

R-68405



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Certificate of Water Right
Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. If for multiple rights, a separate form for each right will be required.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

Applicant(s): Glenn Walters Nursery, Inc.
Mailing Address: 7375 Northwest Roy Road
Cornelius Oregon 97113
Phone: 503-693-1125

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APR 20 2016

SALEM, OR

PROPERTY BUYER INFORMATION

Applicant(s): Hortifrut Imports, Inc., c/o Sarbanand Enterprises
Mailing Address: 7375 Northwest Roy Road
Cornelius Oregon 97113
Phone:

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Washington Township: 1 N Range: 3 W Section: 16
Tax Lot Number(s): DLC 44 (Tax Lot 1N3160000300)
Street address of water right property: 7375 Northwest Roy Road, Cornelius, OR 97113

Water Right Information (attach copy of water right permit or certificate & final proof map):
Application #: R 68405 Permit #: R 10889 Certificate or Page #: 83427

Will all the lands associated with this water right be owned by the buyer? Yes No

Name of individual completing this form: Pat Blake Phone: 503-716-1917
Signature: Pat Blake Date: 4-14-16

Please be sure to attach a copy of your property deed or legal description of the property.

CHICAGO TITLE 472515529579-92

RECORDING REQUESTED BY:

Chicago Title Company of Oregon  
5300 SW Meadows Road, Suite 100  
Lake Oswego, OR 97035

GRANTOR:  
GlennWalters Nursery, Inc.

GRANTEE:  
Hortifrut Imports, Inc. c/o Sarbanand Enterprises,  
LLC  
7375 NORTHWEST ROY ROAD  
CORNELIUS, OR 97113

SEND TAX STATEMENTS TO:  
Hortifrut Imports, Inc. c/o Sarbanand Enterprises,  
LLC

7375 NORTHWEST ROY ROAD  
CORNELIUS, OR 97113

AFTER RECORDING RETURN TO:  
Hortifrut Imports, Inc. c/o Sarbanand Enterprises,  
LLC

7375 NORTHWEST ROY ROAD  
CORNELIUS, OR 97113

Escrow No: 472515529579MJM-CT42

SEE ATTACHED

556.80 acres/14 tax lots  
Forest Grove, OR 97116

Washington County, Oregon	<b>2016-028041</b>
D-DW	
Str=31 V GARCIA	<b>04/14/2016 03:11:58 PM</b>
\$75.00 \$11.00 \$5.00 \$11,000.00 \$20.00	<b>\$11,111.00</b>
I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.	
Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio	

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SALEM, OR

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**WARRANTY DEED – STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

GlennWalters Nursery, Inc. an Oregon Corporation

Grantor, conveys and warrants to

Hortifrut Imports, Inc. a Florida Corporation

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

SEE LEGAL DESCRIPTION EXHIBIT "A"

The true consideration for this conveyance is \$ 11,000,000.00

ENCUMBRANCES: SEE ATTACHED EXHIBIT B

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.

CHICAGO TITLE 472515529579-92

RECORDING REQUESTED BY:

Chicago Title Company of Oregon  
5300 SW Meadows Road, Suite 100  
Lake Oswego, OR 97035

GRANTOR:

GlennWalters Nursery, Inc.

GRANTEE:

Hortifrut Imports, Inc. c/o Sarbanand Enterprises,  
LLC  
7375 NORTHWEST ROY ROAD  
CORNELIUS, OR 97113

SEND TAX STATEMENTS TO:

Hortifrut Imports, Inc. c/o Sarbanand Enterprises,  
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7375 NORTHWEST ROY ROAD  
CORNELIUS, OR 97113

AFTER RECORDING RETURN TO:

Hortifrut Imports, Inc. c/o Sarbanand Enterprises,  
LLC

7375 NORTHWEST ROY ROAD  
CORNELIUS, OR 97113

Escrow No: 472515529579MJM-CT42

SEE ATTACHED

556.80 acres/14 tax lots  
Forest Grove, OR 97116

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APR 20 2016

SALEM, OR

Dated 4-14-16 if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Glenn Walters Nursery, Inc. an Oregon Corporation

BY: Patrick Blake  
PATRICK BLAKE, CEO

STATE OF OREGON  
County of CLACKAMAS

This instrument was acknowledged before me on 04/14/16 by PATRICK BLAKE, CEO OF Glenn Walters Nursery, Inc..

