

# Minimum Requirements Checklist

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

## Include this checklist with the application

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

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- SECTION 8: within a district
- SECTION 9: remarks

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### Attachments:

- 
- Land Use Information Form with approval and signature of local planning department(*must be an original*) or signed receipt.
  - Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
  - Fees - Amount enclosed: \$1840.80  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

### Provide a map and check that each of the following items is included:

- 
- Permanent quality and drawn in ink
  - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - North Directional Symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - Reference corner on map
  - Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot clearly identified
  - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
  - Other:

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME			PHONE (HM)
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL *

### Organization Information

NAME <b>HAMILTON FARMS, LLC % STEVEN HAMILTON, MEMBER</b>		PHONE <b>503.838.0794</b>	FAX
ADDRESS <b>14190 AIRLIE ROAD</b>			CELL
CITY <b>MONMOUTH</b>	STATE <b>OR</b>	ZIP <b>97361</b>	E-MAIL * <b>HAMILTONFARMS@HOTMAIL.COM</b>

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

AGENT / BUSINESS NAME <b>JEANNE BOATWRIGHT BOATWRIGHT ENGINEERING, INC.</b>		PHONE <b>503.363.9225</b>	FAX <b>503.363.1050</b>
ADDRESS <b>2613 12TH STREET SE</b>			CELL
CITY <b>SALEM</b>	STATE <b>OR</b>	ZIP <b>97302</b>	E-MAIL * <b>JEANNE@BOATWRIGHTENGR.COM</b>

Note: Attach multiple copies as needed

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

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By my signature below I confirm that I understand:

**DEC 14 2017**

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
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- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.
- I have not provided my social security number in any of the materials submitted to the Department.

**OWRD**



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

*Steven Hamilton*  
Applicant Signature

Steven Hamilton, Manger  
Print Name and title if applicable

*12/11/2017*  
Date

App. No. <u>S-88482</u>	For Department Use	Permit No. _____	Date _____
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PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL *

### Organization Information

NAME HAMILTON B FARMS, A PARTNERSHIP % STEVEN HAMILTON, MANAGER, HAMILTON FARMS, LLC, PARTNER			PHONE 503.838.0794	FAX
ADDRESS 14190 AIRLIE ROAD			CELL	
CITY MONMOUTH	STATE OR	ZIP 97361	E-MAIL * HAMILTONFARMS@HOTMAIL.COM	

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

AGENT / BUSINESS NAME JEANNE BOATWRIGHT BOATWRIGHT ENGINEERING, INC.			PHONE 503.363.9225	FAX 503.363.1050
ADDRESS 2613 12TH STREET SE			CELL	
CITY SALEM	STATE OR	ZIP 97302	E-MAIL * JEANNE@BOATWRIGHTENGR.COM	

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**OWRD**

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

  
Applicant Signature

Steven Hamilton, Manager  
Print Name and title if applicable

12/11/2017  
Date

App. No. <u>S-100402</u>	For Department Use	Date
Permit No.		

# Application for a Permit to Use Surface Water



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ADDRESS			
CITY	STATE	ZIP	E-MAIL *

### Organization Information

NAME HAMILTON M FARMS, A PARTNERSHIP % STEVEN HAMILTON, MANAGER, HAMILTON FARMS, LLC, PARTNER			PHONE 503.838.0794	FAX
ADDRESS 14190 AIRLIE ROAD			CELL	
CITY MONMOUTH	STATE OR	ZIP 97361	E-MAIL * HAMILTONFARMS@HOTMAIL.COM	

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

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ADDRESS 2613 12TH STREET SE			CELL	
CITY SALEM	STATE OR	ZIP 97302	E-MAIL * JEANNE@BOATWRIGHTENGR.COM	

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

Applicant Signature

Steven Hamilton, Manager  
Print Name and title if applicable

12/11/2017  
Date

App. No. <u>S-200402</u>	For Department Use	Permit No. _____	Date _____
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# Application for a Permit to Use Surface Water



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem Oregon 97301-1266  
(503) 986-0900  
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PHONE (WK)	CELL		FAX
ADDRESS			
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### Organization Information

NAME HAMILTON S FARMS, A PARTNERSHIP % STEVEN HAMILTON, MANAGER, HAMILTON FARMS, LLC, PARTNER			PHONE 503.838.0794	FAX
ADDRESS 14190 AIRLIE ROAD			CELL	
CITY MONMOUTH	STATE OR	ZIP 97361	E-MAIL * HAMILTONFARMS@HOTMAIL.COM	

