATION IS \$650,000.00.

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.

Page 1

Statutory Warranty Deed  
Meyer/Meadowbrook Farms, LLC

RECEIVED

MAR 08 2018

OWRD

Dated this 7<sup>th</sup> day of MAY, 2014.

[Signature]  
ANDRE MEYER

[Signature]  
FRANK MEYER

[Signature]  
ANDRE MEYER, AS CUSTODIAN FOR  
VICTOR MEYER, UNDER THE  
OREGON UNIFORM TRANSFERS TO  
MINORS ACT

[Signature]  
KATHLEEN L. MEYER

[Signature]  
JULIA MEYER

[Signature]  
KATHLEEN L. MEYER, AS  
CUSTODIAN FOR VICTOR MEYER,  
UNDER THE OREGON UNIFORM  
TRANSFERS TO MINORS ACT

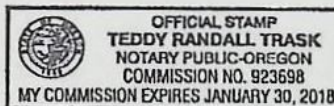
STATE OF OREGON

COUNTY OF Washington

This instrument was acknowledged before me this 7<sup>th</sup> day of May, 2014 by ANDRE MEYER,  
individually and as custodian for Victor Meyer, under the Oregon Transfers to Minors Act and  
KATHLEEN L. MEYER, individually and as custodian for Victor Meyer, under the Oregon Transfers to  
Minors Act.

[Signature]  
Notary Public for the State of OREGON

My Commission Expires: January 30, 2018



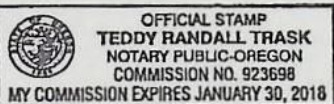
STATE OF OREGON

COUNTY OF Washington

This instrument was acknowledged before me this 7<sup>th</sup> day of May, 2014 by FRANK MEYER.

[Signature]  
Notary Public for the State of OREGON

My Commission Expires: January 30, 2018



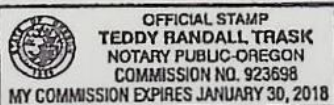
STATE OF OREGON

COUNTY OF Washington

This instrument was acknowledged before me this 7<sup>th</sup> day of May, 2014 by JULIA MEYER.

[Signature]  
Notary Public for the State of OREGON

My Commission Expires: January 30, 2018



Page 2

Statutory Warranty Deed  
Meyer/Meadowbrook Farms, LLC

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MAR 08 2018

OWRD



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A parcel of land located in Township 2 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon more particularly described as follows:

Section 2: The South Half.

Section 3: The Southeast Quarter.

Section 10: The Northeast Quarter.

Section 11: The North Half.

**Subject to:**

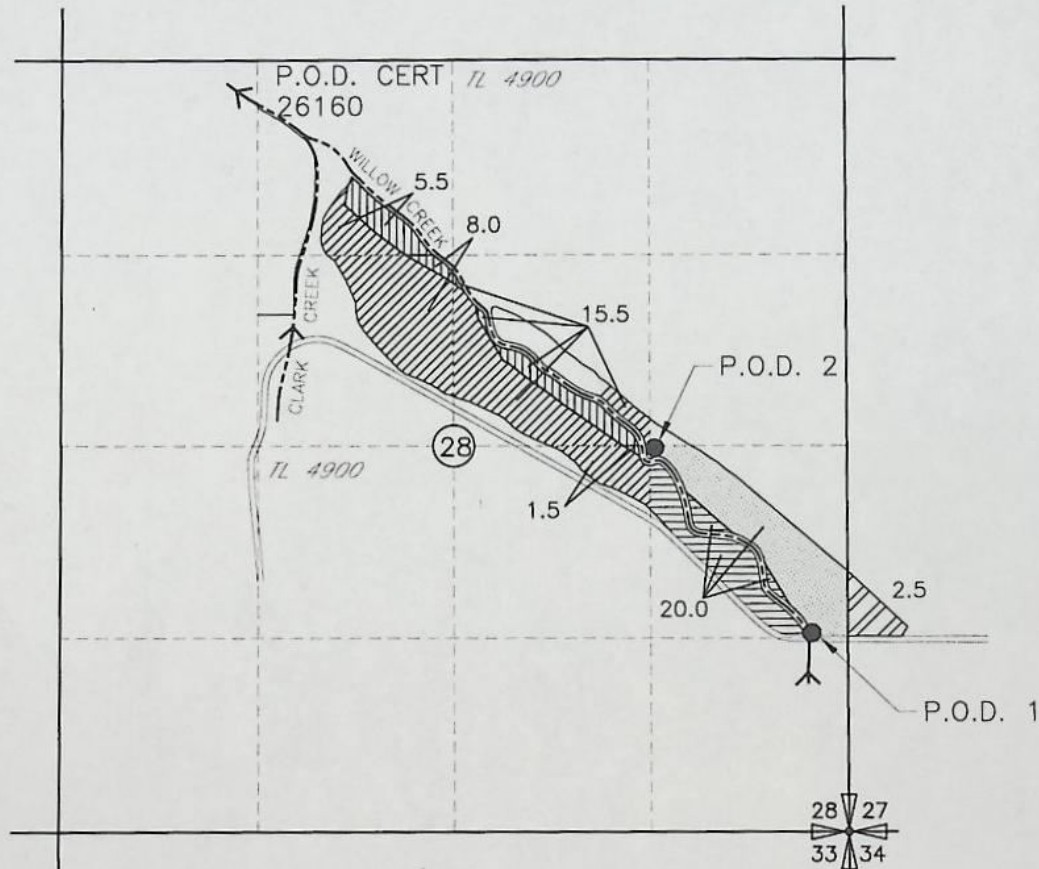
The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment. (Property is currently pending disqualification.)

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MAR 08 2018

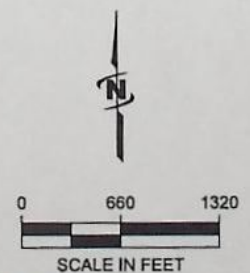
OWHD

WILLOW CREEK DISTRICT IMPROVEMENT CO.  
 APPLICATION MAP FOR 1000 ACFT  
 STORED IN WILLOW CREEK RESERVOIR  
 CERTIFICATE 86314  
 T1S, R25E WM  
 MORROW, COUNTY  
 DUANE NEIFFER



AUTHORIZED P.O.D.  
 P.O.D. 1 LOCATED 1340'N AND 250'W FROM THE  
 SE CORNER SEC 28

P.O.D. 2 LOCATED 2560'N AND 1280'W FROM THE  
 SE CORNER SEC 28



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MAR 08 2018

OWRD



NOTE:  
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT  
 INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

DRAWING: \\wki\es\public\Project\30-08-016 - Partly Water Rights Consulting\00 Misc Engineering\Cad\WILLOW CREEK 10-5-17\30-08-016 Neiffer 9.dwg  
 PRINTED BY: rwillers on 03/06/18 04:49 AM



Lexington

51  
2004-12671

2005-13509

After recording, return original to:

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

UARC-#3001  
James M. Habberstad  
Attorney at Law  
106 East Fourth Street  
Second Floor  
The Dalles, Oregon 97058

Duane Neiffer  
Linda Neiffer  
67795 Macnab Lane  
Ione, Oregon 97843-4350

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$300,000.00. AND in consideration of an IRC 1031 exchange on behalf of the Grantee.

\*\*This document is being re-recorded to correct the legal description previously recorded as M-2004-12671.

#### MEMORANDUM OF REAL ESTATE CONTRACT

THIS MEMORANDUM OF REAL ESTATE CONTRACT, Made this 3rd day of December, 2004, by and between LEE E. WAGENBLAST, hereinafter referred to as "Seller", and DUANE NEIFFER and LINDA NEIFFER, husband and wife, hereinafter referred to as "Buyers",

#### WITNESSETH:

1. The parties hereto acknowledge and agree that they entered into a certain Real Estate Contract dated the 3rd day of December, 2004, wherein LEE E. WAGENBLAST is therein referred to as "Seller" and DUANE NEIFFER and LINDA NEIFFER, husband and wife, are therein referred to as "Buyers", whereby "Seller" agreed to sell and "Buyers" agreed to purchase and "Buyers" did purchase from "Seller" the following described real property situated in Morrow County, Oregon:

Township 1 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Section 27: The Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter.

EXCEPTING THEREFROM all that portion lying South of State Highway No. 74 and North and East of the centerline of the abandoned Union Pacific Railroad right of way.

RECEIVED

MAR 08 2018

OWRD

Attachment 1  
Page 35 of 95

ALSO EXCEPTING THEREFROM a parcel of land lying in the Southwest Quarter of the Northwest Quarter of said Section 27, described as follows: Beginning at the North one-sixteenth corner common to Sections 27 and 28; thence South 89°37'14" East along the North line of said Southwest Quarter of the Northwest Quarter a distance of 1,435.67 feet; thence South 0°31'00" West a distance of 491.04 feet; thence North 74°00'00" West a distance of 1,489.02 feet to a point on the West line of said Section 27; thence North 0°05'01" East along said West line a distance of 90.10 feet to the point of beginning.

Section 28: The Northeast Quarter; The Northeast Quarter of the Southeast Quarter; The West Half of the Southeast Quarter; The East Half of the Northwest Quarter; All that portion of the East Half of the Southwest Quarter lying East of Clark's Canyon Road. Together with all that portion of the abandoned Union Pacific Railroad.

Corner

EXCEPTING THEREFROM: Commencing at the Southwest Quarter of Section 28; thence Easterly along the Southerly line of said Section 28 a distance of 1600 feet; more or less, to the point of intersection of said Southerly line and the Easterly right of way line of Clark's Canyon Road, said point being the point of beginning; thence in a Northerly direction along the said Easterly right of way line a distance of 1060 feet; thence at a right angle to the right and in an Easterly direction a distance of 431 feet, more or less, to a 5/8" x 30" Iron pin with an aluminum cap stamped LS 933; thence at a deflection angle of 76°04'30" to the right, a distance of 78.45 feet to a 5/8" x 30" Iron pin with an aluminum cap stamped LS 933; thence at a deflection angle of 36°09'42" to the right, a distance of 397 feet, more or less, to an intersection with said Southerly line of Section 28; thence in a Westerly direction along said Southerly line, a distance of 185 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM a parcel of land lying in the Northeast Quarter of said Section 28, described as follows: Commencing at the North one-sixteenth corner common to Sections 27 and 28, said point being the true point of beginning; thence South 0°05'01" West along the East line of said Section 28, a distance of 7.91 feet; thence North 81°06'20" West a distance of 177.06 feet; thence North 85°23'41" West a distance of 200.56 feet; thence North 8°53'40" East a distance of 530.00 feet; thence South 76°48'59" East a distance of 200.56 feet; thence South 81°06'20" East a distance of 99.56 feet, to a point on said East line; thence South 0°05'01" West along said East line a distance of 498.07 feet, to the point of beginning.

\*thence at a deflection angle of 15°55'22" to the right, a distance of 701.58 feet to a 5/8" x 30" Iron pin with an aluminum cap stamped LS 933; \*710.33

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ALSO EXCEPTING THEREFROM Beginning at a point lying North 18°10'16" West a distance of 2,981.15 from the Southeast corner of Section 28, said point also being the initial point of Partition Plat 1996-9; thence South 48°31'48" West to a point on the South boundary line of the abandoned railroad right of way line; thence Southeasterly along said South boundary line to its intersection with the West boundary line of Section 27; thence North on said West Section line to a point on the South boundary line of Parcel 3 of Partition Plat 1996-9; thence Northwesterly along said South boundary line to the point of beginning.

ALSO EXCEPTING THEREFROM Parcel 3 of Partition Plat 1996-9.

ALSO EXCEPTING THEREFROM a strip of land 20 feet in width paralleling the South boundary line of the abandoned Union Pacific Railroad right of way, described as follows: Beginning at the Quarter corner common to Sections 21 and 28; thence Westerly along the North line of said Section 28, a distance of 1,258 feet, to a point in the center of the abandoned Union Pacific Railroad right of way; thence continuing Westerly along said North line to a point 20 feet beyond the Southwest line of said Union Pacific Railroad right of way; thence Southeasterly parallel with said Southwest line 800 feet, more or less, to a point in the center of Willow Creek; thence Northeasterly 20 feet, to the Southerly line of said abandoned Union Pacific Railroad right of way; thence Northwesterly to the point of beginning.

Section 33: The Northwest Quarter of the Northeast Quarter.

EXCEPTING ALL ROADS AND ROAD RIGHTS OF WAY.

SUBJECT TO:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

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3. Easements, encumbrances, or claims thereof, not shown by the public records, reservations or exceptions in patents, or in acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.
6. The rights of the public in roads and highways.
7. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax, interest, and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
8. Right of Way for Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Pacific Power and Light Company, recorded January 29, 1947, in Book 50, Page 6, Morrow County Deed Records.  
  
By Instrument recorded September 7, 1984, as Microfilm No. M-23788, Morrow County Microfilm Records, a portion of the property was released from said easement.
9. Right of Way, including the terms and provisions thereof, in favor of Pacific Northwest Bell Telephone Company, recorded October 12, 1971, as Microfilm No. M-3990, Morrow County Microfilm Records.
10. Right of Way for Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded January 28, 1977, as Microfilm No. M-10659, Morrow County Microfilm Records.
11. Avigation Easement, including the terms and provisions thereof, in favor of Morrow County, a political subdivision of the State of Oregon, as contained in Judgment Order, recorded June 27, 1985, as Microfilm No. M-25210, Morrow County Microfilm Records.

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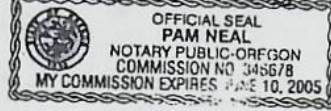
12. Right of Way, including the terms and provisions thereof, in favor of Pacific Northwest Bell Telephone Company, recorded March 14, 1989, as Microfilm No. M-32689, Morrow County Microfilm Records.
13. Reservations and Easements, including the terms and provisions thereof, in favor of Union Pacific Railroad Company, as contained in Deed recorded January 16, 1996, as Microfilm No. M-47104, Morrow County Microfilm Records.
14. Easement Deed and Agreement, including the terms and provisions thereof, between Vilas D. Ropp and Deborah G. Ropp and Union Pacific Railroad Company, recorded January 16, 1996, as Microfilm No. M-47105, Morrow County Microfilm Records.
15. Easement Deed and Agreement, including the terms and provisions thereof, between Union Pacific Railroad Company and Morrow County, recorded November 6, 1996, as Microfilm No. M-49401, Morrow County Microfilm Records.  
  
By Instrument recorded March 27, 1997, as Microfilm No. M-50698, Morrow County Microfilm Records, Morrow County assigns a portion of said easement to Telephone Utilities of Eastern Oregon, Inc.
16. Reservations and Easements, including the terms and provisions thereof, in favor of Morrow County, as contained in Deed recorded November 6, 1996, as Microfilm No. M-49402, Morrow County Microfilm Records.
17. Right of Way for Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded October 4, 2003, as Microfilm No. M-2003-9346, Morrow County Microfilm Records.

2. That the purchase price for said real property and the terms and conditions, provisions and covenants of said sale are as contained and set forth in said agreement dated the 3rd day of December, 2004, between the said LEE E. WAGENBLAST, therein referred to as "Seller", and DUANE NEIFFER and LINDA NEIFFER, husband and wife, therein referred to as "Buyers"; the purchase price being \$300,000.00.

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IN WITNESS WHEREOF, the parties hereto have executed this agreement this  
3rd day of December, 2004.

Lee E. Wagenblast  
Lee E. Wagenblast  
"Seller"

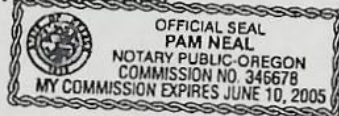


STATE OF OREGON )  
County of Morrow ) SS.

Personally appeared the above-named LEE E. WAGENBLAST and executed the foregoing instrument before me this 3rd day of December, 2004.

Pam Neal  
Notary Public for Oregon  
My commission expires: 6-10-2005

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 USES. THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.



Duane Neiffer  
Duane Neiffer  
"Buyer"

STATE OF OREGON )  
County of Morrow ) SS.

Personally appeared the above-named DUANE NEIFFER and executed the foregoing instrument before me this 3rd day of December, 2004.

Pam Neal  
Notary Public for Oregon  
My commission expires: 6-10-2005

Linda Neiffer  
Linda Neiffer  
"Buyer"

STATE OF OREGON )  
County of Morrow ) SS.

Personally appeared the above-named ~~Duane Neiffer~~ and executed the foregoing instrument before me this 3rd day of December, 2004.

Pam Neal  
Notary Public for Oregon  
My commission expires: 6-10-2005

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STATE OF OREGON

County of Morrow

I certify that this instrument was received and recorded in the book of records of said county.

BARBARA L. LODGE, Notary  
Morrow County, Oregon

by: [Signature] Deputy.

Doc#: 2004-026  
Rcpt: 31983 56.00  
12/03/2004 12:57 pm

STATE OF OREGON

County of Morrow

I certify that this instrument was received and recorded in the book of records of said county.

BARBARA L. LODGE, Notary  
Morrow County, Oregon

by: [Signature] Deputy.

