

WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12TH STREET NE
SALEM, OR 97310

378-8455 x 499

1-800-624-3199 x 499

RECEIVED

NOV 20 1996

OREGON WATER RESOURCES DEPARTMENT
WATER RIGHT OWNERSHIP UPDATE FORM

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE TO SELLERS & BUYERS:

By law all water belongs to the public (ORS 537.110). In almost every instance, a permit ("water right") from the Water Resources Department is needed before using, diverting, or storing any water (ORS 537.130). However, most domestic wells do not require water rights. A water right stays with the land. In order to keep track of water right ownership, ORS 537.330 requires persons selling property that has a water right to: 1) provide evidence of the water right to the buyer and 2) notify the Water Resources Department of the water right involved with the real estate transaction. Sellers are exempted from this requirement if the water uses are served by a water district or a city.

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)378-8455.

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

PROPERTY SELLER INFORMATION:

HEIRS OF NOAH C. WHITE

Name: JOHN G. & BETTY L. SHAMBERGER; BARBARA JENSEN; LARRY CARL WHITE
Street Address: c/o 6020 Fruitland Road, N.E.
City: Salem State: Oregon Zip: 97301
Phone: 503) 364-2353

PROPERTY BUYER INFORMATION:

Name: Wesley Pilcher and Jennifer Pilcher
Street Address: 3086 Winter Creek Road, S.E.
City: Jefferson State: Oregon Zip: 97352
Phone: 541) 327-2656

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: MARION Township: 9 Range: 3 Section: 35
Tax Lot number(s): 62757-000
Meets & bounds description (or attach copy of property deed & tax lot map with the parcels highlighted):

WATER RIGHT INFORMATION (attach copy of water right certificate or permit & final proof map if available):

Application #: 39879 Permit # 29172 Certificate # 34085
Will all lands associated with the water right be owned by the buyer? Yes No
Name of individual completing this form: FIRST AMERICAN TITLE Phone: 581-0555
Signature: [Signature] Date: NOVEMBER 20, 1996

SUSAN A. RHODES-ESCROW OFFICER

REEL:1352

PAGE: 485

November 07, 1996 , 11:53A

CONTROL #: 1352485

**State of Oregon
County of Marion**

**I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:**

FEE: \$45.00

**ALAN H DAVIDSON
COUNTY CLERK**

NOV 07, 1996

WARRANTY DEED

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ - 0 -. However, the actual consideration consists of exchange for other property.

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

Wesley Pilcher and Jennifer Pilcher
3086 Winter Creek Road, S.E.
Jefferson, Oregon, 97351

After recording, return to: Wesley Pilcher and Jennifer Pilcher
3086 Winter Creek Road, S.E.
Jefferson, Oregon, 97352

KNOW ALL MEN BY THESE PRESENTS, That BARBARA JENSEN, (formerly BARBARA L. HARROLD, and formerly BARBARA L. RAGSDALE), hereinafter called Grantor, for the consideration hereinabove stated to the Grantor paid by WESLEY PILCHER and JENNIFER PILCHER, husband and wife, hereinafter called the Grantees, does hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantees, AS TENANTS BY THE ENTIRETY, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of MARION, State of Oregon, described as follows, to-wit:

~~All of my undivided interest in and to the following:~~

Beginning at the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East along the most southerly North line of said Claim, 5.215 chains; thence South 43' East 4.55 chains to an iron pipe; thence North 89°04' East 4.09 chains to an iron bolt; thence South 53' East 2.26 chains to an iron pipe; thence South 89°09' West 43.67 chains to an iron pipe; thence North 12' West 24.496 chains to an iron bar; thence East 29.86 chains to an iron bar; thence North 70' East 4.80 chains to a file in the East line of said Claim; thence South 5' East 18.90 chains to the place of beginning, being situated in the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian.

SAVE and EXCEPT: Beginning at an iron pipe in the Southwest corner of a piece of land which N. C. White holds a Deed from Lulu N. Goin, which Deed is dated November 29, 1941, and recorded December 31, 1941, in Book 266, Page 603, in Marion County Recorder's Office; thence running North 12' West 1420.00 feet; thence South 54°09' East 309.12 feet; thence South 12' East 1238.00 feet; thence South 89°09' West 250.00 feet to the place of beginning, being situated in the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, in Marion County, Oregon.