[Signature]  
Notary Public for Oregon

My Commission Expires: 4-9-18

(SEAL)



**EXHIBIT "A"**

**PARCEL I:**

Tract 1: All of that part of the Donation Land Claim of David Monroe No. 44, Township 1 North, Range 3 West, of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Donation Land Claim; and running thence following the South boundary line thereof, North 89°30' West 2093 feet to a stone in the Centerville-Mountaindale Road; thence North 34° East, 1203 feet to a stone at the intersection of the Mountaindale Road with the Greenville Road; thence North 38°26' East 1666 feet to an iron pipe in the center of the Mountaindale Road on the South boundary line of the right-of-way of the P.R. & N. Railway, thence following the said right-of-way of line South 27°58' East 988 feet, thence South 71°05' West 168 feet to the East boundary line of said Monroe Claim; thence South 3° East 1396 feet to the place of beginning.

EXCEPTING THEREFROM that portion dedicated to Washington County, by Deed recorded June 16, 1993, as Fee No. 93-047398.

TOGETHER WITH an Easement for a pipeline to carry irrigation water as granted by Easement Agreement recorded April 23, 1998 as Fee No. 98-041510.

Tract 2: All that portion of the following described tract lying West of that certain 1.87 acres of land conveyed to the Pacific Railway and Navigation Company, a corporation, by Deed recorded at page 256 of Book 72 of the Deed Records of Washington County, Oregon:

Being a portion of the original Donation Land Claim of Benjamin Cornelius and wife, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon and bounded as follows:

Commencing at the Southwest corner of said Donation Land Claim, thence North 70° East on the South boundary line of said Donation Land Claim 16.41 chains to the Southwest corner of lands of J. Cawrse, thence North 1°34' East on the West line of said J. Cawrse's land 22.40 chains to the Northwest corner thereof; thence South 70° West 19.45 chains to a post on the West line of said Donation Land Claim; thence South 3°45' East on said West boundary line 21.59 chains to the place of beginning.

**PARCEL II:**

Tract 1: A tract of land situated in the West one-half of Section 15, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at a point in the center of Centerville Mountaindale Road (County Road A-1), which point bears North 38°41'50" East, 231.46 feet from the Southwest corner of that certain tract of land conveyed to Henry G. Abrahams by Deed recorded as Document No. 79-021989, Washington County, Oregon, Deed Records, and running thence along the boundary of said Abrahams tract, North 33°12'00" West, 631.56 feet; North 32°38'30" East, 1149.97 feet; North 27°54'45" West, 426.13 feet; North 62°25'00" East, 270.01 feet to the most Westerly corner of the Southern Pacific Railroad Depot grounds; thence South 27°54'45" East along the Southwesterly line of said Depot grounds 1094.02 feet to a point in the center line of Centerville Mountaindale Road (County Road A-1); thence South 38°41'50" West along said centerline 1321.05 feet to the point of beginning.

TOGETHER WITH a tract of land in the East one-half of Section 16, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, said tract being more particularly described as follows:

Beginning at the most Northerly corner of that certain tract of land described in Contract to James Edward

APR 20 2016

**EXHIBIT "A"**

(Continued)

SALEM, OR

Crawford, et ux, recorded in Book 726 page 364, said Deed Records, and running thence North 33°12'00" West along the Northwesterly extension of the Northeasterly line of said Crawford tract 94.27 feet; thence South 62°39'00" West, 215.12 feet to a point in the center of Greenville Road (County Road A-12); thence South 33°12'00" East, 94.27 feet along the centerline of said Greenville Road; thence North 62°39'00" East along the Northwesterly line of said Crawford tract 215.12 feet to the point of beginning.