Doc#: 2004-026  
Rcpt: 31983 56.00  
04/05/2005 1:10 pm

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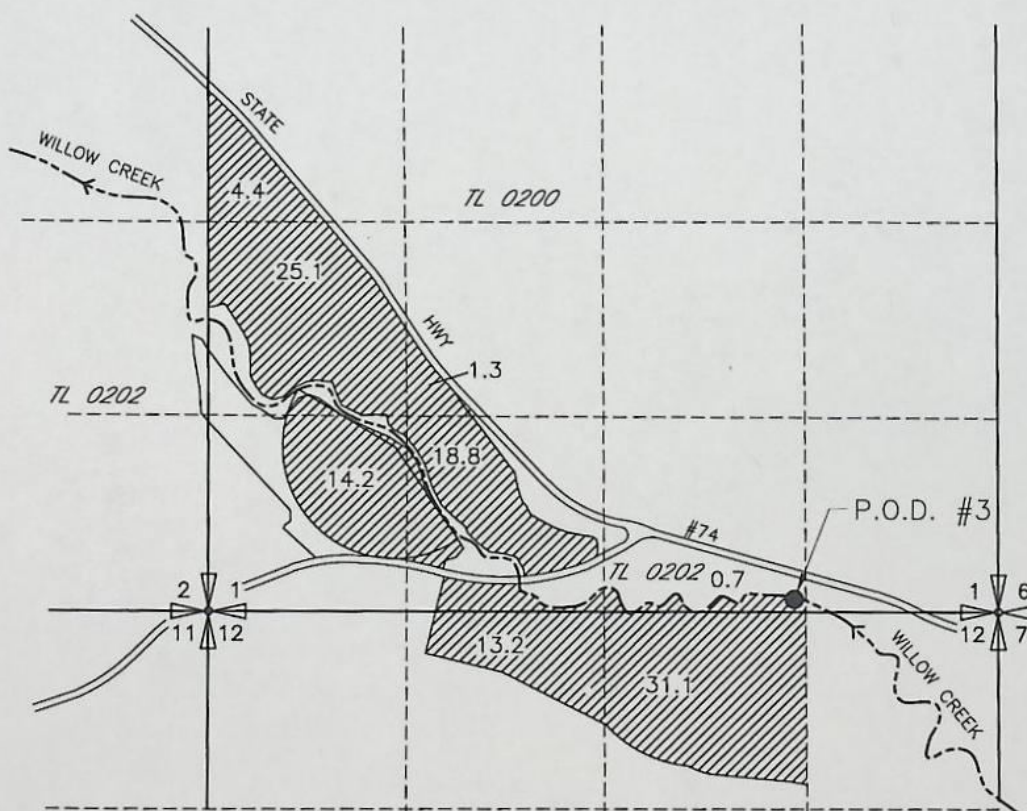
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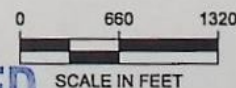




WILLOW CREEK DISTRICT IMPROVEMENT CO.  
 APPLICATION MAP FOR 1000 ACFT  
 STORED IN WILLOW CREEK RESERVOIR  
 CERTIFICATE 86314  
 T1S, R23E WM  
 MORROW, COUNTY  
 DUANE NEIFFER



P.O.D. #3 LOCATED 100'N & 1340'E FROM THE SE COR SEC 12



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NOTE:  
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT  
 INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

McNabb

M-56710

After Recording Return to:

Morrow County Abstract  
P.O. Box 576  
Heppner, Oregon 97836

Hereafter All Tax Statements  
Are To Be Sent To:  
Duane & Linda Neiffer  
P.O. Box 257  
Ione, Oregon 97843

WARRANTY DEED

BLUE MOUNTAIN COMMUNITY COLLEGE, hereafter called grantor, conveys to DUANE NEIFFER and LINDA NEIFFER, husband and wife, all that real property situated in the County of Morrow, State of Oregon, described as:

PARCEL TWO of PARTITION PLAT NO. 1999-2, filed in the Morrow County Clerk's Office on January 20, 1999 at M-56495.

and covenant that grantor is the owner of the above property free of all encumbrances except;

SEE EXHIBIT "A"

NOTE: A portion of Code 35-02, Account No. 1S 23, Tax Lot 200, Ref No. 5318.

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.

The true and actual consideration for this transfer is \$165,000.00. Dated the 21<sup>st</sup> Day of January, 1999.

BLUE MOUNTAIN COMMUNITY COLLEGE

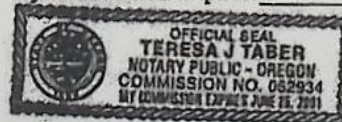
John P. Kopetski  
John P. Kopetski, Chairman of the Board

Dr. Nicki Harrington  
Dr. Nicki Harrington, President

State of Oregon )  
County of Umatilla )

On January 21<sup>st</sup>, 1999 personally appeared John P. Kopetski and Dr. Nicki Harrington, the former being the Chairman of the Board and the latter being the President of Blue Mountain Community College, and acknowledged said instrument to be their voluntary act and deed for the benefit and with full power of the board of directors.

Teresa J. Taber  
Notary Public for Oregon  
My Commission Expires: 6/25/01



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EXHIBIT "A"

1. Any failure to comply with any requirement of approval, consent, exemption or other action by, or notice to or filing with the Interstate Commerce Commission, or any public utility commission or other similar regulatory authority, relating to the abandonment, cessation of rail operations, or other disposition of that portion of said land lying within the right of way granted to the Oregon Railway and Navigation Company, its successors and or assigns.
2. Reservations, easements, and restrictions created by instrument, including the terms and provisions thereof,  
Dated : October 15, 1917  
Recorded : February 8, 1918 Book: 31 Page: 279  
Grantor : Northern Pacific Railway Company  
Grantee : Charles R. Johnson
3. Agreement numbers 94435, 101859 and 101767 with Pacific Northwest Bell Telephone Company, or its successor in interest, for overhead and underground communication cable crossings and encroachment.
4. Reservations and restrictions as contained in Deed, including the terms and provisions thereof;  
Dated : February 8, 1921  
Recorded : April 11, 1921 Book: 34 Page: 235  
Grantor : Northern Pacific Railway Company  
Grantee : Oregon-Washington Railroad & Navigation Company
5. Covenants, Easements, and Restrictions, as disclosed by Quitclaim Deed, including the terms and provisions thereof,  
Dated : September 11, 1995  
Recorded : October 5, 1995 Book: "M" Page: 46194  
Grantor : Union Pacific Railroad Company, a Utah corporation  
Grantee : Morrow County Grain Growers, Inc., an Oregon corporation
6. Easement created by instrument, including the terms and provisions thereof,  
Dated : October 3, 1927  
Recorded : October 11, 1927 Book: 39 Page: 163  
Grantor : Seymour P. Wilson and Mollie E. Wilson  
Grantee : Sherman Electric Co.
7. Easement Deed and Agreement, including the terms and provisions thereof,  
Dated : September 11, 1995  
Recorded : October 5, 1995 Book: "M" Page: 46195  
Grantor : Union Pacific Railroad Company, a Utah corporation  
Grantee : Morrow County Grain Growers, Inc., an Oregon corporation
8. Assignment, including the terms and provisions thereof,  
Dated : October 23, 1995  
Recorded : October 26, 1995 Book: "M" Page: 46341  
Assignor : Morrow County Grain Growers, an Oregon corporation  
Assignee : Blue Mountain Community College
9. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.
10. Subject to all reservations and easements in patents.

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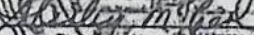
STATE OF OREGON

County of Morrow

SS

I certify that this instrument was received and  
recorded in the book of records of said county.

BARBARA BLOODSWORTH  
Morrow County Clerk

by  Deputy.

DOC# 16710

RCPT: 10874

1/25/99 4:34 PM

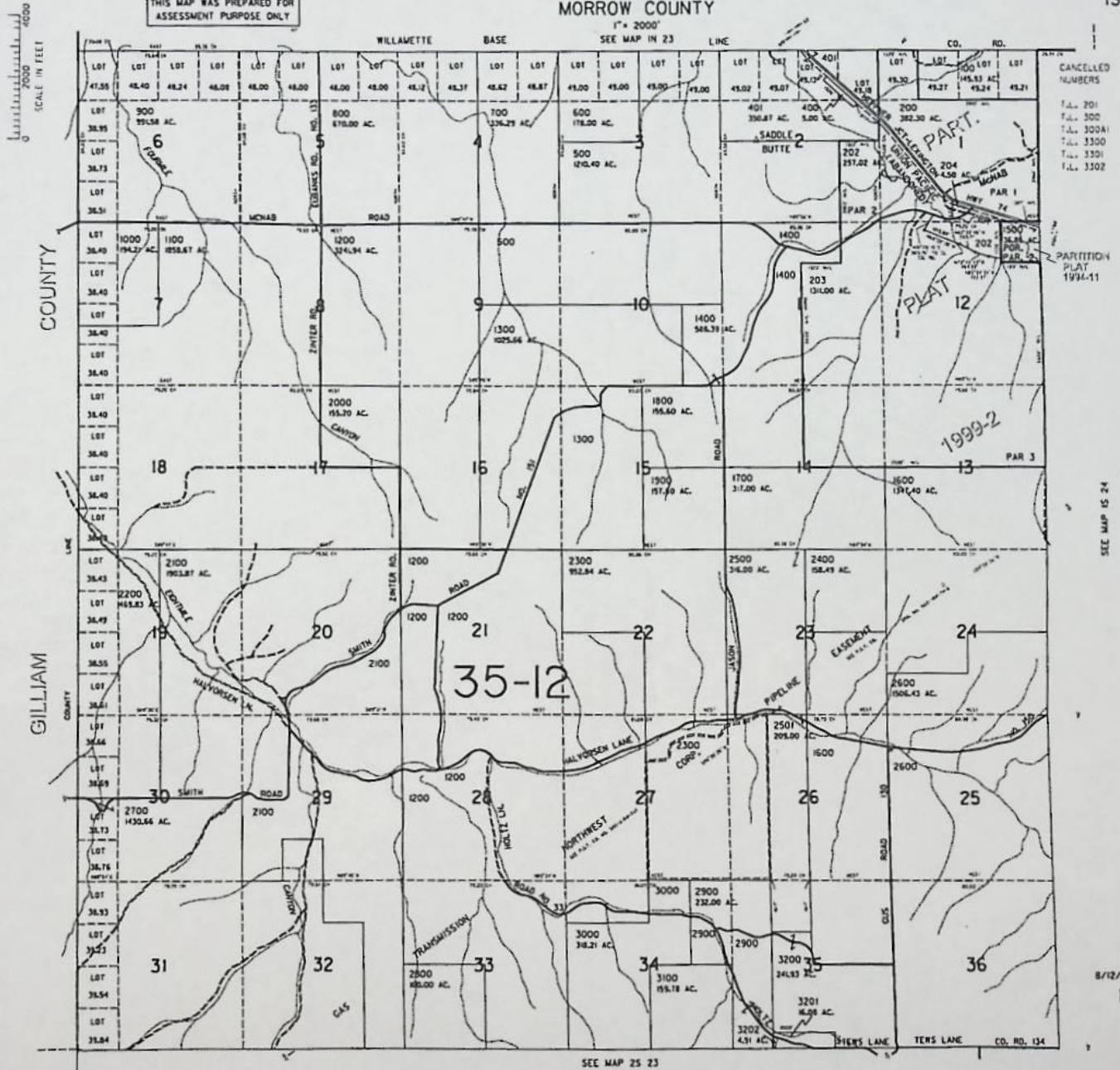
40.00

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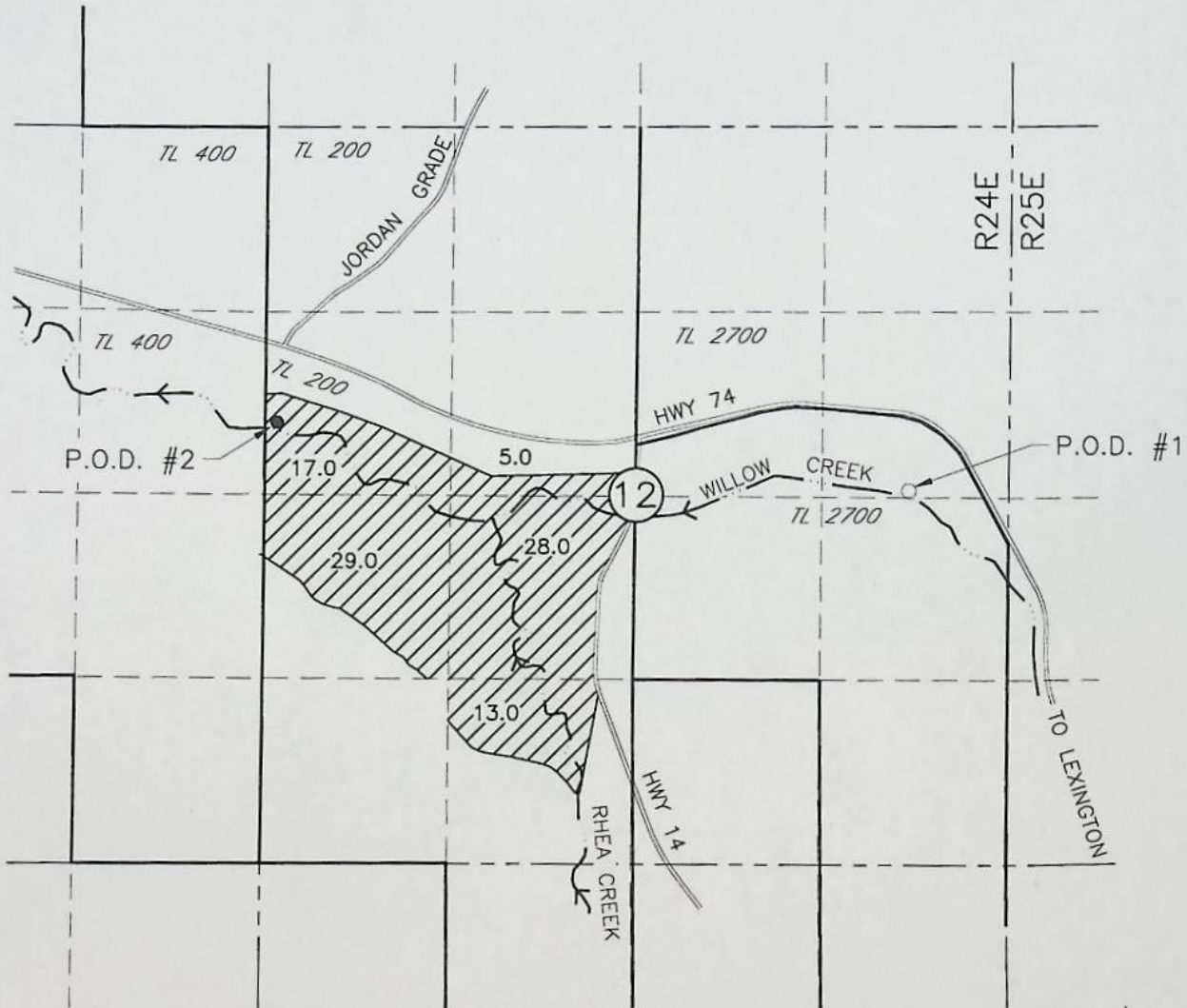




Revised  
8/12/2005, KH  
IS 23

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WILLOW CREEK DISTRICT IMPROVEMENT CO.  
 APPLICATION MAP FOR 1000 ACFT  
 STORED IN WILLOW CREEK RESERVOIR  
 CERTIFICATE 86314  
 MARK McELLIGOTT  
 T1S R24E W.M.  
 MORROW COUNTY



P.O.D. #1  
 LOCATED 50'N AND 1960'E FROM THE  
 CENTER OF SEC 12

P.O.D. #2  
 LOCATED 2100'S AND 30'E FROM THE  
 NW COR OF SEC 12

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0 660 1320  
 SCALE IN FEET

**JUB**  
 J-U-B ENGINEERS, INC.

NOTE:  
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER  
 RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF  
 PROPERTY OWNERSHIP BOUNDARY LINES.



note 9563

C/O MID COLUMBIA TITLE CO.  
P.O. BOX 290  
BOARDMAN OR 97818

After recording return to:  
Timothy P. O'Rourke  
Corey, Byler & Rew, L.L.P.  
P.O. Box 218  
Pendleton, Oregon 97801

Until a change is requested,  
all tax statements to:  
Mark and Cydney McElligott  
P.O. Box 331  
Ione, Oregon 97843

MORROW COUNTY, OREGON 2016-37712  
D-WD 02/24/2016 01:48:39 PM  
Cnt=1 Stn=23 KB  
\$20.00 \$11.00 \$20.00 \$10.00 \$61.00



I, Bobbi Childers, County Clerk for Morrow  
County, Oregon, certify that the instrument  
identified herein was recorded in the Clerk  
records.  
Bobbi Childers - County Clerk



### STATUTORY WARRANTY DEED

Lawrence Jerome McElligott, as Trustee of the Lawrence Jerome McElligott Revocable Living Trust U/T/A dated May 4, 1994, GRANTOR, conveys and warrants to Mark McElligott and Cydney McElligott, GRANTEES, husband and wife, as tenants by the entirety, the following described real property situated in Morrow County, Oregon, free of encumbrances except as specifically set forth herein:

See Exhibit "A" attached hereto and incorporated herein by this reference.

Subject to and excepting: See Exhibit "B" attached hereto and incorporated herein by this reference.

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.

The true consideration for this conveyance is \$580,000.00.

1 - Statutory Warranty Deed

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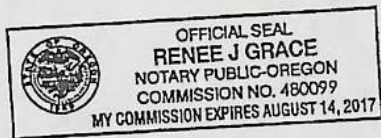
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DATED: February 23 2016.

Lawrence Jerome McElligott, Trustee of  
the Lawrence Jerome McElligott  
Revocable Living Trust U/T/A dated  
May 4, 1994.

STATE OF OREGON )  
 ) ss.  
County of Morrow )

This instrument was acknowledged before me on this 23<sup>rd</sup> day of February, 2016.



/s/ Kevin J. Kuehl  
Notary Public for Oregon  
My commission expires: 8-14-2017

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A parcel of land located in Section's 1 and 12, Township 1 South, Range 24, East of the Willamette Meridian, in the County of Morrow and State of Oregon more particularly described as follows:

Section 1: The Southwest Quarter

Section 12: The Northwest Quarter; the North Half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter.

**EXCEPTING** therefrom, all those strips, tracts or parcels of land comprising the "Heppner Branch" right of way of the Union Pacific Railroad Company deeded to Jordan Elevator Company, an Oregon corporation by deed recorded September 22, 1995 in Microfilm No. M-46074 Morrow County Microfilm Records.

**ALSO EXCEPTING** therefrom property deeded to State of Oregon, by and through its State Highway Commission by deed recorded July 17, 1967 in Microfilm No. M-53 Morrow County Microfilm Records.

**ALSO EXCEPTING** therefrom property deeded to State of Oregon, by and through its Department of Transportation, Highway Division by deed recorded July 21, 1983 in Microfilm No. M-21964 Morrow County Microfilm Records.

**ALSO EXCEPTING** therefrom property deeded to John W. Jepsen and Betty Jean Jepsen, as tenants in common by deed recorded January 08, 2002 in Microfilm No. 2002-3072 Morrow County Microfilm Records. Described as follows:

A tract of land located in the West Half of Section 12, Township 1 South, Range 24 East of the Willamette Meridian, Morrow County, Oregon Which is bound on the West by the Easterly Right-of-way line of Morrow County Road No. 14 (Rhea Creek Road,) Bound on the East by the North-South Center line of said Section 12, and Bound on the North by Southerly Right-of-Way line of the Oregon-Washington Railroad and Navigation Co. abandoned railroad line.

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EXHIBIT B  
Exceptions

Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

Reservations and conditions, contained in Patents or Deeds, including the terms and provisions thereof, including, but not limited to, any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, rights to ditches, canals and reservoirs used in connection with such water rights, established or constructed by the authority of the United States or said mineral reservations that may have been reserved in Deeds from Northern Pacific Railroad Company, and rights of the proprietor of a vein or lode, to extract and remove his ore therefore should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

Water rights, claims to water or title to water, whether or not such rights are a matter of public record.