F.A.T. OF W.V.T.

213651

SHERMAN, SHERMAN & MURCH

Lawyers

487 Court Street N.E. / Post Office Box 2247

SALAS, Oregon 97309-2247

503-364-2281 FAX # (503) 370-4308

NOV 07, 1996

ALSO SAVE and EXCEPT: Beginning at a point that is 150.00 feet South 89°12' West from the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East 494.19 feet; thence South 43' East 300.30 feet to an iron pipe; thence South 89° 12' West 494.19 feet; thence North 43' West 300.30 feet to the place of beginning.

TOGETHER WITH a right-of-way for ingress and egress to and from said tract of land for use by said Grantees and the public of a 30.00 foot strip of land described as follows, to-wit:

Beginning 30.00 feet South 89°12' West from an iron pipe located North 89°12' East 5.215 chains and South 43' East 4.55 chains from the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East 30.00 feet to said iron pipe; thence South 43' East 119.16 feet; thence North 89°04' East 269.94 feet to an iron bolt on the West line of the Pacific Highway; thence South 53° East along said highway 30.00 feet to an iron pipe; thence South 89°04' West 300.00 feet; thence North 43' West 149.16 feet to the place of beginning.

SUBJECT TO:

- (1) 1996-97 taxes, a lien not yet payable.
- (2) The assessment roll and the tax roll disclose that the within-described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied for ten years, or a lesser number of years in which the land was subject to the special land use assessment.
- (3) Rights of the public and of governmental bodies in and to any portion of the herein-described property lying below the mean high water mark of the Morgan Creek, and in and to said water.
- (4) Rights of the public in and to that portion of the herein-described tract lying within the boundaries of roads and roadways.
- (5) Reservations, including the terms and provisions thereof, as disclosed by instrument recorded December 15, 1894, in Volume 56, Page 500, Deed Records for Marion County, Oregon.
- (6) Easement for right-of-way, including the terms and provisions thereof, conveyed to Mountain States Power Company, a Delaware corporation, its successors and assigns, by instrument recorded April 4, 1946, in Volume 342, Page 637, Deed Records for Marion County, Oregon.
- (7) Easement, including the terms and provisions thereof, as set forth in instrument recorded

SHERMAN, SHERMAN & MURCO

Lawyers

887 Court Street N.E. / Post Office Box 2247

SALEM, OREGON 97308-2247

503/584-2281 FAX # (503) 570-4308

NOV 07, 1996

- September 6, 1960, in Volume 537, Page 408, Deed Records for Marion County, Oregon.
- (8) Right-of-way easement, including the terms and provisions thereof, conveyed to Pacific Power & Light Company, a corporation, its successors and assigns, by instrument recorded November 16, 1960, in Volume 539, Page 347, Deed Records for Marion County, Oregon.
 - (9) Right-of-way easement, including the terms and provisions thereof, conveyed to Pacific Power & Light Company, a corporation, its successors and assigns, by instrument recorded July 7, 1965, in Volume 603, Page 454, Deed Records for Marion County, Oregon.

Tax Account No. 62757-000.

TO HAVE and TO HOLD the above described and granted premises unto the said Grantees, AS TENANTS BY THE ENTIRETY, their heirs and assigns forever.

And Grantor hereby covenants to and with Grantees, and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT as herein stated, and that Grantor will warrant and forever defend the said premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 17th day of October, 1996.


Barbara Jensen

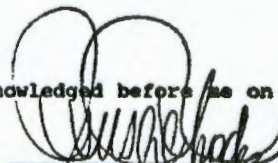
SHERMAN, SHERMAN & MURCH
Lawyers
637 Court Street N.E. Post Office Box 2247
SALEM, OREGON 97308-2247
503 384-2281 FAX # (503) 370-4408

NOV 07, 1996

STATE OF OREGON)
) ss.:
County of Marion)

This instrument was acknowledged before me on October 17, 1996, by BARBARA JENSEN.




Notary Public for Oregon
My Commission Expires: 2-27-99

REEL:1352

PAGE: 486

November 07, 1996 , 11:53A

CONTROL #: 1352486

**State of Oregon
County of Marion**

**I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:**

FEE: \$50.00

**ALAN H DAVIDSON
COUNTY CLERK**

NOV 07, 1996

WARRANTY DEED

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$27,172.00.