EXCEPTING THEREFROM that portion described in Dedication Deed to Washington County recorded April 5, 1985 as Fee No. 85-012153, Records of Washington County.

ALSO EXCEPTING THEREFROM that portion described in Dedication Deed to Washington County recorded June 14, 1993 as Fee No. 93-046735, Records of Washington County.

ALSO EXCEPTING THEREFROM that portion described in Dedication Deed to Washington County, recorded September 13, 2007 as Fee No. 2007-098975, Records of Washington County.

Tract 2: A tract of land situated in Sections 15 and 16, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at the intersection of the center lines of County Road A-12 (Greenville Road) and County Road A-1 (Centerville-Mountindale Road); said point of beginning is said to be 2093.00 feet North 89°30' West, and 1203.00 feet North 34°00' East, from the Southeast corner of the David Monroe Donation Land Claim No. 44 in said Section 15, and running thence North 38°41'50" East in the center of the Centerville-Mountindale Road, a distance of 231.46 feet; thence leaving said center of road on a bearing on North 33°12' West parallel with the centerline of County Road No. A-12, a distance of 631.56 feet to a point; thence North 32°38'30" East, 1149.97 feet to a point; thence North 27°54'45" West 426.13 feet to a point; thence North 62°25' East, 370.00 feet to a point on the Southwesterly right-of-way line of the S.P.R.R. at the most Northerly corner of the Depot Ground; thence 645.21 feet on a 7316.32 foot radius curve to the left (the long chord of which bears North 30°26'20" West, 645.00 feet) to the most Northerly corner of that certain tract of land described in Deed to L.J. Cawrse, et ux, recorded August 10, 1970 in Book 788 page 949, Records of Washington County; thence South 62°39' West on the Northwesterly line thereof a distance of 1716.82 feet to the most Westerly corner of said tract in the center of Greenville Road (County Road No. A-12); thence South 33°12' East, on said center line 542.58 feet to a point; thence leaving said road on a bearing of North 62°39' East, a distance of 215.12 feet to a point; thence South 33°12' East parallel with the centerline of County Road No. A-12, a distance of 524.64 feet to the most Easterly corner of that parcel of land described in Contract of Sale to James Edwards Crawford, et ux, recorded December 7, 1968 in Book 726 page 364; Records of Washington County; thence South 56°48' West, 214 feet along the Southeasterly line of said Crawford Tract, to a point on the center line of the above said County Road; thence South 33°12' East on said centerline of road 1278.45 feet to the point of beginning.

EXCEPTING THEREFROM that portion described in Dedication Deed to Washington County, recorded September 13, 2007 as Fee No. 2007-098977, Records of Washington County.

Tract 3: A tract of land situated in Section 15, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

That tract of land described in Deed to Pacific Railway and Navigation Company, recorded July 18, 1908 in Book 72 page 178, Records of Washington County, more particularly described as follows:

Beginning at a point 2903 feet South and 1400 feet East of the Northwest corner of said Section 15, said point being at the intersection of the West line of said right-of-way with the North line of the Centerville Wagon Road; running thence along said right-of-way North 28°21' West, 1013 feet; thence South 61°39' West, 100 feet; thence South 28°21' East 1058 feet to the North line of the Centerville Wagon Road; thence along said road North 37°56' East 109-7/10 feet to the point of beginning.

EXCEPTING THEREFROM that portion described in Dedication Deed recorded June 14, 1993 as Fee No. 93-046735, Washington County Deed Records.

## EXHIBIT "A"

(Continued)

### PARCEL III:

Tract 1: That portion of Section 16, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of the David Monroe Donation Land Claim No. 44 and running thence South 12°33' West, 23.20 chains, thence South 80°12' West 17.84 chains, more or less, to a point in the Westerly line of the Pacific Railway & Navigation Company's right-of-way and the true point of beginning of the herein described tract, thence South 80°10' West, 28.08 chains, more or less, to the center of Greenwood Road (County Road No. A25); thence North 33°12' West, 5.8 chains; thence North 19°49' West 27.56 chains to the North line of the said David Monroe Donation Land Claim; thence South 89°57' East to a point in the Westerly line of the Pacific Railway & Navigation Company's right-of-way; thence Southerly along the Westerly line of said railroad right-of-way to the true point of beginning.