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

AGENT / BUSINESS NAME JEANNE BOATWRIGHT BOATWRIGHT ENGINEERING, INC.			PHONE 503.363.9225	FAX 503.363.1050
ADDRESS 2613 12TH STREET SE			CELL	
CITY SALEM	STATE OR	ZIP 97302	E-MAIL * JEANNE@BOATWRIGHTENGR.COM	

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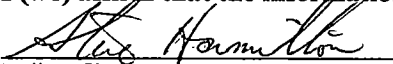
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I (we) affirm that the information contained in this application is true and accurate.

  
Applicant Signature

Steven Hamilton, Manager  
Print Name and title if applicable

12/14/2017  
Date

App. No. <u>P-201702</u>	For Department Use	Date
Permit No. _____		

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME <b>STEVEN &amp; BEVERLY HAMILTON</b>			PHONE (HM)
PHONE (WK) <b>503.838.0794</b>	CELL	FAX	
ADDRESS <b>14200 AIRLIE ROAD</b>			
CITY <b>MONMOUTH</b>	STATE <b>OR</b>	ZIP <b>97361</b>	E-MAIL * <b>HAMILTONFARMS@HOTMAIL.COM</b>

### Organization Information

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

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

AGENT / BUSINESS NAME <b>JEANNE BOATWRIGHT BOATWRIGHT ENGINEERING, INC.</b>			PHONE <b>503.363.9225</b>	FAX <b>503.363.1050</b>
ADDRESS <b>2613 12TH STREET SE</b>			CELL	
CITY <b>SALEM</b>	STATE <b>OR</b>	ZIP <b>97302</b>	E-MAIL * <b>JEANNE@BOATWRIGHTENGR.COM</b>	

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

*Steven Hamilton*  
Applicant Signature  
**Steven Hamilton**  
Print Name and title if applicable

*Beverly Hamilton*  
Applicant Signature  
**Beverly Hamilton**  
Print Name and title if applicable

*12/11/2017*  
Date  
*12/11/2017*  
Date

App. No. <b>P-88402</b>	For Department Use	Permit No.	Date
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# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME <b>MATTHEW &amp; ESTHER HAMILTON</b>		PHONE (HM)	
PHONE (WK) <b>503.838.0794</b>	CELL	FAX	
ADDRESS <b>14080 AIRLIE ROAD</b>			
CITY <b>MONMOUTH</b>	STATE <b>OR</b>	ZIP <b>97361</b>	E-MAIL * <b>DELTAU257@HOTMAIL.COM</b>

### Organization Information

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

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AGENT / BUSINESS NAME <b>JEANNE BOATWRIGHT BOATWRIGHT ENGINEERING, INC.</b>		PHONE <b>503.363.9225</b>	FAX <b>503.363.1050</b>
ADDRESS <b>2613 12TH STREET SE</b>			CELL
CITY <b>SALEM</b>	STATE <b>OR</b>	ZIP <b>97302</b>	E-MAIL * <b>JEANNE@BOATWRIGHTENGR.COM</b>

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

Applicant Signature  
  
Applicant Signature

**Matthew Hamilton**  
Print Name and title if applicable

12-11-17  
Date

**Esther Hamilton**  
Print Name and title if applicable

12/11/17  
Date

App. No. <u>SE8402</u>	For Department Use	Date
Permit No. _____		

**SECTION 2: PROPERTY OWNERSHIP**

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

Yes

- There are no encumbrances. **Private Property**
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access. **Polk County right-of-ways**
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

See Attached Sheet for ownership by Tax Lot

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

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**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Reservoir 1	Tributary to: Soap Creek	T-12419
Source 2: Reservoir 3	Tributary to: Soap Creek	T-12419
Source 3: Reservoir 4	Tributary to: Soap Creek	T-12419
Source 4: Reservoir 5	Tributary to: Berry Creek	T-12419
Source 5: Reservoir 7	Tributary to: Berry Creek	T-12419
Source 6: Reservoir 8	Tributary to: Peterson Creek	Permit R-15211

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

**B. Applications to Use Stored Water**

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

Yes.