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

Wesley Pilcher and Jennifer Pilcher
3086 Winter Creek Road, S.E.
Jefferson, Oregon, 97352

After recording, return to: Wesley Pilcher and Jennifer Pilcher
3086 Winter Creek Road, S.E.
Jefferson, Oregon, 97352

KNOW ALL MEN BY THESE PRESENTS, That LARRY CARL WHITE, hereinafter called Grantor, for the consideration hereinabove stated to the Grantor paid by WESLEY PILCHER and JENNIFER PILCHER, husband and wife, hereinafter called the Grantees, does hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantees, AS TENANTS BY THE ENTIRETY, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of MARION, State of Oregon, described as follows, to-wit:

All of my undivided interest in and to the following:

~~PARCEL 1-~~

Beginning at the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East along the most southerly North line of said Claim, 5.215 chains; thence South 43' East 4.55 chains to an iron pipe; thence North 89°04' East 4.09 chains to an iron bolt; thence South 53' East 2.26 chains to an iron pipe; thence South 89°09' West 43.67 chains to an iron pipe; thence North 12' West 24.496 chains to an iron bar; thence East 29.86 chains to an iron bar; thence North 70° East 4.80 chains to a file in the East line of said Claim; thence South 5' East 18.90 chains to the place of beginning, being situated in the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian.

SAVE and EXCEPT: Beginning at an iron pipe in the Southwest corner of a piece of land which N. C. White holds a Deed from Lulu M. Goin, which Deed is dated November 29, 1941, and recorded December 31, 1941, in Book 266, Page 603, in Marion County Recorder's Office; thence running North 12' West 1420.00 feet; thence South 54°09' East 309.12 feet; thence South 12' East 1238.00 feet; thence South 89°09' West 250.00 feet to the place of beginning, being situated in the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, in Marion County, Oregon.

FA.T. OF W.V.I.

213051

SHEWAN, SHERMAN & MURCH

Lawyers

687 Court Street N.E., Post Office Box 2247

SALIDA, Oregon 97308-2247

503-964-2181 FAX # (503) 370-4108

NOV 07, 1996

ALSO SAVE and EXCEPT: Beginning at a point that is 150.00 feet South 89°12' West from the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East 494.19 feet; thence South 43° East 300.30 feet to an iron pipe; thence South 89°12' West 494.19 feet; thence North 43° West 300.30 feet to the place of beginning.

TOGETHER WITH a right-of-way for ingress and egress to and from said tract of land for use by said Grantees and the public of a 30.00 foot strip of land described as follows, to-wit:

Beginning 30.00 feet South 89°12' West from an iron pipe located North 89°12' East 5.215 chains and South 43° East 4.55 chains from the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East 30.00 feet to said iron pipe; thence South 43° East 119.16 feet; thence North 89°04' East 269.94 feet to an iron bolt on the West line of the Pacific Highway; thence South 53° East along said highway 30.00 feet to an iron pipe; thence South 89°04' West 300.00 feet; thence North 43° West 149.16 feet to the place of beginning.

Tax Account No. 62757-000.

~~TOGETHER WITH all of my undivided one-sixth (1/6) interest in and to the following:~~

~~**PARCEL II:**~~

~~Beginning at a point in the center of Market Road No. 30 which is 884.40 feet East, 112.62 feet North 37°23' West 482.86 feet North 38°57' West and 0.66 feet South 40°20' West from the southwest corner of Section 35, in Township 9 South, Range 3 West of the Willamette Meridian, in Marion County, State of Oregon; thence South 40°20' West 163.70 feet to the center of a slough; thence South 44°19' East 51.71 feet along the center of said slough; thence North 40°38' East 150.62 feet to a point in Market Road No. 39; thence North 49°32' West 50.00 feet to the place of beginning.~~

~~SAVE and EXCEPT that portion lying in the above mentioned Market Road No. 39.~~

~~Tax Account No. 62754-000.~~

SUBJECT TO:

- (1) 1996-97 taxes, a lien not yet payable.
- (2) The assessment roll and the tax roll disclose that the within-described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment

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Lawyers
647 Court Street N.E. / Post Office Box 2247
Salem, Oregon 97308-2247
503-366-2281 FAX # (503) 370-4368

under the statute, an additional tax may be levied for ten years, or a lesser number of years in which the land was subject to the special land use assessment.