EXCEPTING THEREFROM that portion described in Deed to Effingham L. Schiefelin recorded July 24, 1912 in Book 94, Page 308, Records of Washington County.

Tract 2: That portion of Section 16, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at a stone in the center of Greenwood Road (County Road No. A25) in the David Monroe Donation Land Claim No. 44 in said Section 16, said Stone being 1729.2 feet South and 1102.2 feet West of the Northeast corner of said section; thence North 80°04' East 927.7 feet to a stake; thence South 62°37' West to an iron pipe in the center of said Road A25; thence North 33°12' West 277.8 feet to the point of beginning.

### PARCEL IV:

All of that part of the David Monroe Donation Land Claim No. 44, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, bounded and described as follows:

Beginning at the one-quarter section corner on the North line of Section 16, Township 1 North, Range 3 West of the Willamette Meridian, and running thence South 89°57' East 11.8 chains to an iron; thence South 19°49' East 27.56 chains to an iron, thence South 70°11' West 16 chains to an iron, thence North 19°49' West 32.93 chains to an iron rod on the North line of said Monroe Donation Land Claim; thence North 89°19' East 5.33 chains to the point of beginning.

### PARCEL V:

That portion of Section 26, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at a point on the East line of the J.B. Robison Donation Land Claim No. 50 (also known as the J.B. Robertson Donation Land Claim) where said line crosses the channel of Dairy Creek; running thence North on the East line of said Donation Land Claim about 48.35 chains to the Southeast corner of a tract of land sold by J.H. and Martha H. Powers, his wife, to Lewis Powers by Deed dated March 5, 1889 and which is recorded on page 485 of Book Z, Records of said County, and running thence West on South line of said tract far enough so that a line running thence South to Dairy Creek and thence down the channel of said creek to the place of beginning shall contain exactly 30 acres; thence South from the South line of said Lewis Powers tract at the termination of said line running West to Dairy Creek; thence down the channel of said creek to the place of beginning.

EXCEPTING THEREFROM that portion described in Deed to Katrina Kindel recorded April 18, 1972 in Book 863 page 164, Records of Washington County, Oregon.

FURTHER EXCEPTING THEREFROM ownership of the State of Oregon in that portion lying below the mean high water.

APR 20 2016

## EXHIBIT "A"

(Continued)

SALEM, OR

## PARCEL VI:

Tract 1: A portion of that certain tract of land in the East one-half of Section 27, and the West one-half of Section 26, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, described in Deed to Bernard Seus, et ux, recorded in Book 328, page 111, Washington County Oregon Deed Records, said portion being more particularly described as follows:

Beginning at the Northwest corner of said Seus tract, a point in the center of Hornecker Road (County Road No 344), and running thence along the West line thereof, Southerly 1260 feet, thence parallel with the North line of said tract, Easterly 1350 feet, more or less, to a point that lies 60 feet from the East line of said tract, when measured at right angles thereto, thence parallel with said East line, Northerly 1200 feet, thence North 45°00' West, 84.9 feet to a point in the center of said Hornecker Road; thence along the centerline of said road, Westerly 1290 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM that parcel conveyed to James B. Boyd, et ux, by Warranty Deed recorded November 10, 1981, Fee No. 81-038016.