Any additional taxes which may become a lien if said property loses its Veterans Exemption.

The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.

The rights of the public in roads and highways.

Mineral Reservations, including the terms and provisions thereof, as reserved in deed from Northern Pacific Railway Company, to Laxton McMurray, recorded March 22, 1920, in Book 33, Page 497, Morrow County Deed Records.

Easement including the terms and provisions thereof, in favor of Pacific Power and Light Co., recorded March 24, 1946, in Book 50, Page 66, Morrow County Deed Records.

Easement including the terms and provisions thereof, in favor of Pacific Power and Light Company, recorded March 30, 1949, in Book 52, Page 192, Morrow County Deed Records.

Easement including the terms and provisions thereof, in favor of Pacific Power and Light Co., recorded May 7, 1951, in Book 54, Page 192, Morrow County Deed Records.

Exception's No. 12, 13 & 14 listed above were assigned by the following document:

Assignment of the easements created by instrument, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded April 23, 1964, in Book 70, Page 533, Morrow County Deed Records

Easement including the terms and provisions thereof, in favor of Pacific Northwest Bell Telephone Company, a corporation, recorded October 20, 1971, as Microfilm No. M-4018, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded November 24, 1975, as Microfilm No. M-8850, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded December 31, 1980, as Microfilm No. M-18299, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded September 20, 1989, as Microfilm No. M-33729, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded October 01, 1999, as Microfilm No. M-1999-59398, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Morrow County, a political subdivision of the State of Oregon, recorded February 11, 2000, as Microfilm No. M-2000-362, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded September 26, 2001, as Microfilm No. M-2001-2317, Morrow County Microfilm Records.

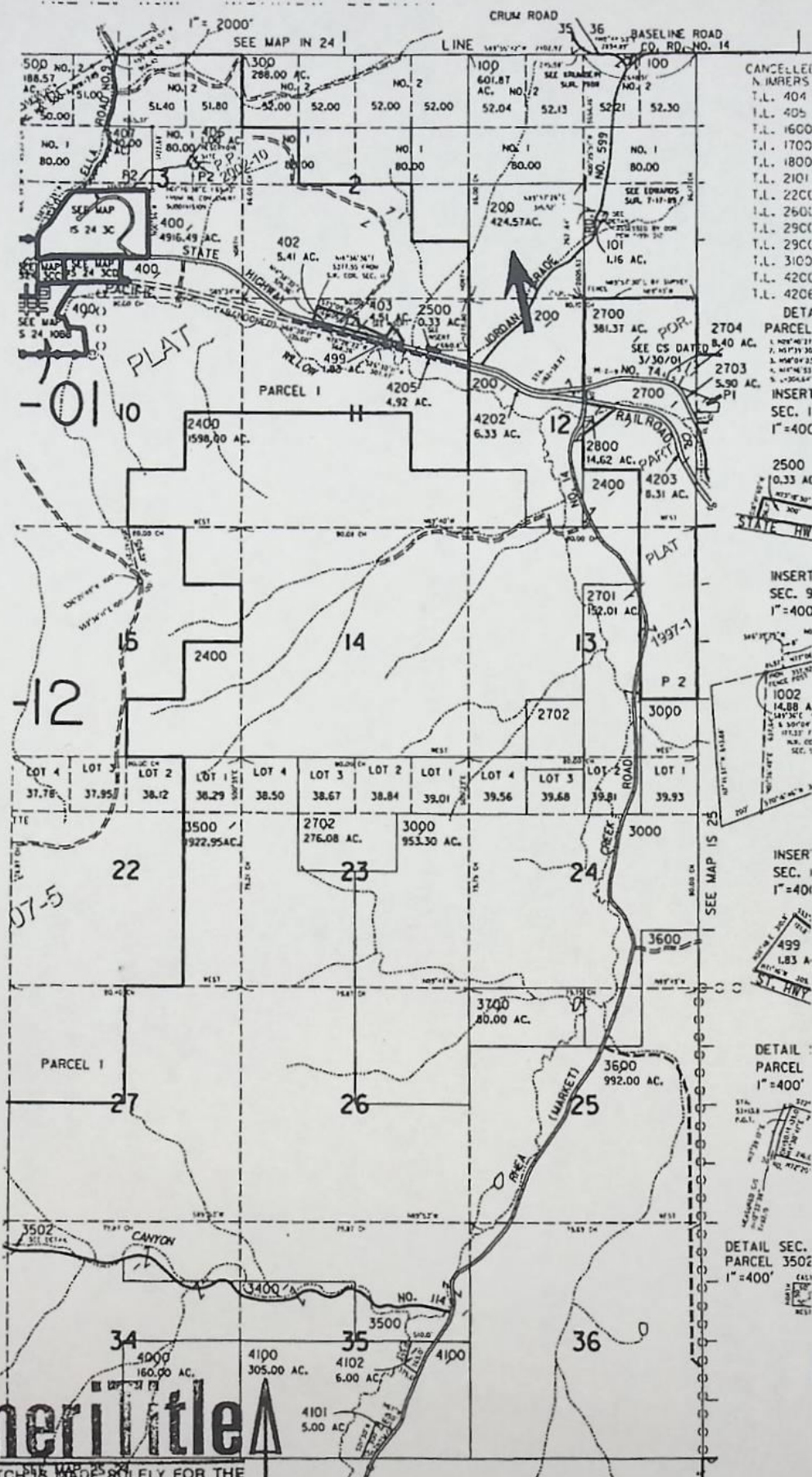
Easement including the terms and provisions thereof, in favor of Morrow Development Corporation, an Oregon corporation, recorded May 19, 2003, as Microfilm No. M-2003-7693, Morrow County Microfilm Records.

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# AmeriTitle

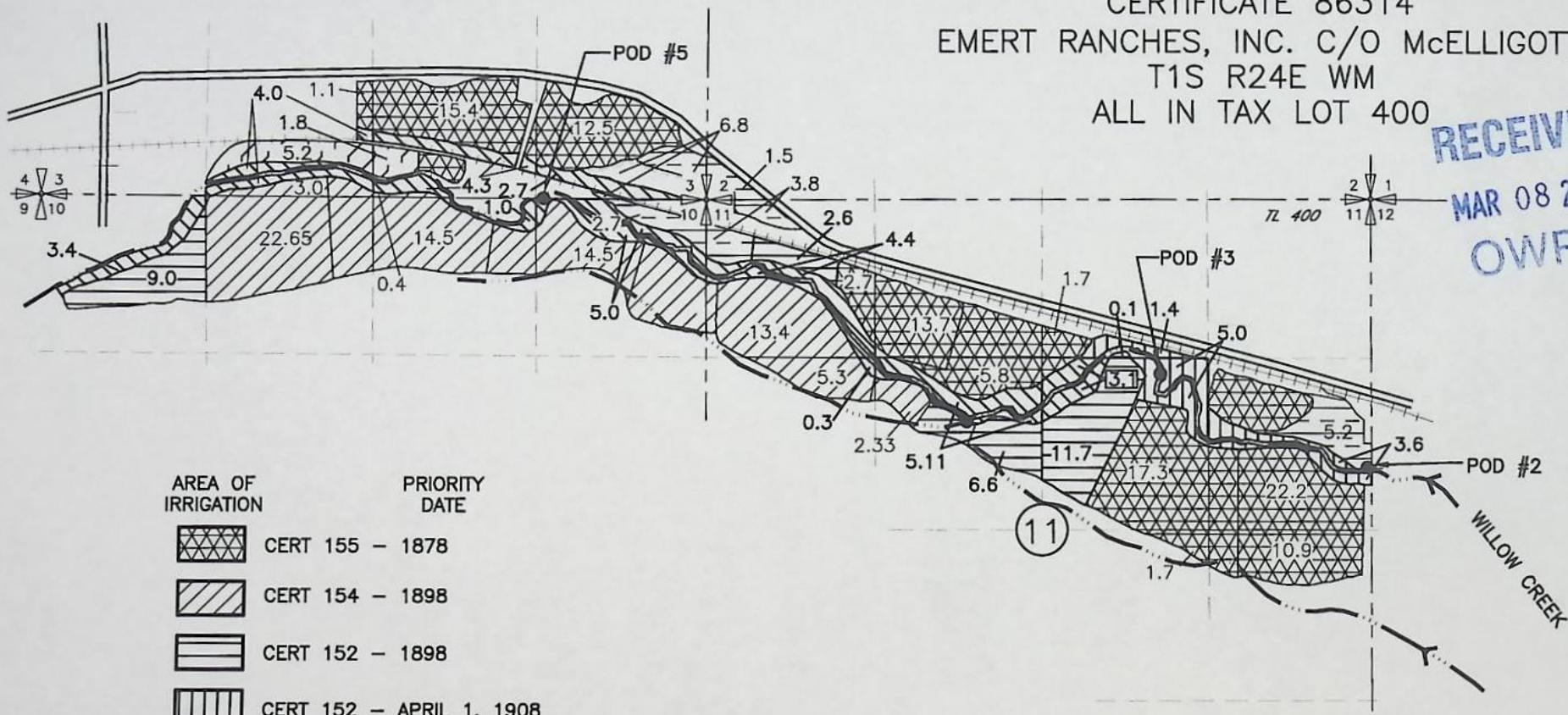
THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

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WILLOW CREEK DISTRICT IMPROVEMENT CO.  
APPLICATION MAP FOR 1000 ACFT  
STORED IN WILLOW CREEK RESERVOIR  
CERTIFICATE 86314  
EMERT RANCHES, INC. C/O McELLIGOTT  
T1S R24E WM  
ALL IN TAX LOT 400

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AREA OF IRRIGATION	PRIORITY DATE
	CERT 155 - 1878
	CERT 154 - 1898
	CERT 152 - 1898
	CERT 152 - APRIL 1, 1908
	CERT 124 - 1906
	CERT 79486 - 1908
	CERT 962 - DEC 12, 1912

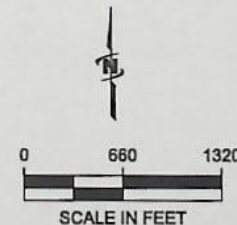
P.O.D.

- #2 WILLOW CREEK 2120'S & 30'W FROM THE NE COR OF SECTION 11
- #3 PETTYS DITCH WILLOW CREEK - 1400'S & 1000'E FROM THE N 1/4 COR OF SECTION 11
- #5 PUMP WILLOW CREEK - 20'S & 1240'W FROM THE NE CORNER OF SECTION 10

NOTE:  
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

DRAWING: \\Kwkfiles\public\Project\30-08-016 - Porfily Water Rights Consulting\00 Misc Engineering\Cad\WILLOW CREEK 10-5-17\3522160TR 9-17.dwg

PRINTED BY: rwillard on 11/21/17 01:08 PM



**JUB**  
J-U-B ENGINEERS, INC.



77-5141

BARGAIN AND SALE DEED

DELBERT EMERT, also known as Delbert W. Emert, conveys  
to EMERT RANCHES, INC., an Oregon corporation, all that real property  
situated in:

MORROW COUNTY, STATE OF OREGON

Township 1 South, Range 24, East of Willamette Meridian

Section 2

Southwest Quarter Northwest Quarter,  
Southwest Quarter,  
West Half Southeast Quarter,  
Southeast Quarter Southeast Quarter

Section 3

East Half

Northwest Quarter lying East of Ione-Boardman  
Market Road No. 9

Northwest Quarter Southwest Quarter lying South  
and East of Ione-Boardman Market Road No. 9 and  
that portion of the Southwest Quarter lying  
East of said Market Road which portion is con-  
tained in the following description:

Commencing at the Northeast corner of the  
Southeast Quarter of the Southwest Quarter of  
Section 3, thence running South to the Southeast  
corner of the Northeast Quarter of the Northwest  
Quarter of Section 10, thence West 990 feet,  
thence North 9° 30' West 620 feet, thence West  
360 feet, thence North 21° 15' West 235 feet,  
thence North 81° West 203 feet, thence North 31°  
43' East 173 feet, thence North 20° 30' East  
334 feet, thence North 34° 50' East 420 feet,  
thence South 87° 15' West along the Southerly  
side of the Oregon Railroad & Navigation  
Company's Right of Way 96 feet, thence North  
100.2 feet, thence South 87° 15' West along the  
Northerly side of the Oregon Railroad &  
Navigation Company's Right of Way 167 feet,  
thence North 2° 40' West 444.8 feet, thence  
South 89° 15' West 567 feet, thence South 190

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feet, thence West 541 feet, thence North along the Section line 640 feet, to the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 3, thence East 2640 feet, to the point of beginning;

EXCEPTING the following described tracts: beginning at the section corner common to Sections 3, 4, 9 and 10 in Township 1 South, Range 24, East of the Willamette Meridian, thence East in a straight line 550 feet, more or less, to the East line of H Street of the Town of Ione, Oregon, thence North 400 feet, more or less to the intersection of the East line of H Street of the Town of Ione, Oregon, and the North right of way line of the Oregon-Washington Railroad & Navigation Company, thence North  $87^{\circ} 20'$  East a distance of 589.30 feet to the point of beginning of this description: thence North  $2^{\circ} 40'$  West 444.84 feet, more or less to the South right of way line of the Oregon-Washington Highway; thence Easterly along said South right of way line a distance of 1,550.16 feet; thence South  $4^{\circ} 20'$  West a distance of 450 feet, more or less, to the North right of way line of the Oregon-Washington Railroad & Navigation Company, thence Westerly along said North right of way line to the point of beginning,

ALSO EXCEPTING that certain tract of land conveyed by Warranty Deed to the State of Oregon, dated June 8, 1967, recorded June 14, 1967, in Deed Book "4" of Microfilm No. 6.

#### Section 9

That portion of the North Half Northeast Quarter contained in the following description:

Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter, Section 9, Township 1 South, Range 24, E.W.M.; thence West 931.26 feet; thence North 366.3 feet; thence East 200 feet; thence North  $84^{\circ} 36'$  East 190 feet; thence East 130 feet; thence North 32 feet; thence East 360 feet; thence North  $59^{\circ} 40'$  East 487 feet; thence North  $05^{\circ} 10'$  East 176.5 feet; thence North 50 feet; thence North  $84^{\circ} 45'$  East 201 feet; thence North 76 degrees East 61.8 feet; thence North  $71^{\circ} 38'$  East 138 feet; thence South  $81^{\circ}$  East 203 feet; thence South  $21^{\circ} 15'$  East 235 feet; thence East 360 feet; thence South  $9^{\circ} 30'$  East 620 feet; thence West 1650 feet to the place of beginning,

That part of the following described tract lying South of Willow Creek:

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Beginning 30 feet West of the Southwest corner of Block 2 in Cluff's First Addition to the Town of Ione, thence South 11.77 chains to the Southeast corner of Lot 6, Block 2, Cluff's Second Addition to the Town of Ione, thence West 5.89 chains to the place of beginning,

South Half Northeast Quarter,

East Half Northwest Quarter lying South of the center of the Main channel of Willow Creek,

East Half Southwest Quarter,

Southeast Quarter,

Section 10

Northeast Quarter,  
Northeast Quarter Northwest Quarter,  
That portion of the Northwest Quarter of the Northwest Quarter contained in the two following descriptions:

Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter, Section 9, Township 1 South, Range 24 East of the Willamette Meridian; thence West 931.26 feet; thence North 366.3 feet; thence East 200 feet; thence North 84° 36' East 190 feet; thence East 130 feet; thence North 32 feet; thence East 360 feet; thence North 59° 40' East 487 feet; thence North 65° 10' East 176.5 feet; thence North 50 feet; thence North 84° 45' East 201 feet; thence North 76° 61.8 feet; thence North 71° 38' East 138 feet; thence South 81° East 203 feet; thence South 21° 15' East 235 feet; thence East 360 feet; thence South 9° 30' East 620 feet; thence West 1650 feet to the place of beginning,

and also, commencing at the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section 3, thence running South to the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 10, thence West 990 feet, thence North 9° 30' West 620 feet, thence West 360 feet, thence North 21° 15' West 235 feet, thence North 81° West 203 feet, thence North 31° 43' East 173 feet, thence North 20° 30' East 334 feet, thence North 34° 50' East 420 feet, thence South 87° 15' West along the Southerly side of the Oregon Railroad & Navigation Company's Right of Way 96 feet, thence North 100.2 feet, thence South 87° 15' West along the Northerly side of the Oregon

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Railroad & Navigation Company's Right of Way 167 feet,  
thence North 2° 40' West 444.8 feet, thence South 89°  
15' West 567 feet, thence South 190 feet, thence West  
541 feet, thence North along the Section line 640  
feet, to the Northwest corner of the Southwest Quarter  
of the Southwest Quarter of Section 3, thence East  
2640 feet, to the point of beginning,

South Half Northwest Quarter,  
Southwest Quarter,  
Northwest Quarter Southeast Quarter,

Section 11

North Half,  
Excepting: a tract of land in the Northeast Quarter  
of Section 11 (deeded to Pacific Power & Light Company)  
described as follows: Beginning at a point 1270.9  
feet South and 660.8 feet West of the Northeast corner  
of said Section 11, thence North 73° 19' 30" West 300  
feet, thence at right angles South 16° 41' 30" West  
96.7 feet, more or less, to the North line of Oregon  
State Highway right-of-way, thence Southeasterly along  
said highway right-of-way to a point that bears South  
16° 41' 30" West from the point of beginning, thence  
North 16° 41' 30" East 84.7 feet, more or less, to  
the point of beginning, together with a right-of-way  
for a transmission line with all necessary appurten-  
ances, extending from said premises Northeasterly to  
the East line of said Section 11,

Northeast Quarter Southeast Quarter,

Section 15

West Half Northeast Quarter,  
Southeast Quarter Northeast Quarter,  
West Half,  
Northwest Quarter Southeast Quarter,

Section 16

All,

Section 17

East Half,  
That portion of the East Half Southwest Quarter lying  
South and East of Ione-Jooseberry Market Road No. 1,

Section 20

Lots 1, 2 and 3,

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Section 21

All,

Section 22

West Half East Half  
West Half

Section 27

Northwest Quarter,

Section 28

North Half,

Township 3 South, Range 24, East of the Willamette Meridian

Section 13

Northwest Quarter,

Section 14

East Half Northeast Quarter,  
Northwest Quarter Northeast Quarter,  
Northeast Quarter Northwest Quarter,  
Southwest Quarter,

Section 15

West Half,  
Southeast Quarter,

Section 16

Northeast Quarter

Section 22

East Half

Excepting from all of the above any and all highway and railroad  
rights of way.