- (3) Rights of the public in and to that portion of the herein-described tract lying within the boundaries of roads and roadways.
- (4) Rights of the public and governmental bodies in and to any portion of the herein-described property lying below the mean high water mark of the Morgan Creek, and in and to said water (affects Parcel II).
- (5) Rights of the public and governmental bodies in and to any portion of the herein described property lying below the mean high water mark of an unnamed slough, and in and to said water (affects Parcel II).
- (6) Reservations, including the terms and provisions thereof, as disclosed by instrument recorded December 15, 1894, in Volume 56, Page 500, Deed Records for Marion County, Oregon.
- (7) Easement for right-of-way, including the terms and provisions thereof, conveyed to Mountain States Power Company, a Delaware corporation, its successors and assigns, by instrument recorded April 4, 1946, in Volume 342, Page 637, Deed Records for Marion County, Oregon (affects Parcel I).
- (8) Reservation of minerals and easement, including the terms and provisions thereof, as disclosed by instrument recorded May 12, 1947, in Volume 169, Page 192, Deed Records for Marion County, Oregon (affects Parcel II).
- (9) Reservation of minerals, including the terms and provisions thereof, as set forth in instrument recorded March 30, 1951, in Volume 426, Page 588, Deed Records for Marion County, Oregon (affects Parcel II).
- (10) Easement, including the terms and provisions thereof, as set forth in instrument recorded September 6, 1960, in Volume 537, Page 408, Deed Records for Marion County, Oregon (affects Parcel I).
- (11) Right-of-way easement, including the terms and provisions thereof, conveyed to Pacific Power & Light Company, a corporation, its successors and assigns, by instrument recorded November 16, 1960, in Volume 539, Page 347, Deed Records for Marion County, Oregon (affects Parcel I).
- (12) Right-of-way easement, including the terms and provisions thereof, conveyed to Pacific Power & Light Company, a corporation, its successors and assigns, by instrument recorded July 7, 1965, in Volume 603, Page 454, Deed Records for Marion County, Oregon (affects Parcel I).

SHERMAN, SHERMAN & MURCH
Lawyers
687 Court Street N.E. / Post Office Box 2247
SALEM, OREGON 97308-2247
303/364-2281 FAX @ (503) 376-4388

NOV 07, 1996

TO HAVE and TO HOLD the above described and granted premises unto the said Grantees, AS TENANTS BY THE ENTIRETY, their heirs and assigns forever.

And Grantor hereby covenants to and with Grantees, and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT as herein stated, and that Grantor will warrant and forever defend the said premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 10 day of October, 1996.

Larry Carl White
Larry Carl White

SHERMAN, SHERMAN & MUNCH
Lawyers
687 Court Street N.E. / Post Office Box 2247
SALISBURY, OREGON 97138-2247
503/964-2281 FAX # (503) 370-4308

STATE OF Calif.)
County of Nevada) ss.:

This instrument was acknowledged before me on 10-10-96, 1996, by LARRY CARL WHITE.

N. Hopkinson
Notary Public for Calif.
My Commission Expires: 9-26-98



NOV 07, 1996

REEL:1352

PAGE: 487

November 07, 1996 , 11:53A

CONTROL #: 1352487

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$50.00

ALAN H DAVIDSON
COUNTY CLERK

NOV 07, 1996

F.A.T. OF W.V.I.

213651

WARRANTY DEED

The true and actual consideration paid for this transfer, stated in terms of dollars, is ~~\$112,828.00~~. Paid to an Accommodator as part of an IRC 1031 Tax Deferred Exchange.

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

Wesley Pilcher and Jennifer Pilcher
3086 Winter Creek Road, S.E.
Jefferson, Oregon, 97351

After recording, return to:

Wesley Pilcher and Jennifer Pilcher
3086 Winter Creek Road, S.E.
Jefferson, Oregon, 97352

KNOW ALL MEN BY THESE PRESENTS, That JOHN G. SHAMBERGER and BETTY L. SHAMBERGER, husband and wife, hereinafter called Grantors, for the consideration hereinabove stated to the Grantors paid by WESLEY PILCHER and JENNIFER PILCHER, husband and wife, hereinafter called the Grantees, do hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantees, AS TENANTS BY THE ENTIRETY, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of MARION, State of Oregon, described as follows, to-wit:

~~All of our undivided one-third (1/3) interest in and to the following:~~

~~PARCEL 1~~
Beginning at the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East along the most southerly North line of said Claim, 5.215 chains; thence South 43' East 4.55 chains to an iron pipe; thence North 89°04' East 4.09 chains to an iron bolt; thence South 53' East 2.26 chains to an iron pipe; thence South 89°09' West 43.67 chains to an iron pipe; thence North 12' West 24.496 chains to an iron bar; thence East 29.86 chains to an iron bar; thence North 70' East 4.80 chains to a file in the East line of said Claim; thence South 5' East 18.90 chains to the place of beginning, being situated in the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian.

SAVE and EXCEPT: Beginning at an iron pipe in the Southwest corner of a piece of land which N. C. White holds a Deed from Lulu M. Goin, which Deed is dated November 29, 1941, and recorded December 31, 1941, in Book 266, Page 603, in Marion County Recorder's Office; thence running North 12' West 1420.00 feet; thence South 54°09' East 309.12 feet; thence South 12' East 1238.00 feet; thence South 89°09' West 250.00 feet to the place of beginning, being situated in the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of

SHERMAN, SHERMAN & MURCH
LAWYERS
687 Court Street N.E. / Post Office Box 2247
SALEM, OREGON 97308-2247
503-364-2281 FAX # (503) 370-4408

NOV 07, 1996

the Willamette Meridian, in Marion County, Oregon.
ALSO SAVE and EXCEPT: Beginning at a point that is 150.00 feet South 89°12' West from the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East 494.19 feet; thence South 43' East 300.30 feet to an iron pipe; thence South 89°12' West 494.19 feet; thence North 43' West 300.30 feet to the place of beginning.

TOGETHER WITH a right-of-way for ingress and egress to and from said tract of land for use by said Grantees and the public of a 30.00 foot strip of land described as follows, to-wit:

Beginning 30.00 feet South 89°12' West from an iron pipe located North 89°12' East 5.215 chains and South 43' East 4.55 chains from the re-entrant angle in the East line of the John H. Bellinger Donation Land Claim, in Township 9 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; and running thence North 89°12' East 30.00 feet to said iron pipe; thence South 43' East 119.16 feet; thence North 89°04' East 269.94 feet to an iron bolt on the West line of the Pacific Highway; thence South 53' East along said highway 30.00 feet to an iron pipe; thence South 89°04' West 300.00 feet; thence North 43' West 149.16 feet to the place of beginning.

Tax Account No. 62757-000.

~~TOGETHER WITH all our undivided one-third (1/3) interest in and to the following:~~

~~PARCEL II:~~

~~Beginning at a point in the center of Market Road No. 39 which is 884.40 feet East, 112.62 feet North 87°33' West 682.86 feet North 38°57' West and 8.50 feet South 40°20' West from the southwest corner of Section 35, in Township 9 South, Range 3 West of the Willamette Meridian, in Marion County, State of Oregon; thence South 40°20' West 163.70 feet to the center of a slough; thence South 64°19' East 51.71 feet along the center of said slough; thence North 40°20' East 150.63 feet to a point in Market Road No. 39; thence North 49°32' West 50.00 feet to the place of beginning.~~

~~SAVE and EXCEPT that portion lying in the above-mentioned Market Road No. 39.~~

~~Tax Account No. 62754-000.~~

SUBJECT TO:

- (1) 1996-97 taxes, a lien not yet payable.
- (2) The assessment roll and the tax roll disclose that the within-described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment

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Lawyers
687 Court Street N.E. / Post Office Box 2247
SALEM, OREGON 97308-2247
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NOV 07, 1996

under the statute, an additional tax may be levied for ten years, or a lesser number of years in which the land was subject to the special land use assessment.