*S-2012*



- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

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

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

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

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**SECTION 4: WATER USE**

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

SOURCE	USE	PERIOD OF USE	AMOUNT
Reservoir 1	Irrigation	Mar 1-Oct 31	6.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
	Agricultural	Year-round	
	Nursery	Year-round	
Reservoir 3	Irrigation	Mar 1-Oct 31	1.8 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
	Agricultural	Year-round	
	Nursery	Year-round	
Reservoir 4	Irrigation	Mar 1-Oct 31	3.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
	Agricultural	Year-round	
	Nursery	Year-round	
Reservoir 5	Irrigation	Mar 1-Oct 31	1.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
	Agricultural	Year-round	
	Nursery	Year-round	
Reservoir 7	Irrigation	Mar 1-Oct 31	2.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
	Agricultural	Year-round	
	Nursery	Year-round	
Reservoir 8	Irrigation	Mar 1-Oct 31	90.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
	Agricultural	Year-round	
	Nursery	Year-round	

**For irrigation use only:**

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: Acres 709.2 Supplemental: 0 Acres

If supplemental Acres is listed, provide the Permit or Certificate number of the underlying primary water right(s):

\_\_\_\_\_

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 103.8

5-88482

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

**SECTION 5: WATER MANAGEMENT**

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**A. Diversion and Conveyance**

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

Pump (give horsepower and type): **To be determined**

Other means (describe): \_\_\_\_\_

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

**Water will be pumped from the various reservoirs to buried transmission pipes. Sizes and location to be determined.**

**B. Application Method**

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

**Drip, wheel line, impact sprinklers. Crop dependent.**

**C. Conservation**

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

**If all 709.2 acres are developed, the storage capacity will allow for 1.76 inches of water per acre. Therefore, all of the water requested is needed.**

**Waste will be prevented by use of a drip system where crop appropriate. Application by conventional sprinklers will be as weather and soil conditions dictate, will be confined to crop area, and limited to the ability of the crop to uptake the volume applied.**

**Because the water is so limited, we cannot afford to waste it. Water will be measured with a totalizing flow meter.**

**The only affected surface waters are already permitted private reservoirs.**

**No run-off will be allowed to adjacent public waters so no damage will occur.**

**SECTION 6: RESOURCE PROTECTION**

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

Diversion will be screened to prevent uptake of fish and other aquatic life.  
Describe planned actions: **Diversions will be screened to prevent deleterious substances from entering the drip irrigation system.**

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
Describe planned actions: **No excavations of the reservoir banks are anticipated to install the pump systems. Pumps will be located at the dam end of the reservoirs. No riparian or streamside areas are involved.**

- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.  
Describe: No equipment will be operated in a water body other than the pumps in the existing reservoirs.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe: Water removed from the reservoirs will be piped and applied by drip or conventional sprinklers. No run-off or erosion is expected to occur.

**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: Spring 2018

Date construction will be completed: Permit date plus 5 years

Date beneficial water use will begin: Summer 2018

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**SECTION 8: WITHIN A DISTRICT**

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

Irrigation District Name	Address	
City	State	Zip

**SECTION 9: REMARKS**

Use this space to clarify any information you have provided in the application.

Proposed crops are filbert orchards, grass seed, vegetables, or other agricultural commodities.

A Polk County *Permit for Construction Work in a Right-of-way* will be required for any necessary pipeline crossings in Airlie Road and Sauerkraut Road. Those applications will be sought upon, or before, issuance of the Department's water right permit.

**Section 2: Property Ownership**

Hamilton Farms LLC  
14190 Airlie Rd  
Monmouth, OR 97361

*Tax Lots:* 9.5.32 101  
9.5.32 1400  
9.5.32 1402  
9.5.32 1403  
9.5.32 1501  
9.5.32 1502  
9.5.32 1503

*Tax Lots:* 9.5.28 200  
9.5.28 204  
*Tax Lots:* 9.5.33 300  
9.5.33 400  
9.5.33 401  
9.5.33 602

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Steven L. & Beverly Hamilton  
14200 Airlie Rd  
Monmouth, OR 97361

*Tax Lot:* 9.5.32 1504

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Matthew L. & Esther R. Hamilton  
14080 Airlie Rd  
Monmouth, OR 97361

*Tax Lots:* 9.5.32 1402  
9.5.33 601  
10.5.4 201

---

Hamilton B Farms  
14190 Airlie Rd  
Monmouth, OR 97361

*Tax Lot:* 9.5.32 1405

---

Hamilton M Farms  
14190 Airlie Rd  
Monmouth, OR 97361

*Tax Lot:* 9.5.33 602

---

Hamilton S Farms  
14190 Airlie Rd  
Monmouth, OR 97361

*Tax Lot:* 9.5.33 401

---

Polk County  
Sauerkraut Road and Airlie Road rights-of-way:  
Any road crossing permits required will be obtained prior to any construction or boring.