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GRANT COUNTY, STATE OF OREGON

Township 17 South, Range 27, East of the Willamette Meridian

Section 23

North Half Southeast Quarter,

Section 24

Southeast Quarter Southwest Quarter,  
and all that portion of the North Half Southwest Quarter  
and the Southwest Quarter Southeast Quarter lying South  
and West of that particular right of way and road de-  
scribed in Deed dated September 8, 1952, recorded  
September 9, 1952 in Book 66, Page 345, Deed Records of  
Grant County, Oregon; SAVE & EXCEPT that portion con-  
veyed to Grant County, Oregon, by Deed dated April \_\_\_\_,  
1958, recorded July 31, 1958 in Book 79, Page 269,  
said Deed Records, for re-located right of way.

Section 25

Southeast Quarter Northeast Quarter,  
Northeast Quarter Northwest Quarter,  
South Half Northwest Quarter,  
Southwest Quarter,  
South Half Southeast Quarter, and all that portion of the  
North Half Northeast Quarter lying South and West of  
that particular right of way and road described in Deed  
dated September 8, 1952, recorded September 9, 1952 in  
Book 66, Page 345, Deed Records of Grant County, Oregon;  
SAVE & EXCEPT that portion conveyed to Grant County,  
Oregon, by Deed dated April \_\_\_\_, 1958, recorded July 31,  
1958 in Book 79, Page 269, said Deed Records, for re-  
located right of way.

Section 26

Southeast Quarter Northeast Quarter,  
West Half Northeast Quarter,  
East Half Northwest Quarter,  
West Half Southwest Quarter,  
Southeast Quarter Southwest Quarter,  
Southeast Quarter,

Section 27

Southeast Quarter,

Section 33

East Half Southwest Quarter,

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North Half Southeast Quarter,

Section 35

All,

Section 36

All,

Township 17 South, Range 28, East of the Willamette Meridian

Section 26

Southwest Quarter Northeast Quarter,  
South Half Northwest Quarter,  
South Half,

Section 27

Southeast Quarter, Northeast Quarter,  
Southeast Quarter,  
Southeast Quarter Southwest Quarter, SAVE & EXCEPT that  
portion conveyed to Grant County, Oregon, by Deed dated  
July 20, 1955, recorded July 21, 1955 in Book 72, Page  
453, Deed Records of Grant County, Oregon, for right of  
way,

Section 30

All that portion of Lot 2 lying South and West of that  
particular right of way and road described in Deed dated  
September 8, 1952, recorded September 9, 1952 in Book 66,  
Page 345, Deed Records of Grant County, Oregon; SAVE &  
EXCEPT that portion conveyed to Grant County, Oregon, by  
Deed dated April \_\_, 1958, recorded July 31, 1958, in  
Book 79, Page 269, said Deed Records, for relocated  
right of way,

Section 32

South Half South Half,

Section 33

North Half North Half,  
South Half Northeast Quarter,  
Southwest Quarter Northwest Quarter,  
Southwest Quarter,  
East Half Southeast Quarter, SAVE & EXCEPT that portion

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conveyed to Grant County, Oregon, by Deed dated July 20, 1955, recorded July 21, 1955, in Book 72, Page 453, Deed Records of Grant County, Oregon, for right of way,

Section 34

All, SAVE & EXCEPT that portion conveyed to Grant County, Oregon, by Deed dated July 20, 1955, recorded July 21, 1955, in Book 72, Page 453, Deed Records of Grant County, Oregon, for right of way,

Section 35

Northeast Quarter,  
West Half Southeast Quarter,  
West Half,

Township 18 South, Range 27, East of the Willamette Meridian

Section 1

Lots 1 and 2,  
South Half Northeast Quarter,  
Southeast Quarter,  
East Half Southwest Quarter,

Section 2

Lots 1, 2, 3 and 4,  
South Half North Half,  
North Half South Half,  
Southeast Quarter Southwest Quarter,  
South Half Southeast Quarter,

Section 3

Lots 1 and 2,  
South Half Northeast Quarter,  
Southeast Quarter,

Section 4

Southeast Quarter Northwest Quarter,

Section 9

South Half,

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Section 10

Northeast Quarter,  
Southeast Quarter Northwest Quarter,  
North Half Southwest Quarter,

Section 11

Northwest Quarter,  
North Half Northeast Quarter,

Section 12

North Half North Half,

Section 16

All,

Section 17

South Half Northeast Quarter,  
Southeast Quarter Southwest Quarter,  
Southwest Quarter Southeast Quarter,

Township 18 South, Range 28, East of the Willamette Meridian

Section 1

Northwest Quarter Southwest Quarter,

Section 2

Lots 2, 3 and 4,  
South Half North Half,  
South Half,

Section 3

Lots 1, 2, 3 and 4,  
South Half Northeast Quarter,  
Southwest Quarter Northwest Quarter,  
East Half Southeast Quarter, SAVE & EXCEPT five acres,  
more or less, in the Northeast Quarter Southeast Quarter,  
described as follows: Beginning at the Southwest corner  
of the Northeast Quarter Southeast Quarter; thence North  
8 chains; thence East 6-1/4 chains; thence South 8 chains;  
thence West 6-1/4 chains to the place of beginning,

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Section 4

Lots 1, 3 and 4,

Section 5

Lots 2, 3 and 4,

Section 10

Northeast Quarter,  
Northeast Quarter Southeast Quarter,

Section 11

North Half Northeast Quarter,  
Southwest Quarter Northeast Quarter,  
Northwest Quarter Southeast Quarter,  
North Half Southwest Quarter,  
Northwest Quarter,

Section 12

Northeast Quarter Northeast Quarter,

Section 15

Southwest Quarter Southeast Quarter,  
South Half Southwest Quarter,

Section 21

South Half Northeast Quarter,  
North Half Southeast Quarter,  
Southwest Quarter Southeast Quarter,  
Southeast Quarter Southwest Quarter,

Section 22

Northwest Quarter,  
North Half Southwest Quarter,

Section 28

North Half Northeast Quarter,  
Southeast Quarter Northeast Quarter,  
Northeast Quarter Southeast Quarter,

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WILLIAMSON  
SYSTEM

Township 18 South, Range 29, East of the Willamette Meridian

Section 7

Lot 1,  
Northeast Quarter Northwest Quarter,  
Northwest Quarter Northeast Quarter,

Section 16

All

Excepting any and all highway and road rights of way, and any  
and all railroad rights of way.

Delbert Emert also conveys to Emert Ranches, Inc., that  
certain easement for the use of a spring which Delbert Emert obtained  
by the Bargain and Sale Deed dated April 24, 1959, recorded in Book  
81, at Page 81, of the Deed Records, Grant County, Oregon. Delbert  
Emert further conveys to Emert Ranches, Inc., all licenses, privi-  
leges, easements and benefits appurtenant to the above described real  
property.

The entire true and actual consideration for this transfer  
consists of shares of stock in Emert Ranches, Inc.

The above described property located in Grant County,  
Oregon, is encumbered by a Mortgage originally given by Charles R.  
Jackson to the Prudential Insurance Company of America. The Mortgage  
is dated January 29, 1954, and is recorded in Book 27, Page 47,  
Mortgages, Grant County, Oregon.

The above described property located in Morrow County, Oregon,  
is encumbered by a Mortgage dated August 24, 1962, in favor of the  
Prudential Insurance Company of America which Mortgage is recorded in  
Book 54, Page 5, Mortgage Records, Morrow County, Oregon.

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SYSTEM

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All of the above described real property is encumbered by a Mortgage dated Sept. 28, 1971., in favor of The Northwest Livestock Production Credit Association, which Mortgage is recorded in Book M, Microfilm 3968, Mortgages, Morrow County, Oregon, and in Book 42, Page 205, Mortgages, Grant County, Oregon. Emert Ranches, Inc., assumes and agrees to pay all money owing on the above described Mortgages and to perform all of the terms and conditions thereof. Emert Ranches, Inc., further acknowledges that the above described real property has been specially assessed for farm use and if for any reason the land becomes disqualified for that special assessment, Emert Ranches, Inc., assumes full responsibility for and agrees to pay all such additional assessments.

DATED this 9 day of October, 1972.

Delbert Emert  
Delbert Emert

STATE OF OREGON )  
County of Umatilla ) ss.

October 9, 1972. Personally appeared the above named Delbert Emert and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



Robert E. Kankle  
Notary Public for Oregon

My commission expires: 11-18-73

STATE OF OREGON } ss. 108314  
County of Morrow

I hereby certify that the within instrument was received for record

on 10-16-72 at 8:34 AM

and assigned No. 5141

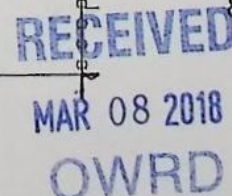


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Attachment 1  
Page 20 of 95



CRUM ROAD 35 36 BASELINE ROAD  
CO. RD. NO. 14

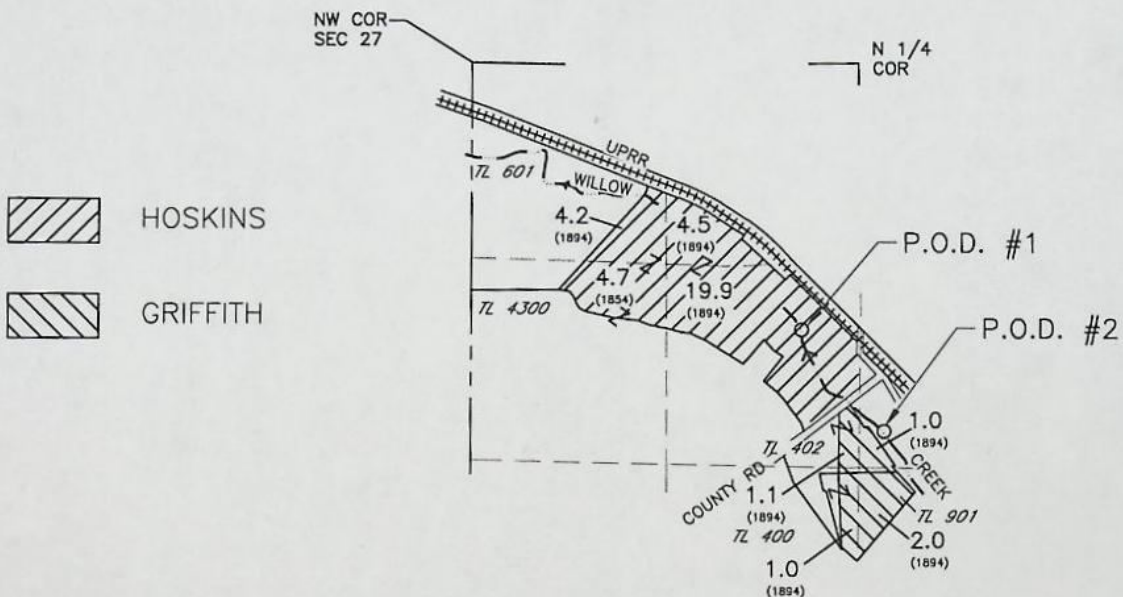


Attachment 1  
Page 21 of 95

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

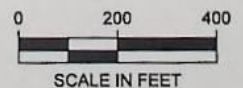


WILLOW CREEK DISTRICT IMPROVEMENT CO.  
APPLICATION MAP FOR 1000 ACFT  
STORED IN WILLOW CREEK RESERVOIR  
CERTIFICATE 86314  
HOSKINS & GRIFFITH  
T2S R26E W.M.  
MORROW COUNTY



P.O.D. #1  
LOCATED 1810'S AND 400'W FROM  
THE N 1/4 COR OF SEC 27

P.O.D. #2  
LOCATED 2510'S AND 200'E FROM THE  
N 1/4 COR OF SEC 27



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NOTE:  
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER  
RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF  
PROPERTY OWNERSHIP BOUNDARY LINES.

DRAWING: \\Kwf\files\public\Project\30-08-016 - Parilly Water Rights Consulting\00 Misc Engineering\Cad\WILLOW CREEK\05-17-08-016 HOSKINS.dwg  
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M-24903

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that PARKER-HOSMIT, INC., an Oregon corporation, as grantor, grants and conveys to FRED HOSKINS, Jr. and KATHRYN HOSKINS, husband and wife, of Route 2, Box 2038, Heppner OR 97836, as grantees, the following described real property, together with all tenements, hereditaments, and appurtenances thereto, in the County of Morrow, State of Oregon, described in the attached "EXHIBIT A".

GRANTOR RESERVES TO ITSELF AND TO ITS SUCCESSORS AND ASSIGNS ALL MINERALS, INCLUDING OIL AND GAS, THAT MAY BE ON, IN OR UNDER OR PRODUCED UPON THE ABOVE DESCRIBED LANDS.

Grantor hereby covenants to and with the above grantees, their heirs and assigns, that it is lawfully seized in fee simple of the above described premises free of all encumbrances, except as stated, and will warrant and forever defend the same and every part thereof against the lawful claims and demands of all persons whomsoever, save as to those claiming under the above described encumbrances.

The true and actual consideration for this transfer is the sum of \$1.00 plus other value given or promised.

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

All future tax statements should be sent to the grantees at the address above given.

IN WITNESS WHEREOF the grantor has executed this instrument this 24 day of Sept, 1984, and has caused its name to be signed and seal affixed by its officers duly authorized thereto by the Board of Directors.



PARKER-HOSMIT, INC.

By Frances C. Mitchell  
Frances C. Mitchell, President

By Vawter Parker  
Vawter Parker  
Secretary

LAW OFFICES  
PARKER ABRAHAM BOWE  
JACQUES & BLAKELY Page 1.  
MOORE RIVER, OREGON 97031  
PHONE 326-1411

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Attachment 1  
Page 50 of 95

STATE OF OREGON )

County of Hood River )

ss.

Sept.  
August 24, 1984.

Personally appeared FRANCES C. MITCHELL and VAWTER PARKER who each being duly sworn each for himself and not for the other did say that the former is the president and the latter is the secretary of PARKER-HOSMIT, INC., an Oregon corporation, and the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed on 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:



Mary Stiller  
Notary Public for Oregon  
My commission expires: 5/16/86

Page 2. Warranty Deed

Parker-Hosmit - Hoskins

LAW OFFICES  
PARKER, ABRAHAM, BOWE,  
JACQUES & BLAKELY  
Hood River, Oregon 97031  
Phone 364-1411

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Attachment 1  
Page 51 of 95



"EXHIBIT A"

The following described real property in the County of Morrow, State of Oregon:

PARCEL ONE:

The East Half (E $\frac{1}{2}$ ) of Section 33, Township 2 South, Range 26 East, WM; the Southeast Quarter (SE $\frac{1}{4}$ ), the South half of the Northeast quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ ), the East half of the Southeast quarter of the Northwest quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ), and the East half of the East half of the Southwest quarter (E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 28, Township 2 South, Range 26 East, WM.

PARCEL TWO:

All that portion of the West Half (Por. W $\frac{1}{2}$ ) of Section 27, Township 2 South, Range 26 East, WM, being more particularly described as follows, to-wit:  
BEGINNING at a point 28.50 chains West of the quarter corner between Sections 27 and 34, Township 2 South, Range 26 East, WM; thence North 32° 31' East 7.18 chains along the East side of the County Road; thence North 35° 36' East 14.09 chains along the East side of the County Road; thence North 29° 30' East 13.61 chains along the East side of the County Road; thence North 60° 30' West .91 chains at right angles across the County Road; thence North 67° 04' West 1.80 chains down ravine; thence North 3° 32' West 7.00 chains down ravine; thence North 52° 43' East 19.00 chains to a point on the West side of Heppner-Lexington Road; thence North 35° 31' West 5.21 chains to a point on a line running North and South through the center of said Section 27; said point being 26.85 chains South of the quarter corner between Sections 22 and 27, Township 2 South, Range 26 East, WM; thence North 47° 50' West 10.96 chains down center of railroad track; thence North 52° 20' West 6.00 chains down center of railroad track; thence North 67° 32' West 9.10 chains down center of railroad track; thence South 19° 38' West 1.48 chains to a Bals tree 8 inches in diameter in channel of Creek; thence South 41° West 14.70 chains across lower end of alfalfa field to the East side of Stock Lane; thence North 69° 31' West 7.00 chains; thence North 51° 47' West 2.32 chains to the Southeast corner of the Northeast quarter of the Northeast quarter of Section 28, Township 2 South, Range 26 East, WM; thence South 60 chains to the corner of Sections 27, 28, 33 and 34, Township 2 South, Range 26 East, WM; thence East 11.50 chains to the point of beginning.  
EXCEPTING THEREFROM that portion of said lands included in the right of way of the O.W.R. & N. Railroad Company,  
ALSO EXCEPTING THEREFROM that portion of said lands included in Mt. Vernon's Addition to the Town of Heppner, Morrow County, State of Oregon, and being situated in the Southwest quarter of the Northeast quarter of Section 27, Township 2 South, Range 26 East, WM.