Tract 2: A portion of that certain tract of land in the East one-half of Section 27, and West one-half of Section 26, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, described in Deed to Bernard Seus, et ux, recorded in Book 328, page 111, Washington County Oregon Deed Records, said portion being more particularly described as follows:

Beginning at a point in the center of Hornecker Road (County Road No. 344), which bears Westerly 70 feet from the Northeast corner of said Seus tract, and running thence South 45°00' East, 56.6 feet to a point that lies 30 feet from the East line of said Seus tract, when measured at right angles thereto, thence parallel with said East line, Southerly 2550 feet, thence parallel with the North line of said Seus tract, Westerly 1380 feet, more or less, to a point on the West line thereof; thence along said West line Northerly 1330 feet; thence parallel with said North line, Easterly 1350 feet, more or less, to a point that lies 60 feet from the East line of said Seus tract, when measured at right angles thereto; thence parallel with said East line, Northerly 1200 feet; thence North 45°00' West, 84.9 feet to a point in the center of said Hornecker Road, thence along said centerline, Easterly 50 feet to the point of beginning.

Tract 3: The following described portions of Sections 26, 27 and 35, Township 1 North, Range 3 West, Willamette Meridian, in the County of Washington and State of Oregon, to-wit:

Beginning at the Northeast corner of the Donation Land Claim of J.B. Robison and wife in Township 1 North, Range 3 West, Willamette Meridian, and running thence South on the East line of said claim, 75.55 chains to the center of Dairy Creek; thence up the center of said Dairy Creek to the West line of said Donation Land Claim, thence North on the West line and West on the South line of said Donation Land Claim to a point where the division line between the East one-half of the West one-half of said Donation Land Claim intercepts the South line of said claim, thence North to the North line of said claim; thence East on the North line of said claim, 45.63 chains to the point of beginning.

EXCEPTING THEREFROM four center tracts heretofore conveyed as follows, to-wit Sixty acres sold to William R Powers described in Book Z, page 483; sixty acres sold to Lewis Powers described in Book Z, page 485; sixty acres sold to Mary P. Trapp described in Book Z, page 486; thirty acres sold to N. C. Schiedel as described in Book 42, page 97, all in Deed Records of Washington County Oregon.

FURTHER EXCEPTING THEREFROM those tracts described in Deeds recorded January 8, 1979, Fee No. 79-046196 and February 29, 1980, Fee No. 80-007193.

FURTHER EXCEPTING THEREFROM ownership of the State of Oregon in that portion lying below the mean high water.

## PARCEL VII:

Tract 1: That portion of the South one-half of Section 2, Township 1 North, Range 4 West of the Willamette



**EXHIBIT "A"**

(Continued)

Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Commencing at a point in Greenville Road on the South line of the North one-half of the South one-half of said Section 2 and on the East bank of Dairy Creek which point is 15 links North of a point 18.35 chains North and North 86° West 23.83 chains from the Southeast corner of said Section 2 and running thence West along the South line of the North one-half of the South one-half of said Section 2, to the centerline of Dairy Creek and the true point of beginning; thence continuing West along said South line 35.73 chains, more or less, to a stone at the Northwest corner of Parcel 1 described in Deed to Glenn A. Walters, et ux, recorded June 25, 1979 as Fee No. 79-024596; thence South 0°40' East 8.72 chains, more or less, to the Northwest corner of that tract described in Deed to Earl U. Waldron recorded June 8, 1922, in Book 123, Page 498, Records of Washington County; thence South 89°58' East along the North line of said Waldron Tract 33.10 chains, more or less, to the center of Dairy Creek, thence up Dairy Creek with the meanderings to the true point of beginning.

EXCEPTING THEREFROM ownership of the State of Oregon in that portion lying below the mean high water.

Tract 2: That portion of the Southwest one-quarter of Section 2, Township 1 North, Range 4 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at a point 21.75 chains East of the Southwest corner of said Section 2, and running thence North 0°10' West 20.19 chains; thence West 12 rods and 1 foot; thence South 0°10' East 20.19 chains; thence East 12 rods and 1 foot to the point of beginning.

EXCEPTING THEREFROM the following described tract:

Beginning at a point 21.75 chains East of the Southwest corner of said Section 2, and running thence North 0°10' West 11.50 chains; thence West 12 rods and 1 foot; thence South 0°10' East 11.50 chains, thence East 12 rods and 1 foot to the point of beginning.