P-88482

IRRIGATION - RESERVOIRS 1, 3, 4, 5, 7 & 8							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
9S	5W	WM	28	SW NW		Lewis S. Parrot 67	3.1
9S	5W	WM	28	NW SW		Lewis S. Parrot 67	38.4
9S	5W	WM	28	SW SW		Lewis S. Parrot 67	38.5
9S	5W	WM	28	SE SW		Lewis S. Parrot 67	18.7
9S	5W	WM	29	SE NE		Lewis S. Parrot 67	2.6
9S	5W	WM	29	NE SE		Lewis S. Parrot 67	11.4
9S	5W	WM	29	SW SE		James S. Williams 68	3.9
9S	5W	WM	29	SE SE		Lewis S. Parrot 67	16.1
9S	5W	WM	32	NE NE		Isaac Staats 66	3.4
9S	5W	WM	32	NE NE		Lewis S. Parrot 67	15.6
9S	5W	WM	32	NE NE		James S. Williams 68	15.9
9S	5W	WM	32	NW NE		James S. Williams 68	34.7
9S	5W	WM	32	SW NE		Isaac Staats 66	5.8
9S	5W	WM	32	SW NE		Isaac Staats 66	17.7
9S	5W	WM	32	SE NE		Isaac Staats 66	34.6
9S	5W	WM	32	SE NE		Lewis S. Parrot 67	0.2
9S	5W	WM	32	SE NE		James S. Williams 68	4.4
9S	5W	WM	32	NE NW		James S. Williams 68	1.5
9S	5W	WM	32	SE NW		James S. Williams 68	1.9
9S	5W	WM	32	NE SW		Isaac Staats 66	0.7
9S	5W	WM	32	NE SE		Isaac Staats 66	38.1
9S	5W	WM	32	NW SE		Isaac Staats 66	32.3
9S	5W	WM	32	SW SE		Isaac Staats 66	0.9
9S	5W	WM	32	SE SE		Isaac Staats 66	32.4
9S	5W	WM	33	NE NW		Lewis S. Parrot 67	40.0
9S	5W	WM	33	NW NW		Isaac Staats 66	3.7
9S	5W	WM	33	NW NW		Lewis S. Parrot 67	35.4
9S	5W	WM	33	SW NW		Isaac Staats 66	36.9
9S	5W	WM	33	SW NW		Lewis S. Parrot 67	3.1
9S	5W	WM	33	SE NW		Isaac Staats 66	13.6
9S	5W	WM	33	SE NW		Lewis S. Parrot 67	26.5
9S	5W	WM	33	NE SW		Isaac Staats 66	34.8
9S	5W	WM	33	NW SW		Isaac Staats 66	40.0
9S	5W	WM	33	SW SW		Isaac Staats 66	32.6
9S	5W	WM	33	SE SW		Isaac Staats 66	19.9
9S	5W	WM	33	NW SE		Isaac Staats 66	4.2
9S	5W	WM	33	SW SE		Isaac Staats 66	1.2
10S	5W	WM	4	NW NE		Isaac Staats 66	7.4
10S	5W	WM	4	NE NW		Isaac Staats 66	21.3
10S	5W	WM	4	NE NW	3		2.8
10S	5W	WM	4	NW NW		Isaac Staats 66	8.8
10S	5W	WM	4	SE NW	6		0.3
10S	5W	WM	5	NE NE		Isaac Staats 66	3.9
<b>TOTAL ACRES</b>							709.2

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# Land Use Information Form



LUC 17-91

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

Applicant(s): Hamilton Farms, LLC % Steve Hamilton

Mailing Address: 14190 Airlie Road

City: Monmouth

State: Oregon

Daytime Phone: 503.838.1389

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
			See	Attached	List	<input type="checkbox"/> Diverted	Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 103.8   
 cubic feet per second   
 gallons per minute   
 acre-feet

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

Briefly describe:

Water from 6 existing permitted reservoirs will be applied by drip irrigation to, up to 703.3 acres of filbert orchards.