PARCEL THREE:

All that portion of Section 34, Township 2 South, Range 26 East, WM., being more particularly described as follows, to-wit:  
BEGINNING at a point on the North line of Section 34, Township 2 South, Range 26 East, WM, 540 feet West of the Northeast corner of said Section 34, said point of beginning being the Northwest corner of the tract of land conveyed by O. H. Hallock, et ux., to W. P. Dutton, by deed dated October 25, 1883, and recorded November 16, 1883, in Book "Y" of Deeds, page 341, records of Morrow County; thence South along the West line of said tract 496 feet to the Southwest corner thereof; thence East along the South line of said tract 165 feet, more or less, to the Northwest corner of a tract of land (known as the Center Street Extension), which tract was deeded by William P. Dutton, et ux., to the City of Heppner by deed dated January 12, 1912, and recorded January 16, 1912, in Book "Z" of Deeds, page 42, records of Morrow County, Oregon; thence South 35° 13' East along the Westerly line of said tract 61 feet, to the North line of the tract of land conveyed by W. P. Dutton and wife to Spencer Akers and wife by deed dated September 27, 1915, and recorded September 29, 1915, in Book 29 of Deeds, page 46, records of Morrow County, Oregon; thence West along the North line of said tract, a distance of 120 feet to the Northwest corner thereof; thence along the Westerly boundary of said tract, South 28° 13' East, 131.8 feet to the Southwest corner thereof; thence East along the South line of said tract, 170 feet to the Northwest corner of a .20 foot strip of land, conveyed by W. P. Dutton and wife to J. G. Crawford, by deed dated April 14, 1906, and recorded April 14, 1906, in Book "T" of Deeds, page 295, records of Morrow County, Oregon; thence South along the West line of said tract, 90 feet to the Southwest corner thereof; thence East, along said tract and along the South line of a tract of land conveyed by Nellie Hallock and husband to John Maddock by deed dated July 13, 1888, and recorded July 25, 1888, in Book "E" of Deeds, page 132, records of Morrow County, Oregon, 95 feet, more or less, to the West line of a tract of land conveyed by W. P. Dutton, et ux., to Celma Keithley by deed dated October 3, 1905, and recorded July 9, 1906, in Book "T" of Deeds, page 367, records of Morrow County, Oregon; thence South along the West line of said tract a distance of 100 feet, more or less, to the Southwest corner, which point is on the North line of that tract of land conveyed by W. P. Dutton, et ux., to the City of Heppner, by deed dated February 13, 1900, and recorded February 20, 1900, in Book "J" of Deeds, page 807, records of Morrow

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Attachment 1  
Page 52 of 95

Initial  
2018



County, Oregon; thence West along the North line of said tract 35 feet, more or less, to the Northwest corner thereof; thence South along the West line of said tract 198 feet; thence continuing along said West boundary, South 20° East 163.6 feet; thence South 0° 59' East, along said West boundary 808 feet to the Southwest corner of said tract, which point is on the North line of that certain tract of land conveyed by Halla E. Hallock, widow, to the town of Heppner, by deed dated October 4, 1892, and recorded October 4, 1892, in Book "G" of Deeds, page 500 thereof; thence West along the North line of said tract, 290 feet to the Northwest corner thereof; thence South along the West line of said tract, 420 feet to the Southwest corner thereof, said point being on the North line of the Southeast quarter of said Section 34, which point is also on the North line of that certain tract of land conveyed by Albert Wright, etux., to Julia W. Bisbee, by deed dated April 7, 1890, and recorded April 8, 1890, in Book "G" of Deeds, page 117, records of Morrow County, Oregon; thence West along the North line of said tract, being the North line of the Southeast quarter of said Section 34, 14 chains, more or less, to the Northwest corner of said tract and being the Northwest corner of the Northeast quarter of the Southeast quarter of said Section 34; thence South along the quarter section line, being the West line of land conveyed by Albert Wright, etux., to Julia W. Bisbee, by deed dated February 26, 1903, and recorded March 7, 1903, in Book "P" of Deeds, page 437, records of Morrow County, Oregon, a distance of 30 chains, more or less, to the Northeast corner of a certain 27 acre tract of land formerly owned by George T. Cook (which tract of land was conveyed by George T. Cook etux. to Ida M. Dutton by deed dated August 6, 1927, and recorded August 8, 1927, in Book 37 of Deeds, page 402, records of Morrow County, Oregon, and being more generally described as a triangular tract of land lying South of the Henry Gay Road); thence along said tract as follows: North 75° 5' West, 114 feet; thence South 9° 25' West, 32 feet; thence North 75° 3' West, 686 feet; thence South 67° 56' West 360 feet; thence South 57° 25' West 145 feet; thence South 54° 20' West 1065 feet to the intersection of said line with the South line of said Section 34; thence West along said South line of said Section 34, 28.50 chains, more or less, to the Southwest corner of said Section 34; thence North along the West line of said Section 34 to the Northwest corner of said Section 34; thence East along the North line of said Section 34, 71.56 chains to the point of beginning.

PARCEL FOUR:

All that portion of Section 27, Township 2 South, Range 26 East, WM., being more particularly described as follows, to-wit:

BEGINNING at the quarter section corner between Sections 27 and 34, Township 2 South, Range 26 East, WM., and running thence East along said Section line between said Sections 27 and 34, 324 feet; thence North 20° East 460 feet; thence North 34° East 460 feet; thence North 35° West 100 feet; thence North 14° East 430 feet; thence North 30° West 380 feet; thence North 33° West 140 feet; thence North 53° West 480 feet; thence North 64° West 140 feet; more or less, to the North and South center line through said Section 27; thence South along said center section 2100 feet, more or less, to the point of beginning.

PARCEL FIVE:

All that portion of the West Half (Por. W<sub>1/2</sub>) of Section 27, Township 2 South, Range 26 East, WM., being more particularly described as follows, to-wit:

BEGINNING at the quarter section corner between Sections 27 and 34, Township 2 South, Range 26 East, WM., and running thence West along the Section line between said Sections 27 and 34, 28.50 chains, more or less, to the edge of the old County Road; thence North 32° 31' East 7.18 chains along the East side of said road; thence North 35° 36' East 14.09 chains along the East side of said road; thence North 29° 30' East 13.61 chains along the East side of said road; thence North 67° 48' East 2.81 chains along the South side of said road; thence North 88° 37' East 7.01 chains along the South side of said road, more or less, to the North and South center line through said Section 27; thence South 30.68 chains, more or less, along said center line to the point of beginning.

EXCEPTING THEREFROM that portion of Parcels 4 and 5 above being more particularly described as follows, to-wit:

BEGINNING at the point of intersection of the North line of Morgan Street and the West City limits of Heppner, said point being South 566.24 feet and West 592.29 feet from the Northwest corner of Lot 1, Block 2, Mt. Vernon's Second Addition to Heppner, Morrow County, Oregon; thence along said city limits line South 60 feet to the South line of Morgan Street; thence along said South line North 88° 34' East 16.04 feet; thence South 68° 36' East 120.84 feet; thence South 57° 29' East 603.70 feet; thence leaving said South line of Morgan Street, South 34° 41' East 279.61 feet; thence South 12° 05' West 537.00 feet; thence South 37° 53' East

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93.48 feet; thence South  $33^{\circ} 16'$  West 228.39 feet; thence North  $89^{\circ} 51'$  West 614.47 feet; thence North 600.33 feet; thence North  $89^{\circ} 51'$  West 1035.93 feet to the Easterly right-of-way line of a county road; thence along said right-of-way line North  $14^{\circ} 09'$  East 103.10 feet; thence North  $30^{\circ} 04'$  East 756.00 feet; thence North  $66^{\circ} 59'$  East 201.65 feet; thence North  $88^{\circ} 34'$  East 444.54 feet to the point of beginning,

Attachment 1  
Page 54 of 95

STATE OF OREGON  
County of Marion

132791

Indexed

I hereby certify that the within  
instrument was received for record.

on 5-10-85 at 1:29 p.m.

and assigned No. 803.

In the County of Marion, State of Oregon

Witness my Hand and Seal of Office

Barbara Woodward  
County Clerk

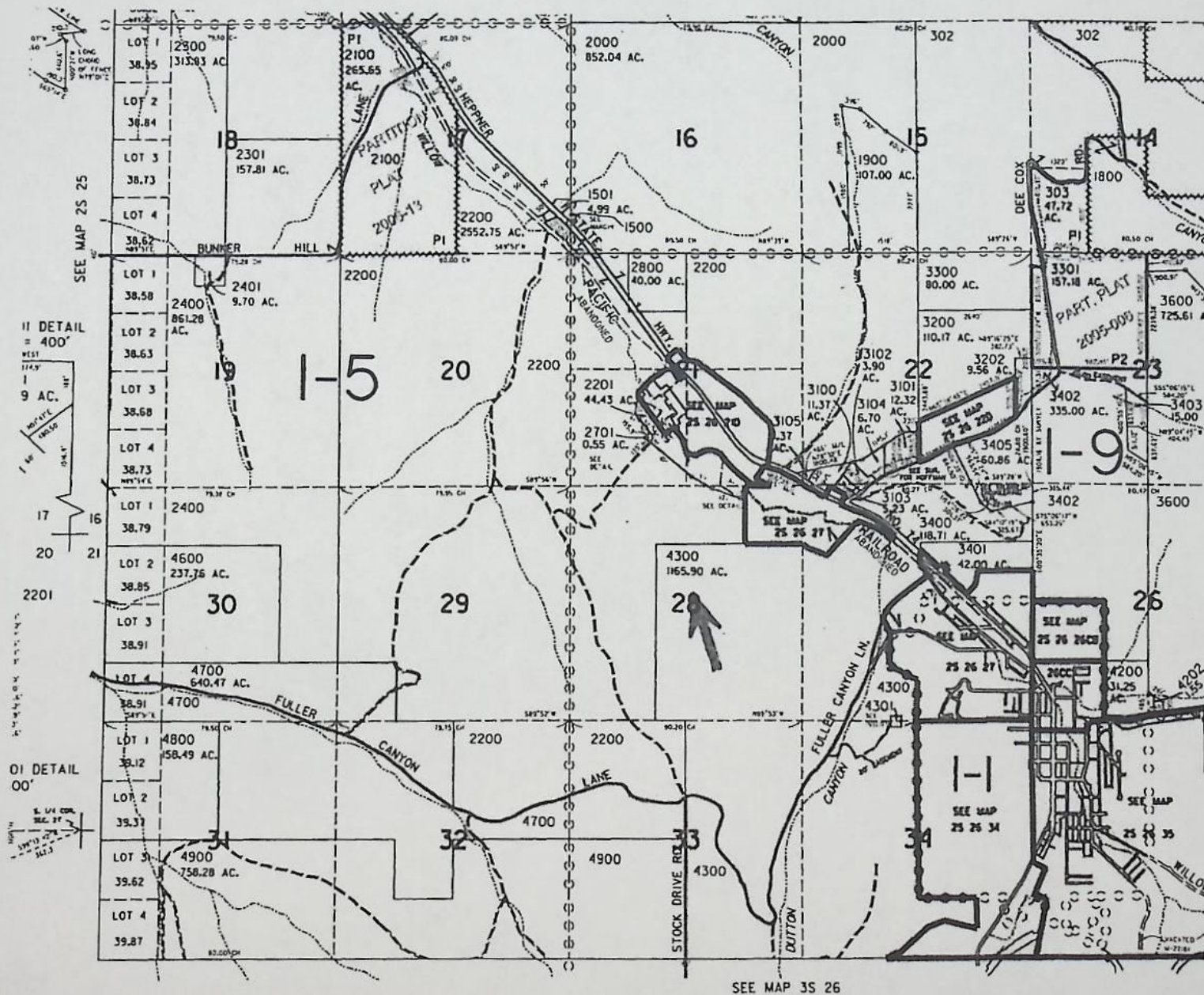
By *William Putman*  
Deputy

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*Initials*



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THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

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TL 901  
~~Hoskins~~  
Griffith

M-2000-2339

After Recording Return to:

Morrow County Abstract  
P.O. Box 576  
Heppner, Oregon 97836

Hereafter All Tax Statements

Are To Be Sent To:  
Mr. and Mrs. John Griffith  
73973 Fuller Can. Lane  
Heppner, Oregon 97836

WARRANTY DEED

EMMETT GEORGE KOFFLER and DEBORAH KAY KOFFLER, husband and wife, hereafter called grantors, convey to JOHN J. GRIFFITH and KAREN SMITH-GRIFFITH, husband and wife, all that real property situated in the County of Morrow, State of Oregon, described as:

SEE EXHIBIT "A"

and covenant that grantors are the owners of the above property free of all encumbrances except;

SEE EXHIBIT "B"

NOTE: Account No. 25 26 27, Tax Lot 402, Ref No. 143. Code Area 1-01, Account No. 25 26 27, Tax Lot 402, Ref No. 1706. Code Area 1-09, Account No. 25 26 27DB, Tax Lot 901, Ref No. 1726. Code Area 1-09, Account No. 25 26 27DB, Tax Lot 901, Ref No. 225.

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.

The true and actual consideration for this transfer is \$195,000.00. Dated this 20th Day of October 2000.

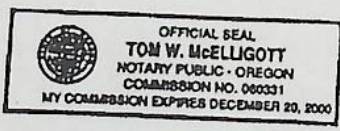
*Emmett George Koffler*  
Emmett George Koffler

*Deborah Kay Koffler*  
Deborah Kay Koffler

State of Oregon )  
County of Morrow )

On October 20, 2000, personally appeared Emmett George Koffler and Deborah Kay Koffler acknowledged said instrument to be their voluntary act and deed.

*[Signature]*  
Notary Public for Oregon  
My Commission Expires: 12-20-2000



312

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EXHIBIT "A"

A tract of land in Section 27, Township 2 South, Range 26, East of the Willamette Meridian, Morrow County, Oregon, described as follows:

Beginning at the Northwest corner of Lot 1, Block 2, Mt. Vernon's Second Addition to the City of Heppner; Thence South 48°23' East, a distance of 140.00 feet to a point; Thence South 41°37' West, a distance of 216.00 feet to the Northeast corner of Lot 2, Block 2, Mt. Vernon's Second Addition and the True Point of Beginning of this description; Thence North 48°23' West, a distance of 140.00 feet to a point; Thence North 41°37' East, a distance of 16.00 feet to a point; Thence North 33°41' West, a distance of 57.00 feet to a point; Thence South 50°19' West, a distance of 16.00 feet to a point; Thence North 40°47' West, a distance of 452.70 feet to a point; Thence South 52°43' West, a distance of 20.00 feet to a point; Thence North 35°31' West, a distance of 161.40 feet to the Southerly right of way of a county road; Thence along said right of way line South 52°43' West, a distance of 709.32 feet to a point; Thence South 39°04' West, a distance of 211.46 feet to a point; Thence South 20°00' West, a distance of 255.70 feet to a point; Thence South 27°55' East, a distance of 308.80 feet to the Northerly right of way line of Morgan Street; Thence along said right of way line North 66°59' East, a distance of 201.65 feet to a point; Thence North 88°34' East, a distance of 472.00 feet to a point; Thence South 68°36' East, a distance of 138.80 feet to a point; Thence leaving said right of way line of Morgan Street, North 41°37' East, a distance of 558.75 feet to a point; Thence North 48°23' West, a distance of 10.00 feet to a point; Thence North 41°37' East, a distance of 50.00 feet to the True point of beginning of this description.

EXCEPTING THEREFROM the following described parcel: Beginning at the Northwest corner of Lot 1, Block 2 of Mt. Vernon's Second Addition to the City of Heppner; Thence North 35°31' West a distance of 631.32 feet to a point; Thence South 52°43' West a distance of 888.32 feet to the True Point of Beginning of this description; Thence South 52°43' West a distance of 91.00 feet to a point; Thence South 39°04' West a distance of 211.46 feet to a point; Thence South 20°00' West a distance of 255.70 feet to a point; Thence South 27°55' East a distance of 308.80 feet to a point; Thence North 66°59' East a distance of 201.65 feet to a point; Thence North 88°34' East a distance of 358.00 feet to a point; Thence North 34°30' West a distance of 600.00 feet to a point; Thence North 22°00' West a distance of 162.00 feet to the True Point of Beginning of this description. ALSO EXCEPTING THEREFROM the following described parcel: Beginning at the Northwest corner of Lot 1, Block 2 of Mt. Vernon's Second Addition to the City of Heppner; Thence North 35°31' West a distance of 631.32 feet to a point; Thence South 52°43' West a distance of 888.32 feet to the True Point of Beginning of this description; Thence South 22°00' East a distance of 162.00 feet to a point; Thence South 34°30' East a distance of 600.00 feet to a point; Thence North 88°34' East a distance of 70.00 feet to a point; Thence North 34°30' West a distance of 632.00 feet to a point; Thence North 22°00' West a distance of 174.00 feet to a point; Thence South 52°34' West a distance of 62.00 feet to the True Point of Beginning of this description. ALSO EXCEPTING THEREFROM the following described parcel: Lot 2, Block 2, Mt. Vernon's Second Addition to the City of Heppner. ALSO EXCEPTING THEREFROM the following described parcel: Beginning at an Iron Pin that marks the Northwest corner of Lot 2, Block 2 of Mt. Vernon's Second Addition to the City of Heppner; Thence North 41°37' East a distance of 16.00 feet to a point; Thence North 33°41' West a distance of 20.10 feet to a point; Thence South 41°37' West a distance of 710.00 feet to a point; Thence North 88°34' East a distance of 52.46 feet to a point; Thence South 68°36' East a distance of 138.80 feet to a point; Thence North 41°37' East a distance of 160.75 feet to a point; Thence North 48°23' West a distance of 150.00 feet to a point; Thence North 41°37' East a distance of 448.00 feet to a point of beginning. ALSO EXCEPTING THEREFROM all roads and road rights of way.

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EXHIBIT "B"

1. Easement created by instrument, including the terms and provisions thereof,  
Dated : February 19, 1947  
Recorded : February 27, 1947 Book: 50 Page: 46  
In Favor Of : Pacific Power & Light
2. Assignment of the above easement created by instrument, including the terms and provisions thereof,  
Dated : April 14, 1964  
Recorded : April 23, 1964 Book: 70 Page: 533  
To : Columbia Basin Electric Cooperative Association
3. Easement created by instrument, including the terms and provisions thereof,  
Dated : September 7, 1966  
Recorded : October 10, 1966 Book: 74 Page: 18  
In Favor Of : Pacific Northwest Bell
4. Utility Easement, including the terms and provisions thereof,  
Dated : June 22, 1993  
Recorded : July 29, 1993 Book: "M" Page: 40904  
Grantor : Kent and Carol Goodyear, husband and wife  
Grantee : City of Heppner
5. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.

STATE OF OREGON

County of Morrow

I certify that this instrument was received and  
recorded in the book of records of said county.