Tract 3: That portion of the Southwest one-quarter of Section 2, Township 1 North, Range 4 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Beginning at the South line of the Northwest one-quarter of the Southwest one-quarter of said Section 2, at a point 18.40 chains East of the Southwest corner of the Northwest one-quarter of the Southwest one-quarter of said section; running thence East 16.28 chains, more or less, to the Southeast corner of a tract of land described in Deed to Dick B. Quick recorded September 20, 1898 in Book 52, Page 293, thence North 1°10' East on the East line of the said Quick tract 2.75 chains; thence West 16.54 chains, more or less, to a point directly North of the point of beginning, thence South 2.75 chains, more or less, to the point of beginning.

Tract 4: That portion of the following described tract lying West of the center of Dairy Creek:

Beginning in the center of the County Road where the same crosses the North line of the South one-half of said Section 2, Township 1 North, Range 4 West, Willamette Meridian, in the County of Washington and State of Oregon, 34.06 chains East of the one-quarter section corner between Sections 2 and 3, thence East 45.94 chains, more or less, to the one-quarter section corner between Sections 1 and 2, thence South 21.65 chains, more or less, to the center of Greenville Road, thence North 86° West 23.83 chains to the East bank of Dairy Creek; thence North up said Creek 15 links to the South line of the North one-half of the South one-half of said Section 2; thence West 21.56 chains, more or less, to the center of the County Road; thence following the center of said County Road, North 10°10' East 13.59 chains; thence North 8° West 6.54 chains to the place of beginning.

EXCEPTING THEREFROM ownership of the State of Oregon in that portion lying below the mean high water.

PARCEL VIII:

Tract 1: That portion of Sections 23 and 24, Township 1 North, Range 4 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

APR 20 2016

**EXHIBIT "A"**

(Continued)

**SALEM, OR**

Beginning at a point in the center of the County Road No. A-121-23 (Thatcher Road) said point being South 89°39' East 1209.6 feet from a stone on the West line of the Wesley Mulkey Donation Land Claim No. 53, said stone being South 0°34' West 14.72 chains from the Northwest corner of said claim, thence running South 89°38' East 2392 feet to an iron pipe; thence North 0°34' East 610.72 feet to an iron pipe; thence North 89°38' West 2567.5 feet to the center of said County Road; thence South 15°11' East along the center line of said County Road 630.7 feet to the place of beginning.

EXCEPTING THEREFROM that portion described in Deed to the United States of America, recorded March 24, 1975 in Book 1015 page 668, Records of Washington County, Oregon.

Tract 2: That portion of Sections 23 and 24, Township 1 North, Range 4 West of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

Commencing at the Northeast corner of that certain tract of land described in Deed to Edward G. Goff and Lottie J. Goff, husband and wife, recorded October 23, 1920 in Book 119 page 392 at a point 59-1/4 rods South and 155 rods East of the Northwest corner of the Donation Land Claim of Wesley Mulkey and wife in said Sections 23 and 24, and running thence South 51-2/3 rods, thence West along the South line of the Edward G. Goff and Lottie J. Goff tract to a point where said line crosses the center line of the County Road No. A-121-23 (Thatcher Road) leading from Forest Grove to Thatcher; thence Northerly following the center line of said road to the point where said center line crosses the North line of the Goff tract, thence East along the North line of the Goff tract to the point of beginning.

EXHIBIT "B"

THE FOLLOWING EXCEPTIONS AFFECT PARCEL 1

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of an unnamed creek.

Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The United States of America  
Purpose: Water pipeline and apputenances  
Recording Date: August 25, 1975  
Book: 1040  
Page: 359  
Affects: A strip through the Southeasterly portion

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The United States of America  
Purpose: Water pipeline and apputenances  
Recording Date: May 20, 1976  
Book: 1086  
Page: 383  
Affects: Apputenant Easement

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: Clermont West, Inc.  
Purpose: Underground water pipeline  
Recording Date: May 8, 1979  
Recording No: 79-017591  
Affects: Appurtenant Easement

And re-recorded by instrument;

Recording Date: May 17, 1979  
Recording No.: 79-019011

And re-recorded by instrument;