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

See bottom of Page 3. →

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# For Local Government Use Only

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

### Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PC20136.080(A)

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

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

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

*RESERVOIR WAS APPROVED ON 5/25/17 PER POLK COUNTY PLANNING DIVISION FILE LUD 17-08. A SIGNIFICANT RESOURCES MANAGEMENT PLAN MAY BE REQUIRED IF VEGETATION ALONG PETERSON CREEK IS REMOVED PURSUANT TO PC20 CHAPTER 182*

Name: Mark Bernick Title: Senior Planner

Signature: [Signature] Phone: 503.623.9237 Date: November 3, 2017

Government Entity: Polk County Planning Division

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

### Receipt for Request for Land Use Information

Applicant name: \_\_\_\_\_  
City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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A. Land and Location

Planning Official's Initials



Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential / RR-5)	Water to be:			Proposed Land Use
9S	5W	28	SW,SW	9-5-28-200	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	28	SE,SW	9-5-28-200	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	28	SW,NW	9-5-28-204	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	28	NW,SW	9-5-28-204	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	28	SW,SW	9-5-28-204	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	29	SE,NE	9-5-28-204	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	29	NE,SE	9-5-28-204	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	29	SE,SE	9-5-28-204	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	29	SW,SE	9-5-32-101	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,NE	9-5-32-101	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NW,NE	9-5-32-101	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SW,NE	9-5-32-101	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SE,NE	9-5-32-101	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,NW	9-5-32-101	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SE,NW	9-5-32-101	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SE,SE	9-5-32-1400	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	SW,SW	9-5-32-1400	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
10S	5W	4	NW,NW	9-5-32-1400	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
10S	5W	5	NE,NE	9-5-32-1400	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,SE	9-5-32-1402	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SE,SE	9-5-32-1402	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,SE	9-5-32-1403	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SE,SE	9-5-32-1403	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	SW,NW	9-5-32-1403	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	NW,SW	9-5-32-1403	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	SW,SW	9-5-32-1403	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SE,SE	9-5-32-1405	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	SW,SW	9-5-32-1405	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SW,NE	9-5-32-1501	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,SW	9-5-32-1501	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,SE	9-5-32-1501	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NW,SW	9-5-32-1501	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SW,SE	9-5-32-1501	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,SE	9-5-32-1502	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NW,SE	9-5-32-1502	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,NE	9-5-32-1503	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SW,NE	9-5-32-1503	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	SE,NE	9-5-32-1503	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,SE	9-5-32-1503	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NW,SE	9-5-32-1503	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	SW,NW	9-5-32-1503	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	NW,SW	9-5-32-1503	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	SW,SW	9-5-32-1503	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NW,SE	9-5-32-1504	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	NE,NW	9-5-33-300	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	NW,NW	9-5-33-300	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	SW,NW	9-5-33-300	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	SE,NW	9-5-33-300	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	32	NE,NE	9-5-33-301	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
9S	5W	33	NW,NW	9-5-33-301	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming







**Jeanne Boatwright**

---

**From:** Bernard, Mark <bernard.mark@co.polk.or.us>  
**Sent:** Wednesday, November 15, 2017 3:36 PM  
**To:** Jeanne Boatwright  
**Subject:** Re: Land Use Sign-off  
**Attachments:** Hamilton\_WaterRights\_Page2.pdf

Hi Jeanne,

Per your request, attached is Page 2 of the water rights LUC I signed last week for applying water impounded in the Hamilton Farms reservoir off of Sauerkraut Road east of Airlie.

-Mark

Mark Bernard  
Senior Planner  
Polk County Community Development  
[bernard.mark@co.polk.or.us](mailto:bernard.mark@co.polk.or.us)  
(503) 623-9237

On Wed, Nov 15, 2017 at 2:33 PM, Jeanne Boatwright <[jeanne@boatwrightengr.com](mailto:jeanne@boatwrightengr.com)> wrote:

Mark,

When I was in on Nov 3rd to get the land use sign-off from you on the water right application for Hamilton Farms down near Airlie, I had 2 extra sheets that you initialed that listed all of the area by tax lot and then by 1/4-1/4's within each tax lot. I just found out from Hamilton's that I missed a small tax lot. It is 10.5.4 201 at Airlie Road and Berry Creek Road. Like the rest of the farm, it is EFU land so your comments and sign-off on the other sheets of the land use form are all still appropriate.

I have attached the second extra sheet with this last tax lot added at the bottom of the list and was wondering if you could initial it and send it back to me?