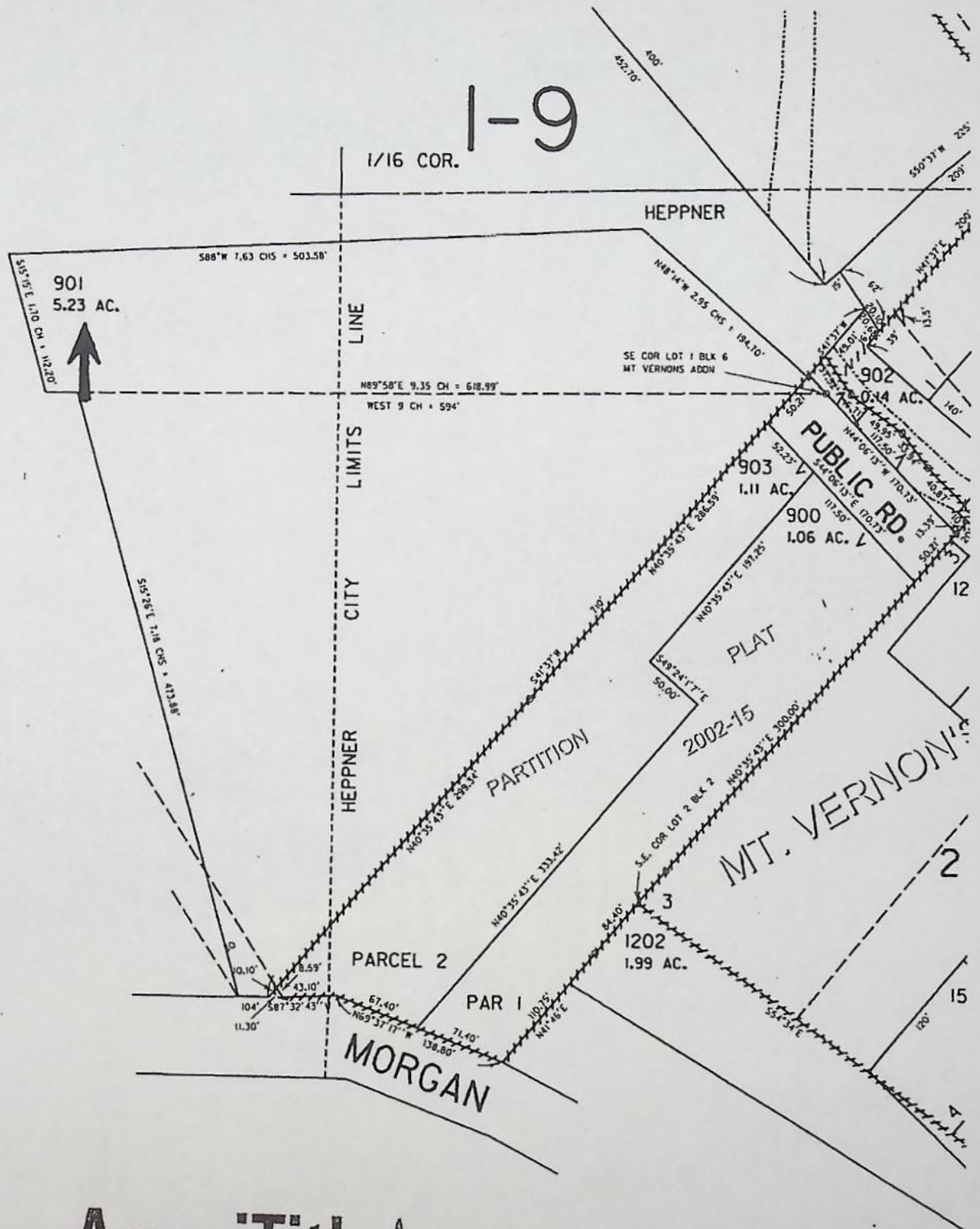
BARBARA BLOODSWORTH,  
Morrow County Clerk

by: Robbie A. Chisholm Deputy.

Doc#: 2000-2339  
Rcpt: 17504 36.00  
10/23/2000 10:05 am

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SEE MAP 2S 26 27



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THIS SKETCH IS MADE SOLELY FOR THE  
PURPOSE OF ASSISTING IN LOCATING  
CERTAIN PREMISES AND NO LIABILITY IS  
ASSUMED FOR VARIATIONS, IF ANY, IN  
DIMENSIONS AND LOCATIONS ASCERTAINED  
BY ACTUAL SURVEY.

SEE MAP 2S 26 27

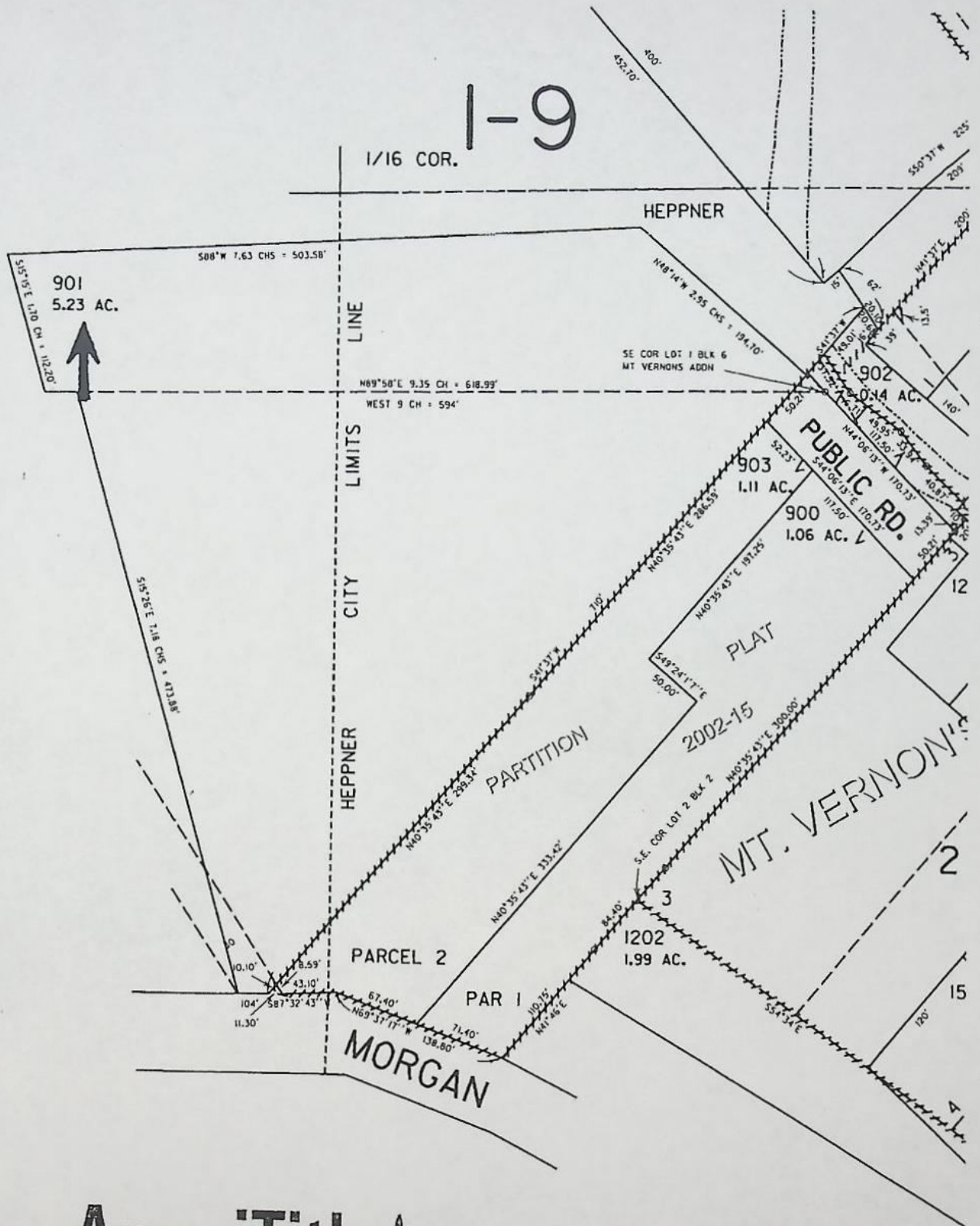
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SEE MAP 25 26 27



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TL 402  
~~Hoskins~~  
Griffith

M-2000-2339

After Recording Return to:

Morrow County Abstract  
P.O. Box 576  
Heppner, Oregon 97836

Hereafter All Tax Statements  
Are To Be Sent To:  
Mr. and Mrs. John Griffith  
73973 Fuller Can. Lane  
Heppner, Oregon 97836

WARRANTY DEED

EMMETT GEORGE KOFFLER and DEBORAH KAY KOFFLER, husband and wife, hereafter called grantors,  
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the County of Morrow, State of Oregon, described as:

SEE EXHIBIT "A"

and covenant that grantors are the owners of the above property free of all encumbrances except;

SEE EXHIBIT "B"

NOTE: Account No. 2S 26 27, Tax Lot 402, Ref No. 143. Code Area 1-01, Account No. 2S 26 27, Tax Lot  
402, Ref No. 1706. Code Area 1-09, Account No. 2S 26 27DB, Tax Lot 901, Ref No. 1726. Code Area 1-09,  
Account No. 2S 26 27DB, Tax Lot 901, Ref No. 225.

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.

The true and actual consideration for this transfer is \$195,000.00. Dated this 20th Day of October 2000.

Emmett George Koffler

Deborah Kay Koffler

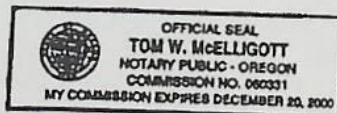
State of Oregon )

County of Morrow )

On October 20, 2000, personally appeared Emmett George Koffler and Deborah Kay Koffler acknowledged  
said instrument to be their voluntary act and deed.

Notary Public for Oregon

My Commission Expires: 12-10-2000



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EXHIBIT "A"

A tract of land in Section 27, Township 2 South, Range 26, East of the Willamette Meridian, Morrow County, Oregon, described as follows:

Beginning at the Northwest corner of Lot 1, Block 2, Mt. Vernon's Second Addition to the City of Heppner; Thence South 48°23' East, a distance of 140.00 feet to a point; Thence South 41°37' West, a distance of 216.00 feet to the Northeast corner of Lot 2, Block 2, Mt. Vernon's Second Addition and the True Point of Beginning of this description; Thence North 48°23' West, a distance of 140.00 feet to a point; Thence North 41°37' East, a distance of 16.00 feet to a point; Thence North 33°41' West, a distance of 57.00 feet to a point; Thence South 50°19' West, a distance of 16.00 feet to a point; Thence North 40°47' West, a distance of 452.70 feet to a point; Thence South 52°43' West, a distance of 20.00 feet to a point; Thence North 35°31' West, a distance of 161.40 feet to the Southerly right of way of a county road; Thence along said right of way line South 52°43' West, a distance of 709.32 feet to a point; Thence South 39°04' West, a distance of 211.46 feet to a point; Thence South 20°00' West, a distance of 255.70 feet to a point; Thence South 27°55' East, a distance of 308.80 feet to the Northerly right of way line of Morgan Street; Thence along said right of way line North 66°59' East, a distance of 201.65 feet to a point; Thence North 88°34' East, a distance of 472.00 feet to a point; Thence South 68°36' East, a distance of 138.80 feet to a point; Thence leaving said right of way line of Morgan Street, North 41°37' East, a distance of 558.75 feet to a point; Thence North 48°23' West, a distance of 10.00 feet to a point; Thence North 41°37' East, a distance of 50.00 feet to the True point of beginning of this description.

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EXHIBIT "B"

1. Easement created by instrument, including the terms and provisions thereof,  
Dated : February 19, 1947  
Recorded : February 27, 1947 Book: 50 Page: 46  
In Favor Of : Pacific Power & Light
2. Assignment of the above easement created by instrument, including the terms and provisions thereof,  
Dated : April 14, 1964  
Recorded : April 23, 1964 Book: 70 Page: 533  
To : Columbia Basin Electric Cooperative Association
3. Easement created by instrument, including the terms and provisions thereof,  
Dated : September 7, 1966  
Recorded : October 10, 1966 Book: 74 Page: 18  
In Favor Of : Pacific Northwest Bell
4. Utility Easement, including the terms and provisions thereof,  
Dated : June 22, 1993  
Recorded : July 29, 1993 Book: "M" Page: 40904  
Grantor : Kent and Carol Goodyear, husband and wife  
Grantee : City of Heppner
5. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.

STATE OF OREGON

County of Morrow

I certify that this instrument was received and  
recorded in the book of records of said county.

BARBARA BLOODSWORTH,  
Morrow County Clerk

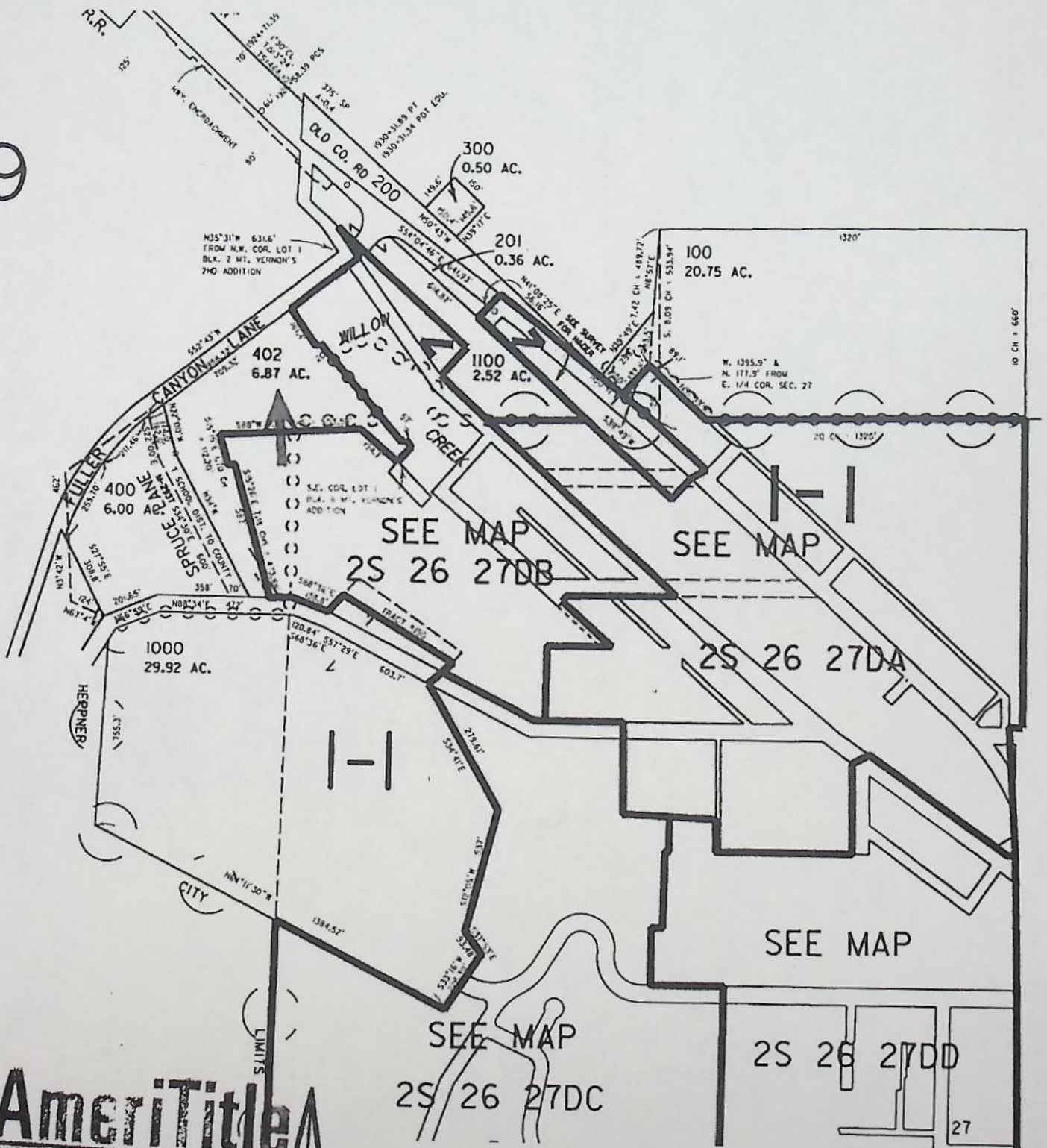
by: Bobbi A. Childers Deputy.

Doc#: 2000-2339  
Rcpt: 17504 36.00  
10/23/2000 10:05 am

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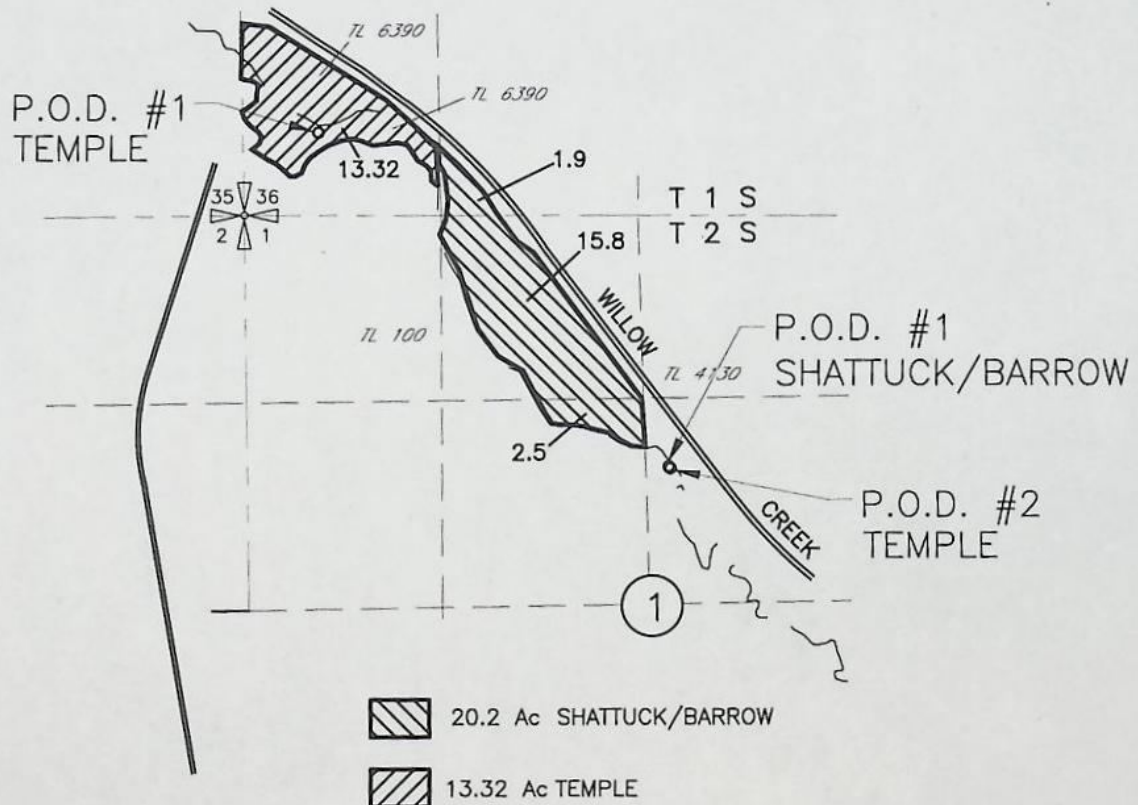
1-9



**AmeriTitle**  
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 PURPOSE OF ASSISTING IN LOCATING  
 CERTAIN PREMISES AND NO LIABILITY IS  
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 DIMENSIONS AND LOCATIONS ASCERTAINED  
 BY ACTUAL SURVEY.