Recording Date: June 7, 1979  
Recording No.: 79-021989

Easement for the purposes shown below and rights incidental thereto, as granted in a document:

Granted to: GTE Northwest Incorporated  
Purpose: Communication, power and other related services  
Recording Date: April 18, 1991  
Recording No: 91-018921  
Affects: The Southwesterly portion

Easement for the purposes shown below and rights incidental thereto, as granted in a document:

APR 20 2016

SALEM, OR

Granted to: Tualatin Valley Irrigation District  
Purpose: Water delivery structure and pipeline  
Recording Date: March 22, 1995  
Recording No: 95-018698  
Affects: The Southwesterly portion

THE FOLLOWING EXCEPTIONS AFFECT PARCEL II

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.  
(Affects Tracts 1 and 2)

Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

Easement for the purpose shown below and rights incidental thereto, as granted in a document:  
Granted to: The United States of America  
Purpose: Water pipeline and apputenances  
Recording Date: May 20, 1976  
Book: 1086  
Page: 383  
Affects: The Southerly portion

Easement for the purpose shown below and rights incidental thereto, as granted in a document:  
Granted to: Clermont West, Inc.  
Purpose: Underground water pipeline  
Recording Date: May 8, 1979  
Recording No: 79-017591  
Affects: The Southerly portion

And re-recorded by instrument;  
Recording Date: May 17, 1979  
Recording No.: 79-019011

And re-recorded by instrument;  
Recording Date: June 7, 1979  
Recording No.: 79-021989

Easement for the purpose shown below and rights incidental thereto, as granted in a document:  
Granted to: Portland Genereal Electric Company  
Purpose: Electric power lines  
Recording Date: September 20, 1985  
Recording No: 85-037057  
Affects: A 16 foot wide strip through the Northeasterly portion

Reservation, exception or other severance of minerals, together with the implied or express appurtenant rights to use the surface of the land for the development or extraction of such minerals, contained in or disclosed by instrument,  
In favor of: Southern Pacific Transportation Company  
Reservation of: All sand, gravel and mineral rights  
Recording Date: August 29, 1988  
Recording No.: 88-038235  
(Affects Tract 3)

The Company makes no representation as to the present ownership of this interest or its encumbrances.

APR 20 1994

Waiver of Remonstrance and Consent to Local Improvement District:

Purpose: Street improvement  
Recording Date: May 4, 1994  
Recording No.: 94-043699  
(Affects Tracts 1 and 3)

Restrictive Covenant for Non Access, Reserve Strip, including the terms and provisions thereof;

Recording Date: May 4, 1994  
Recording No.: 94-043700  
(Affects the Southeasterly portion)

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: K & K Investment Properties  
Purpose: Irrigation  
Recording Date: May 23, 1994  
Recording No.: 94-050087  
Affects: Exact location not disclosed

Waiver of Remonstrance and Consent to Local Improvement District:

Purpose: Customarily accepted farm and forestry practices  
Recording Date: December 21, 1995  
Recording No.: 95-093614  
(Affects tracts 2 and 3)

Right, title and interest of Union Pacific Railroad Company as disclosed by the Washington County Tax Assessor's tax printout.

(Affects Tract 3)

THE FOLLOWING EXCEPTIONS AFFECT PARCEL III

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

39. Easement Agreement, including the terms and provisions thereof;  
Executed by: Adjoining property owners  
Recording Date: February 8, 1974  
Book: 962  
Page: 262

And amended by Quitclaim Deed;

Recording Date: October 25, 1983  
Recording No.: 83-039407

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric Company  
Purpose: Electric power line  
Recording Date: July 13, 1988  
Recording No: 88-030306  
Affects: A 16 foot wide strip through the central portion

THE FOLLOWING EXCEPTIONS AFFECT PARCEL IV

APR 20 2016

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes SALEM, OR disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of an unnamed creek.

Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The United States of America  
Purpose: Water pipeline and apputenances  
Recording Date: August 20, 1975  
Book: 1039  
Page: 566  
Affects: A strip through the Easterly portion

THE FOLLOWING EXCEPTIONS AFFECT PARCEL V

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Dairy Creek.

Any adverse claims based upon the assertion that Dairy Creek has changed in location.

Any adverse claim based on the assertion that any portion of said land has been created by artificial means or has accreted to such portions so created.

Rights established pursuant to ORS 274.905, et seq to all or any portion of the herein described premises created by artificial means.

Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: Adjoining property owner to the Northwest  
Purpose: Drain field  
Recording Date: April 18, 1972  
Book: 863  
Page: 164  
Affects: The Northwesterly portion

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The United States of America  
Purpose: Water pipeline and apputenances  
Recording Date: July 30, 1975  
Book: 1036  
Page: 195  
Affects: A 30 foot wide strip through the Northerly portion

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The United States of America  
Purpose: Water pipeline and apputenances  
Recording Date: August 20, 1975  
Book: 1039

Page: 566

Affects: A strip through the Easterly portion

THE FOLLOWING EXCEPTIONS AFFECT PARCEL VI

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Dairy Creek.

(Affects Tract 3)

Any adverse claims based upon the assertion that Dairy Creek has changed in location.

(Affects Tract 3)

Any adverse claim based on the assertion that any portion of said land has been created by artificial means or has accreted to such portions so created.

(Affects Tract 3)

Rights established pursuant to ORS 274.905, et seq to all or any portion of the herein described premises created by artificial means.

(Affects Tract 3)

Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric Company

Purpose: Electrical and telephone lines and appurtenances

Recording Date: June 1, 1953

Book: 345

Page: 283

Affects: A 10 foot wide strip through the Southerly portion of Tract 3

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric Company

Purpose: Electrical and telephone lines and appurtenances

Recording Date: June 14, 1957

Book: 395

Page: 72

Affects: A 10 foot wide strip adjacent to Dairy Creek in Tract 3

THE FOLLOWING EXCEPTIONS AFFECT PARCEL VII

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Dairy Creek.

(Affects Tracts 1 and 4)

Any adverse claims based upon the assertion that Dairy Creek has changed in location.

(Affects Tracts 1 and 4)

Any adverse claim based on the assertion that any portion of said land has been created by artificial means or has accreted to such portions so created.

APR 20 2016

SALEM, OR

(Affects Tracts 1 and 4)

Rights established pursuant to ORS 274.905, et seq to all or any portion of the herein described premises created by artificial means.

(Affects Tracts 1 and 4)

Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: Adjoining property owner to the Northwest

Purpose: Pipe line

Recording Date: May 24, 1968

Book: 696

Page: 32

Affects: The Northerly portion of Tract 4

Terms and provisions, including obligations for maintenance of Easement as required by Oregon Law and by instrument;

Recording Date: October 10, 1994

Recording No.: 94-091920

Affects: Tracts 1, 2 and 3

#### THE FOLLOWING EXCEPTIONS AFFECT PARCEL VIII

Map No.: 1N423-01500

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public to any portion of the Land lying within Streets, Roads and Highways.

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The United States of America

Purpose: Electric power transmission lines and appurtenances

Recording Date: October 19, 1953

Book: 349

Page: 405

Affects: A 100 foot wide strip through Tract 1

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The City of Forest Grove

Purpose: Electric utilities

Recording Date: April 14, 1958

Book: 403

Page: 679

Affects: A strip through the Southwesterly portion of Tract 2

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The United States of America

Purpose: Water pipeline or conduit

Recording Date: March 3, 1975

Book: 1012

Page: 719

Affects: A strip through the Westerly and Southerly portions of Tract 2

Easement for the purpose shown below and rights incidental thereto, as granted in a document:

Granted to: The City of Forest Grove



APR 2 1978

SALEM OR

**Purpose: Electrical utilities and appurtenances**

**Recording Date: June 19, 1978**

**Recording No: 78-027424**

**Affects: A 10 foot wide strip through the Southwesterly portion of Tract 2**