Jeanne Boatwright  
**Boatwright Engineering, Inc.**  
2613 12th Street SE  
Salem, Oregon 97302  
ph: 503-363-9225

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After Recording Return to:  
Churchill Leonard Lawyers  
PO Box 804  
Salem OR 97308

Until requested otherwise,  
send all tax statements to:  
Hamilton Farms, LLC  
14190 Airlie Rd.  
Monmouth, OR 97361

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

2013-010702



\$86.00

10/04/2013 01:37:08 PM

REC-COR Cnt=1 Stn=1 K. WILLIAMS  
\$45.00 \$10.00 \$11.00 \$15.00 \$5.00

**RE-RECORDING OF WARRANTY DEED TO CORRECT:  
DESIGNATION OF GRANTOR SURVIVOR'S TRUST  
AND  
LEGAL DESCRIPTION  
ON EXHIBIT "A"**

**THIS DOCUMENT IS BEING RE-RECORDED AT THE REQUEST OF GRANTORS TO  
CORRECT THE DESIGNATION OF THE GRANTOR "SURVIVOR'S TRUST"  
AND TO CORRECT THE LEGAL DESCRIPTION.**

**THIS DOCUMENT WAS PREVIOUSLY RECORDED AS  
INSTRUMENT NUMBER 2013-006921."**

Attached to this coversheet is the original Warranty Deed (consisting of a total of five pages, including a three-page Exhibit "A"), recorded on June 26, 2013, in Polk County, Oregon, as instrument number 2013-006921. Immediately following said deed is attached a new Exhibit "A" (consisting of three pages), which corrects and clarifies the legal description of the real property conveyed by this deed. Said three pages of corrected Exhibit "A" are marked, in the lower right hand corner of each such page, as "Corrected Exhibit A".

**Grantors:** Steven L. Hamilton, as Trustee of, and for the benefit of the Louis Hamilton Family Trust, dated January 11, 2006, as to an undivided one-half interest; and  
Steven L. Hamilton, as Trustee of, and for the benefit of the Dorothy Hamilton Survivor's Trust (formerly known as the Survivor's Trust), dated January 11, 2006, as to an undivided one-half interest, all as tenants in common.

**Grantee:** Hamilton Farms, LLC, an Oregon limited liability company

**Consideration:** The true and actual consideration for this conveyance is other property or value given or promised.

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S-88102

WARRANTY DEED

\*(formerly known as the Survivor's Trust)

Steven L. Hamilton, Trustee of, and for the benefit of the Louis Hamilton Family Trust, dated January 11, 2006, as to an undivided one-half interest, and Steven L. Hamilton, as Trustee of, and for the benefit of the Dorothy Hamilton Survivor's Trust, dated January 11, 2006, as to an undivided one-half interest, all as tenants in common, Grantors, warrant and convey to Hamilton Farms, LLC, an Oregon limited liability company, Grantee, the following described real property:

SEE "EXHIBIT A" attached hereto  
Tax Account Nos. 219497, 219778, 219835, 223218, 220080, 220093, 341981, 418016, 418029, 480523  
Subject to no encumbrances.

The true and actual consideration for this conveyance is other property or value given or promised.

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEE AND GRANTEE'S HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE AMOUNT, NATURE AND TERMS OF ANY RIGHT OR INDEMNIFICATION AVAILABLE TO GRANTORS UNDER ANY TITLE INSURANCE POLICY, AND GRANTORS SHALL HAVE NO LIABILITY OR OBLIGATION EXCEPT TO THE EXTENT THAT REIMBURSEMENT FOR SUCH LIABILITY OR OBLIGATION IS AVAILABLE TO GRANTORS UNDER ANY SUCH TITLE INSURANCE POLICY.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 25 day of June, 2013.

*Steven L. Hamilton Trustee*  
Steven L. Hamilton, Trustee  
Louis Hamilton Family Trust U/A 1-11-06

*Steven L. Hamilton Trustee*  
Steven L. Hamilton, Trustee  
Dorothy Hamilton Survivor's Trust U/A 1-11-06  
(fka Survivor's Trust U/A 1-11-06)

STATE OF OREGON )  
) ss.  
County of Marion

\*(formerly known as the Survivor's Trust).