- (3) Rights of the public in and to that portion of the herein-described tract lying within the boundaries of roads and roadways.
- (4) Rights of the public and governmental bodies in and to any portion of the herein-described property lying below the mean high water mark of the Morgan Creek, and in and to said water (affects Parcel II).
- (5) Rights of the public and governmental bodies in and to any portion of the herein described property lying below the mean high water mark of an unnamed slough, and in and to said water (affects Parcel II).
- (6) Reservations, including the terms and provisions thereof, as disclosed by instrument recorded December 15, 1894, in Volume 56, Page 500, Deed Records for Marion County, Oregon.
- (7) Easement for right-of-way, including the terms and provisions thereof, conveyed to Mountain States Power Company, a Delaware corporation, its successors and assigns, by instrument recorded April 4, 1946, in Volume 342, Page 637, Deed Records for Marion County, Oregon (affects Parcel I).
- (8) Reservation of minerals and easement, including the terms and provisions thereof, as disclosed by instrument recorded May 12, 1947, in Volume 369, Page 192, Deed Records for Marion County, Oregon (affects Parcel II).
- (9) Reservation of minerals, including the terms and provisions thereof, as set forth in instrument recorded March 30, 1951, in Volume 426, Page 588, Deed Records for Marion County, Oregon (affects Parcel II).
- (10) Easement, including the terms and provisions thereof, as set forth in instrument recorded September 6, 1960, in Volume 537, Page 408, Deed Records for Marion County, Oregon (affects Parcel I).
- (11) Right-of-way easement, including the terms and provisions thereof, conveyed to Pacific Power & Light Company, a corporation, its successors and assigns, by instrument recorded November 16, 1960, in Volume 539, Page 347, Deed Records for Marion County, Oregon (affects Parcel I).
- (12) Right-of-way easement, including the terms and provisions thereof, conveyed to Pacific Power & Light Company, a corporation, its successors and assigns, by instrument recorded July 7, 1965, in Volume 603, Page 454, Deed Records for Marion County, Oregon (affects Parcel I).

SHERMAN, SHERMAN & MURCH
Lawyers
687 Court Street N.E. / Post Office Box 2247
SALIDA, OREGON 97308-2247
503/364-2281 FAX # (503) 370-4308

NOV 07, 1996

TO HAVE and TO HOLD the above described and granted premises unto the said Grantees, AS TENANTS BY THE ENTIRETY, their heirs and assigns forever.

And Grantors hereby covenant to and with Grantees, and the heirs of the survivor and their assigns, that Grantors are lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT as herein stated, and that Grantors will warrant and forever defend the said premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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.

IN WITNESS WHEREOF, the Grantors have executed this instrument this 17th day of October, 1996.

John G. Shamberger
John G. Shamberger
Betty L. Shamberger
Betty L. Shamberger

SHERMAN, SHERMAN & MURCI
LAWYERS
687 Court Street N.E. / Post Office Box 2247
SALMON, OREGON 97138-2247
503/344-2281 FAX @ (503) 370-4108

STATE OF OREGON)
) ss.:
County of Marion)

This instrument was acknowledged before me on October 17th, 1996, by JOHN G. SHAMBERGER and BETTY L. SHAMBERGER, husband and wife.

Susan A. Rhodes
Notary Public for Oregon
My Commission Expires: 2-27-99



NOV 07, 1996

814 00 13 0

8684
USGS-JEF

600
62765000

EAST 31.405 CH (2072.73)

12.00 CH (792.00)
92.3 CH (642.18)
OLD 99E

0.801 CH (52.87)

29.557 CH (1950.76)
EAST 29.86CH (1970.76)

N70 00E
4.80 CH (316.80)

CTR SEC

700
62757000

1/4 COR
SEE MAP 09 3W 36

RE-ENT
ANGLE IN
EAST LINE
J.H. BELLENGER

SW COR
H.A. JOHNSON
DLC 55

150
5.215CH (344.19)

800

62760000

7.49 CH (494.18)

4.09 CH (269.94)

1346000

402000

589 09W 39.882 CH (2632.21)

33 CH M/L (2178)

N89 10E 43.67 (2882.22)

1100
62750000

CREEK

POND

JEFFERSON HWY
OLD 99E

RE-ENT COR
J.H. BELLENGER
DLC NO. 54/BI

10.70 CH (706.20)

1/4 COR

This print is made solely for the purpose of assisting in
locating said premises and the company assumes no
liability for variations, if any, in dimensions and location
ascertained by actual survey.

SEE MAP 10 3W 02

3W 02BA

#213658-m

FIRST AMERICAN TITLE
OF WILLAMETTE VALLEY
280 LIBERTY, S.E., SUITE 100, SALEM

SEE MAP 9 3W 36CC

60
35
2
1