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WILLOW CREEK DISTRICT IMPROVEMENT CO.  
APPLICATION MAP FOR 1000 ACFT  
STORED IN WILLOW CREEK RESERVOIR  
CERTIFICATE 86314  
T1&T2S, R25E WM  
MORROW CO  
SHATTUCK/BARROW, TEMPLE



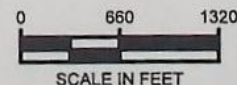
P.O.D. SHATTUCK/BARROW #1  
LOCATED 920'N AND 160'E FROM THE C 1/4 COR  
OF SEC 1

P.O.D. TEMPLE #1  
LOCATED 560'N AND 450'E FROM THE SW COR OF  
SEC 36

P.O.D. TEMPLE #2  
LOCATED 910'N AND 140'E FROM THE C 1/4 COR  
OF SEC 1

P.O.D. TD#1 HEPPNER TO LEXINGTON PIPE LINE  
LOCATED 1120'S AND 1820'E FROM THE NW  
CORNER SEC 27

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NOTE:  
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION  
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION  
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.



3620  
①  
MCTC-6478

Until a change is requested all tax statements should be sent to the following address:  
Richard & Karen Temple  
P.O. Box 427  
Lexington, OR 97839

After Recording Please Return to:  
Richard & Karen Temple  
P.O. Box 427  
Lexington, OR 97839  
C/O MCTC

MORROW COUNTY OREGON 2006-17629  
D-WD  
Cht=1 Stk=1 KB 09/15/2006 01:46:29 PM  
\$15.00 \$11.00 \$10.00 \$36.00



00001917200800176290030035  
I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk's records.

Bobbi Childers - County Clerk



### STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, JAMES J. SHOVER AND BONNIE SHOVER WHO ACQUIRED TITLE AS BONNIE GRANT. Grantors herein, do hereby grant, bargain, sell and convey unto RICHARD R. TEMPLE AND KAREN S. TEMPLE, Husband and Wife, as tenants by the entirety, Grantees, the following described tract of land in the County of Morrow, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any, and that they will, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as stated below:

THE TRUE AND ACTUAL CONSIDERATION IS \$195,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1 OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 APPROVED USES, 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 8 day of September, 2006.

JAMES J. SHOVER

BONNIE SHOVER

STATE OF OREGON  
COUNTY OF MORROW

This instrument was acknowledged before me this 11<sup>th</sup> day of September, 2006 by James J. Shover.

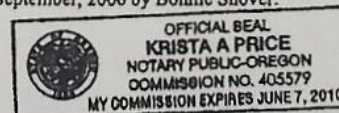
Notary Public for the State of OREGON  
My Commission Expires:



STATE OF OREGON  
COUNTY OF MORROW

This instrument was acknowledged before me this 8 day of September, 2006 by Bonnie Shover.

Notary Public for the State of OREGON  
My Commission Expires: June 7, 2010



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EXHIBIT "A"

PARCEL I:

Township 1 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon described as follows:

Section 35: All that portion of the Southeast Quarter of the Southeast Quarter lying South and East of the County Road.

Section 36: All that portion of the Southwest Quarter of the Southwest Quarter lying South of the South right of way line of the State Highway and lying East of the County Road.

EXCEPTING THEREFROM land deeded for Railroad right of way.

ALSO EXCEPTING THEREFROM any portion lying South of the following described line:

Beginning at the Southwest <sup>Corner</sup> ~~Quarter~~ of said Section 36; thence North <sup>52°</sup> ~~56°~~ East a distance of 765.00 feet, more or less to the center of the natural channel of Willow Creek; thence in a Southeasterly direction along the center of said creek channel to its intersection with the South boundary line of said Section 36.

ALSO EXCEPTING THEREFROM the following described parcel:

Beginning at the Brass Cap located at the Southwest corner of Section 36, Township 1 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Thence North 52°00'00" East a distance of 254.07 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850; hence North 70°12'53" West a distance of 411.11 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850, said rebar being on the Easterly right of way line of a Meadow Brook Road; thence South 19°47'07" West along the said Easterly right of way line a distance of 311.50 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850, said rebar being on the intersection of the said Easterly right of way line with the South line of said Section 36; thence South 89°30'59" East along the South line of said Section 36 a distance of 292.08 feet to the Point of Beginning of this description.

ALSO EXCEPTING THEREFROM the following described parcel:

Beginning at the Brass Cap located on the Southwest corner of Section 36, Township 1 South, Range 25, East of Willamette Meridian, in the County of Morrow and State of Oregon.

Thence North 52°00'00" East a distance of 254.07 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850 to the True Point of Beginning of this description; thence North 70°12'53" West a distance of 411.11 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850, said rebar being on the Easterly right of way line of a Meadow Brook Road; thence North 19°47'07" East along the said Easterly right of way a distance of 301.00 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850; thence South 79°41'07" East a distance of 175.31 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850; thence South 16°03'14" West a distance of 19.37 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850; thence South 41°02'18" East a distance of 366.49 feet to a 5/8" steel rebar with a plastic cap stamped LS 2850; thence South 52°00'00" West a distance of 155.83 feet to said 5/8" steel rebar and being the True Point of Beginning of this description.

ALSO EXCEPTING THEREFROM any roads and rights of way.

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**PARCEL II:**

All those strips, tracts or parcels of land comprising the "Heppner Branch" right of way of the Union Pacific Railroad Company, successor in interest to the Oregon Railway & Navigation Company and the Oregon-Washington Railroad & Navigation Company, situated in the following described legal subdivisions in the County of Morrow and State of Oregon:

The West Half of the Southwest Quarter of Section 36, Township 1 South, Range 25 East of the Willamette Meridian.

---

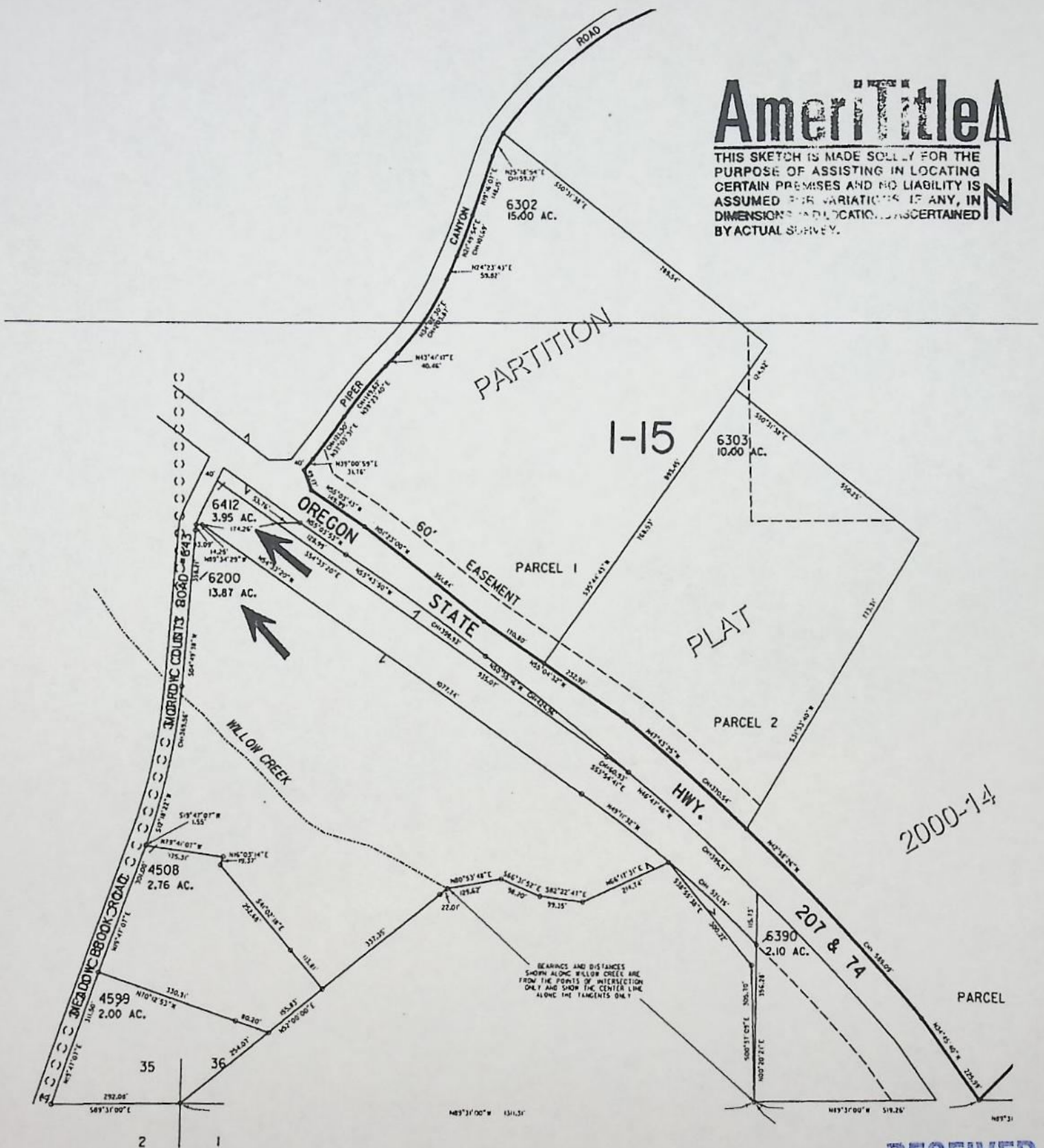
Subject to:

1. 2006-07 Morrow County taxes, a lien not yet due and payable.
2. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
3. The rights of the public in roads and highways.
4. Any question that may arise due to the shifting or change in the course of Willow Creek.
5. Rights of the Public in and to that portion of said premises lying below the ordinary high water line of Willow Creek.
6. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded December 22, 1986, as Microfilm No. M-27968, Morrow County Microfilm Records.
7. Easement for Irrigation water passage, including the terms and provisions thereof, in favor of Jack Hentges and Patricia Hentges, recorded September 22, 1992, as Microfilm No. M-39110, Morrow County Microfilm Records.
8. Dam/Ditch and use Maintenance Agreement, including the terms and provisions thereof, Recorded September 22, 1992, as Microfilm Fee No. M-39111, Morrow County Microfilm Records.
9. Reservations and Easements, including the terms and provisions thereof, in Deed recorded, September 26, 1995, as Microfilm No. M-46112, Morrow County Microfilm Records. (Affects Parcel II)
10. Easement Deed and Agreement, including the terms and provisions thereof, recorded September 26, 1995, as Microfilm No. M-46113, Morrow County Microfilm Records. (Affects Parcel II)
11. Easement Deed and Agreement, including the terms and provisions thereof, recorded November 6, 1996, as Microfilm No. M-49401, Morrow County Microfilm Records. (Affects Parcel II)
12. Easement for Water Pipeline Agreement, including the terms and provisions thereof, in favor of Oliver Devin, recorded February 18, 2003, as Microfilm No. M-2003-6863, Morrow County Microfilm Records.

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# AmeriTitle

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS DETERMINED BY ACTUAL SURVEY.



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After Recording Return To:

KELLY & SPICER  
P. O. BOX 428  
HEPPNER, OR 97836

CRIC  
PO Box 618  
Heppner OR  
97836

MORROW COUNTY, OREGON 2008-21091

D-WD

Crt=1 Str=1 TJ

01/11/2008 02:27:02 PM

\$25.00 \$11.00 \$10.00

\$46.00



00006375200800210810050057

I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk's records.

Bobbi Childers - County Clerk



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

CRISTOPHER T. SHATTUCK &  
LAURIE A. BARROW, Tenants in Common  
56734 HWY 74  
HEPPNER, OR 97836

(Space Reserved for Recorder's Use)

### WARRANTY DEED

HAROLD S. HUBER, TRUSTEE OF THE HAROLD S. HUBER REVOCABLE TRUST U/A DTD APRIL 20, 2007, Grantor, conveys to Cristopher T. Shattuck and Laurie A. Barrow, tenants in common, Grantees, all that real property situated in Morrow County, State of Oregon, described as:

See Exhibit 1 attached hereto and by this reference incorporated herein

and covenant that Grantor is the owner of the above described property, free of all encumbrances, except:

See Exhibit 2 attached hereto and by this reference incorporated herein

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$275,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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

1 - Warranty Deed

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Attachment 1  
Page 91 of 95

CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO  
VERIFY APPROVED USES, 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  
197.152

DATED this 27<sup>th</sup> day of June, 2007.

Harold S. Huber Trustee  
Harold S. Huber, Trustee of the Harold S.  
Huber Revocable Trust u/a dtd April 20, 2007

STATE OF OREGON            )  
                                      )ss.  
County of Morrow        )  
DATED: June 27<sup>th</sup>, 2007.

Personally appeared before me HAROLD S. HUBER, who, being duly sworn (or  
affirmed), did say that he is the TRUSTEE OF THE HAROLD S. HUBER REVOCABLE  
TRUST U/A DTD APRIL 20, 2007 and that he executed the foregoing instrument by authority  
of and in behalf of said principal; and he acknowledged said instrument to be the act and deed  
of said principal.



Rebecca Ripple  
Notary Public for Oregon

ENTER HAROLD'S WARRANTY DEED (HUBER TRUST TO SHATTUCK & BARROW) (06/01/07)

2 - Warranty Deed

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Attachment 1  
Page 92 of 95



## EXHIBIT 1

Township 1 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon

Section 36: SE  $\frac{1}{4}$ ; SE  $\frac{1}{4}$  SW  $\frac{1}{4}$

EXCEPTING THEREFROM all that portion described as Partition Plat 2000-14 and Partition Plat 2002-14.

ALSO EXCEPTING THEREFROM that property described in Deed to the State of Oregon, by and through its State highway Commission, recorded as Microfilm No. M-4055, Morrow County Microfilm Records.

Township 2 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Section 1: E  $\frac{1}{4}$  NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  NE  $\frac{1}{4}$  and that portion of the S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  lying Northerly and Easterly of the State Highway Right of Way.

EXCEPTING THEREFROM all that portion of the NW  $\frac{1}{4}$  lying Southwesterly of the Natural Channel of Willow Creek.

ALSO EXCEPTING THEREFROM that portion described in Deed to the State of Oregon, by and through its State Highway Commission, recorded as Microfilm No. M-4463, Morrow County Microfilm Records.

HUBER, HAROLD/LSK EXHIBIT 1: WARRANTY DEED (HUBER TO SHATTUCK & BARROW) (01/06/05)

Exhibit 1  
Page 1 of 1

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Attachment 1  
Page 93 of 95

## EXHIBIT 2 EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records
2. Easements, encumbrances, or claims thereof, not shown by the public records reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
3. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.
5. Any question which may arise due to the shifting or change in course of Willow Creek.
6. The rights of the public in roads and highways.
7. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax, interest, and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
8. Right of Way for Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Pacific Power and Light Company, recorded January 29, 1947, in Book 50, Page 9, Morrow County Deed Records.
9. Right of Way of Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Pacific Power and Light Company, recorded March 14, 1952, in Book 55, Page 260, Morrow County Deed Records.  
By instrument recorded April 16, 1964, in Book 70, Page 533, Morrow County Deed Records, the above right of way was assigned to Columbia Basin Electric Cooperative Association.
10. Indenture of Access, including the terms and provisions thereof, recorded February 14, 1973, as Microfilm No. M-5420, Morrow County Microfilm Records.

Exhibit 2  
Page 1 of 2



11. Agreement of Priority, between Harold S. and Delta H. Huber and James E. and Barbara B. Bloodsworth, recorded July 11, 1978, as Microfilm No. M-13666, Morrow County Microfilm Records.
12. Right of Way for Electric Transmission and Distribution Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded December 22, 1986, as Microfilm No. M-27968, Morrow County Microfilm Records.
13. Easement, including the terms and provisions thereof, in favor of Jack Hentges and Patricia Hentges, recorded September 22, 1992, as microfilm No. M-39110, Morrow County Microfilm Records.
14. Agreement for Dam/Ditch use and Maintenance, recorded September 22, 1992, as Microfilm No. M-39111, Morrow County Microfilm Records.
15. Reservations, Conditions and Easements, including the terms and provisions thereof, recorded September 26, 1995, as Microfilm No. M-46112, Morrow County Microfilm Records.
16. Easement Deed and Agreement, between Union Pacific Railroad Company and Morrow County, including the terms and provisions thereof, recorded November 6, 1996, as Microfilm No. M-49401, Morrow County Microfilm Records.  
  
By instrument recorded March 27, 1997, as Microfilm No. M-50698, Morrow County Microfilm Records, Morrow County partially assigns their interest in said Easement and Deed Agreement to Telephone Utilities of Eastern Oregon, Inc. dba PTI Communications.
17. Reservations, Conditions and Easements, including the terms and provisions thereof, recorded November 6, 1996, as Microfilm No. M-49402, Morrow County Microfilm Records.
18. Irrigation Ditch Easement, including the terms and provisions thereof, recorded April 8, 1998, as Microfilm No. M-53952, Morrow County Microfilm Records.
19. Access Easement, including the terms and provisions thereof, in favor of Schmidt Family Enterprises, Inc., recorded May 2, 2002, as Microfilm No. M-2002-4107, Morrow County Microfilm Records.
20. Encroachment and Use Easement, including the terms and provisions thereof, between Schmidt Family Enterprises, Inc. and Harold S. and Delta H. Huber, recorded May 2, 2002, as Microfilm No. M-2002-4108, Morrow County Microfilm Records.

HUBER, HAROLD & DELTA EXHIBIT 2 - WARRANTY DEED (HUBER TO SHATTUCK & BARROW) (01/06/05)

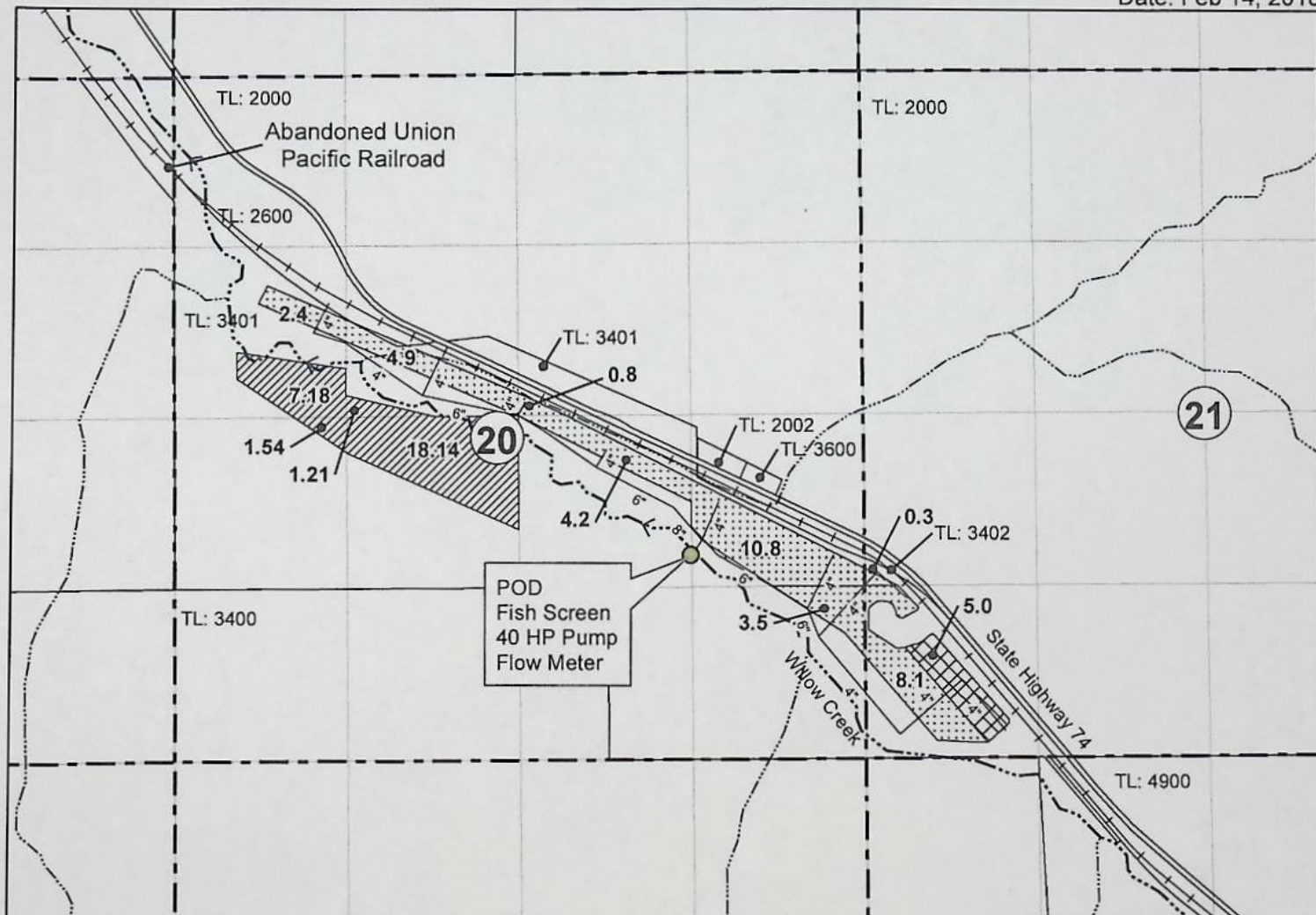
Exhibit 2  
Page 2 of 2

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Attachment 1  
Page 95 of 95

**WILLOW CREEK DISTRICT IMPROVEMENT COMPANY  
APPLICATION MAP FOR 1000 AC-FT IRRIGATION WATER  
STORED IN WILLOW CREEK RESERVOIR CERTIFICATE 86314  
TRAVIS HARRISON  
T 1S, R 25E, W.M.  
MORROW COUNTY**

Date: Feb 14, 2018



**LEGEND**


-  Irrigated Acres, Priority 1872, T-11512
-  Irrigated Acres, Priority 1905, T-11512
-  Irrigated Acres, Cert. 2154

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POD Located:  
1575 ft N & 1280 ft W  
from the SE Corner of Section 20.



0 660 1,320  
 Feet



85-1

M-55710

WARRANTY DEED

note 2780

KNOW ALL MEN BY THESE PRESENTS THAT, ROBERT WAYNE HARRISON AND SHARON L. HARRISON, TRUSTEES OF THE ROBERT WAYNE HARRISON REVOCABLE LIVING TRUST DATED JANUARY 20, 1995 as to an undivided one-half interest, AND SHARON L. HARRISON AND ROBERT WAYNE HARRISON, TRUSTEES OF THE SHARON L. HARRISON REVOCABLE LIVING TRUST DATED JANUARY 20, 1995 as to an undivided one-half interest, Grantor for and in consideration of the sum of EIGHTY THOUSAND ONE HUNDRED SEVENTY NINE AND 57/100 Dollars to me paid by the grantees herein, do hereby grant, bargain, sell and convey unto TRAVIS L. HARRISON AND KIRSTEN M. HARRISON, husband and wife, Grantees, the following described tract of land in the County of MORROW, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO----

\* as to Parcel I\*\*

and Robert Wayne Harrison and Sharon Lee Harrison, as tenants in common, as to Parcel II.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, their heirs and assigns forever.

And the Grantor does covenant that he is lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT, FOR ENCUMBRANCES SEE EXHIBIT "B" ATTACHED HERETO---

and that he will, and his heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as above stated.

WITNESS my Hand and Seal this 16 day of October, 1998.

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.

Robert Wayne Harrison, Trustee  
ROBERT WAYNE HARRISON, TRUSTEE OF THE ROBERT WAYNE HARRISON REVOCABLE LIVING TRUST DATED JANUARY 20, 1995

Sharon L. Harrison, Trustee  
SHARON L. HARRISON, TRUSTEE OF THE ROBERT WAYNE HARRISON REVOCABLE LIVING TRUST DATED JANUARY 20, 1995

STATE OF OREGON  
COUNTY OF MORROW

BE IT REMEMBERED, that on this 16 day of October, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROBERT WAYNE HARRISON as TRUSTEE of the ROBERT WAYNE HARRISON REVOCABLE LIVING TRUST, DATED JANUARY 20, 1995 AND SHARON L. HARRISON AS TRUSTEE OF THE ROBERT WAYNE HARRISON REVOCABLE LIVING TRUST DATED JANUARY 20, 1995, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Krista A Price

Notary Public for the State of OREGON  
My Commission Expires: June 7, 2002

--Space below for Record--



Until a change is requested all tax statements should be sent to the following address:  
TRAVIS L. HARRISON  
58906 HWY 74  
LEXINGTON, OR 97839

After Recording Please Return to:  
MCTC

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ATTACHED TO WARRANTY DEED OF SAME DATE.

WITNESS my Hand and Seal this 16 day of October, 1998.

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.

STATE OF OREGON  
COUNTY OF MORROW

Robert Wayne Harrison, Trustee  
ROBERT WAYNE HARRISON, TRUSTEE OF THE  
SHARON L. HARRISON REVOCABLE LIVING TRUST  
DATED JANUARY 20, 1995

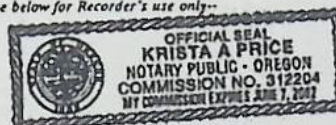
Sharon L. Harrison, Trustee  
SHARON L. HARRISON, TRUSTEE OF THE  
SHARON L. HARRISON REVOCABLE LIVING TRUST  
DATED JANUARY 20, 1995

BE IT REMEMBERED, that on this 16 day of October, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROBERT WAYNE HARRISON as TRUSTEE of the SHARON L. HARRISON REVOCABLE LIVING TRUST, DATED JANUARY 20, 1995 AND SHARON L. HARRISON AS TRUSTEE OF THE SHARON L. HARRISON REVOCABLE LIVING TRUST DATED JANUARY 20, 1995, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Krista A Price

Notary Public for the State of OREGON  
My Commission Expires: June 7, 2002

--Space below for Recorder's use only--



WITNESS my Hand and Seal this 16 day of October, 1998.

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.

STATE OF OREGON  
COUNTY OF MORROW

Robert Wayne Harrison  
ROBERT WAYNE HARRISON  
Sharon Lee Harrison  
SHARON LEE HARRISON

BE IT REMEMBERED, that on this 16 day of October, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROBERT WAYNE HARRISON AND SHARON LEE HARRISON, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Krista A Price

Notary Public for the State of OREGON  
My Commission Expires: June 7, 2002

--Space below for Recorder's use only--



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EXHIBIT "A"

Parcel I:

Township 1 South, Range 25, East of the Willamette Meridian, in the County of Morrow, and State of Oregon.

Section 20: The North Half of the Southwest Quarter.

All of the North Half lying South of the abandoned Railroad Right of Way.

The Southeast Quarter, EXCEPTING therefrom the West Half of the Southwest Quarter of the Southeast Quarter; and that portion of the Northeast Quarter of the Southeast Quarter lying North of the abandoned Railroad Right of Way.

ALSO that portion of the following described parcel lying Northerly of the abandoned Railroad Right of Way, beginning at the point 10.57 chains South of the Northwest corner of Section 20, Township 1 South, Range 25, East of the Willamette Meridian;  
Thence South 45°18' East 4.81 chains;  
Thence South 50°28' East 6.88 chains;  
Thence South 53°35' East 6.24 chains;  
Thence South 57°00' East 4.70 chains;  
Thence South 61°30' East 11.30 chains;  
Thence South 89°15' East 9.83 chains;  
Thence South 65°13' East 24.50 chains to the Southwest corner of Southeast Quarter of the Northeast Quarter of Section 20; Thence West along the East and West centerline of Section 20 to the Northerly right of way line of the abandoned Railroad; Thence Northwesterly along said abandoned Railroad right of way line to the point of beginning.  
EXCEPTING THEREFROM that portion deeded to the State of Oregon, Highway Division, in Deed Recorded September 8, 1983 as Microfilm No. M-22144, Morrow County Microfilm Records.

Section 21: The Southwest Quarter of the Southwest Quarter, lying south of the abandoned Railroad right of way.

Section 28: Beginning at a point on the quarter corner common to Sections 21 and 28, Township 1 South, Range 25, East of the Willamette Meridian. Thence Westerly along said section line a distance of 1,258.00 feet to a point in the center of the railroad tract;  
Thence Westerly a distance of 20.00 feet beyond the Southwest boundary line of the right of way of the abandoned Railroad;  
Thence Southeasterly parallel with the Southwesterly boundary line of said railroad right of way a distance of 800.00 feet more or less to a point in the center of Willow Creek, it being the intention

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EXHIBIT "A" CONTINUED

of the party hereto to convey unto the grantee, a strip of land 20.00 feet wide paralleling the Southwest boundary line of said railroad right of way together with the right to construct and maintain a dam in said Willow Creek. EXCEPTING THEREFROM the right of way, O.W.R. & N. as the same is stated.

PARCEL II:

All those strips, tracts, or parcels of land comprising the "Heppner Branch" right of way of the Union Pacific Railroad Company, successor in interest to the Oregon Railway & Navigation Company and the Oregon-Washington Railroad & Navigation Company, situated in the following described legal subdivisions of Morrow County, Oregon:

The West Half of the Northwest Quarter (W 1/2 of NW 1/4), the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4), and the North Half of the Southeast Quarter (N 1/2 of SE 1/4) of Section 20, Township 1 South, Range 25, East of the Willamette Meridian; and

The Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4) of Section 21, Township 1 South, Range 25, East of the Willamette Meridian, in the County of Morrow, and State of Oregon.

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EXHIBIT "B"  
(Encumbrances)

1. 1998 - 1999 Taxes, a lien not yet due and payable.
2. The rights of the Public roads and highways.
3. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
4. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Pacific Power and Light Company, recorded July 21, 1947, in Book 50, Page 196, Morrow County Deed Records.
5. Easement for ingress and egress and the purpose of moving cattle and equipment, including the terms and provisions thereof, recorded June 28, 1965, in Book 72, Page 184, Morrow County Deed Records.
6. Right of Way, including the terms and provisions thereof, in favor of Pacific Northwest Bell Telephone Company, recorded October 12, 1971, as Microfilm No. M-3989, Morrow County Microfilm Records.
7. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Assn., recorded July 9, 1975, as Microfilm No. M-8296, Morrow County Microfilm Records.
8. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Assn., recorded July 9, 1975, as Microfilm No. M-8295, and re-recorded July 21, 1975, as Microfilm No. M-8355, Morrow County Microfilm Records.
9. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded December 19, 1996, as Microfilm No. M-49735, Morrow County Microfilm Records.
10. Right to construct a highway over a portion of subject property, including the terms and provisions thereof, in favor of the State of Oregon, by and through its Department of Transportation, Highway Division, recorded November 4, 1983 as M-22373 Morrow County Microfilm Records. Affects Parcel II.
11. Reservations, including the terms and provisions thereof, as reserved in deed from Union Pacific Railroad Company, a Utah corporation, and Robert Wayne Harrison and Sharon Lee Harrison, recorded December 6, 1995, as Microfilm No. M-46690, Morrow County Microfilm Records. Affects Parcel II.
12. Easement Deed and Agreement, including the terms and provisions thereof, in favor of Union Pacific Railroad Company, a Utah corporation, recorded December 6, 1995, as Microfilm No. M-46691, and re-recorded March 14, 1996 as Microfilm No. M-47519, Morrow County Microfilm Records. Affects Parcel II.

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Attachment 1  
Page 28 of 95

STATE OF OREGON

County of Morrow

SS

I certify that this instrument was received and  
recorded in the book of records of said county.

BARBARA BLOODSWORTH,  
Morrow County Clerk

by *Shirley M. Keel* Deputy.

DOC# 55710

RCPT# 9694

10/19/98 1:42 PM

55.00

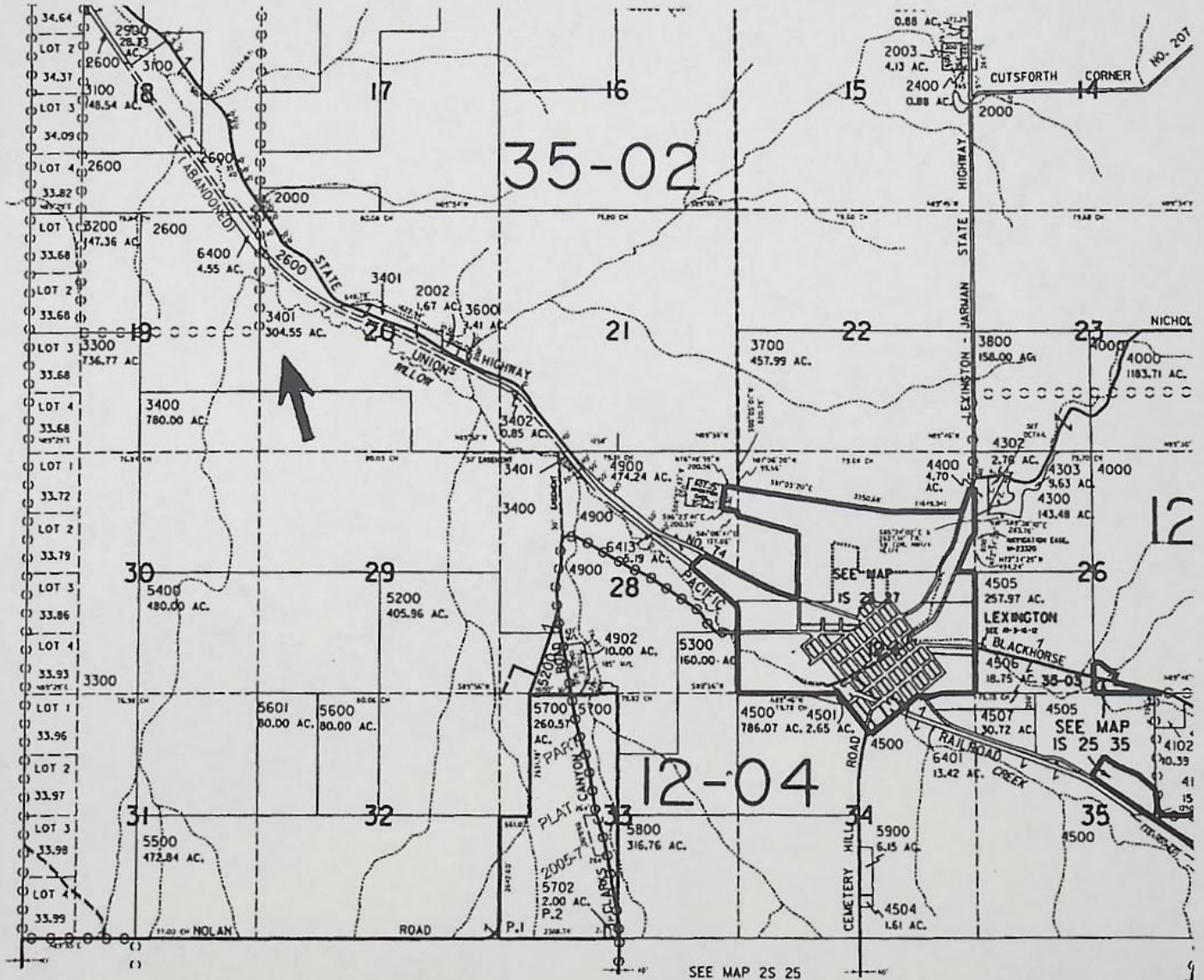
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SEE MAP IS 24



SEE MAP 25 25

# AmeriTitle

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

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MAR 08 2018

OWRD

S-88518

Willow Creek District Improvement Co.  
Brian Thompson  
55805 Hwy 74  
Heppner, OR 97836

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**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **126029**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: <u>Willow Creek Dist.</u>		APPLICATION <u>5-88518</u>
BY: <u>Improvement Co</u>		PERMIT _____
		TRANSFER _____

CASH: <input type="checkbox"/>	CHECK: # <u>1061</u> <input checked="" type="checkbox"/>	OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D \$ <u>2,251.00</u>
--------------------------------	--	--	--------------------------------

**1083 TREASURY      4170 WRD MISC CASH ACCT**

0407 COPIES	\$ _____
OTHER: (IDENTIFY) _____	\$ _____
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____
0245 Cons. Water _____	

**4270 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b>			
0407 COPY & TAPE FEES		\$ _____	
0410 RESEARCH FEES		\$ _____	
0408 MISC REVENUE: (IDENTIFY) _____		\$ _____	
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$ _____	
0240 EXTENSION OF TIME		\$ _____	
<b>WATER RIGHTS:</b>			
0201 SURFACE WATER	EXAM FEE \$ <u>1731.00</u>	0202	RECORD FEE \$ <u>520.00</u>
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		
<b>WELL CONSTRUCTION</b>			
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____	0219	LICENSE FEE \$ _____
LANDOWNER'S PERMIT		0220	\$ _____
OTHER (IDENTIFY) _____			

**0536 TREASURY      0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$ _____	CARD # _____
0210 MONITORING WELLS	\$ _____	CARD # _____
OTHER (IDENTIFY) _____		

**0607 TREASURY      0467 HYDRO ACTIVITY      LIC NUMBER**

0233 POWER LICENSE FEE (FW/WRD)	_____	\$ _____
0231 HYDRO LICENSE FEE (FW/WRD)	_____	\$ _____
HYDRO APPLICATION		\$ _____

**TREASURY      OTHER / RDX**

FUND _____	TITLE <b>RECEIVED</b>
OBJ. CODE _____	VENDOR / <b>OVER THE COUNTER</b>
DESCRIPTION _____	\$ _____

RECEIPT: **126029**

DATED: 3-8-18 BY: Clifford