The forgoing instrument was acknowledged before me this 25 day of June, 2013 by Steven L. Hamilton, as Trustee of the Louis Hamilton Family Trust, and as Trustee of the Dorothy Hamilton Survivor's Trust.\*\*

RECORDED IN POLK COUNTY 2013-006921  
Valerie Unger, County Clerk 06/26/2013 11:02:22 AM  
REG-WD Cnt=1 Str=1 K. WILLIAMS \$61.00  
R20.00 \$11.00 \$10.00 \$5.00 \$15.00

*Laurie E. Andreas*  
Notary Public for Oregon  
My Commission expires: 5/11/16

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AFTER RECORDING,  
RETURN TO:  
Churchill, Leonard  
PO Box 804  
Salem, OR 97308

UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO:  
Hamilton Farms, LLC  
14190 Airlie Rd.  
Monmouth, OR 97361

Page 1 - WARRANTY DEED  
DWL12592 deed Hamilton Farms.dawnp/h23

Churchill Leonard Lawyers  
PO Box 804, Salem, OR 97308  
(503) 585-2255



2/9

Fidelity National Title of Oregon FT 1300 42099

WARRANTY DEED

\*(formerly known as the Survivor's Trust)

Steven L. Hamilton, Trustee of, and for the benefit of the Louis Hamilton Family Trust, dated January 11, 2006, as to an undivided one-half interest, and Steven L. Hamilton, as Trustee of, and for the benefit of the Dorothy Hamilton Survivor's Trust, dated January 11, 2006, as to an undivided one-half interest, all as tenants in common, Grantors, warrant and convey to Hamilton Farms, LLC, an Oregon limited liability company, Grantee, the following described real property:

SEE "EXHIBIT A" attached hereto  
Tax Account Nos. 219497, 219778, 219835, ~~223218~~, 220080, 220093, 341981,  
418016, 418029, 480523  
Subject to no encumbrances.

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The true and actual consideration for this conveyance is other property or value given or promised.

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEE AND GRANTEE'S HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE AMOUNT, NATURE AND TERMS OF ANY RIGHT OR INDEMNIFICATION AVAILABLE TO GRANTORS UNDER ANY TITLE INSURANCE POLICY, AND GRANTORS SHALL HAVE NO LIABILITY OR OBLIGATION EXCEPT TO THE EXTENT THAT REIMBURSEMENT FOR SUCH LIABILITY OR OBLIGATION IS AVAILABLE TO GRANTORS UNDER ANY SUCH TITLE INSURANCE POLICY.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 25 day of June, 2013.

Fidelity National Title of Oregon FT 130042099

Steven L. Hamilton Trustee  
Steven L. Hamilton, Trustee  
Louis Hamilton Family Trust U/A 1-11-06

Steven L. Hamilton Trustee  
Steven L. Hamilton, Trustee  
Dorothy Hamilton Survivor's Trust U/A 1-11-06  
(fka Survivor's Trust U/A 1-11-06)

STATE OF OREGON            )  
  ) ss.  
County of Marion         )

The forgoing instrument was acknowledged before me this 25 day of June, 2013 by Steven L. Hamilton, as Trustee of the Louis Hamilton Family Trust, and as Trustee of the Dorothy Hamilton Survivor's Trust. \*\*  
\*\*(formerly known as the Survivor's Trust).

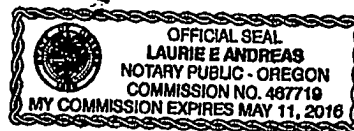
Laurie E. Andreas  
Notary Public for Oregon  
My Commission expires: 5/11/16

AFTER RECORDING,  
RETURN TO:  
Churchill, Leonard  
PO Box 804  
Salem, OR 97308

UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO:  
Hamilton Farms, LLC  
14190 Airlie Rd.  
Monmouth, OR 97361

Page 1 - WARRANTY DEED  
DHL\12582 deed Hamilton farms.doc\vp\la2

Churchill Leonard Lawyers  
PO Box 804, Salem, OR 97308  
(503) 585-2255



**EXHIBIT A**

**Parcel 1:**

The following is the description of a tract of land lying Northwesterly of County Road No. 956 and Northeasterly of Market Road No. 7 in Polk County, Oregon: Beginning at the intersection of the centerline of Market Road No. 7 and the centerline of County Road No. 956, said intersection is recorded as bearing South 48° 30' West 2,407.02 feet from the most Northerly corner of the Isaac Staats Donation Land Claim No. 66, Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, and running thence North 48° 30' East 2,345.24 feet along the centerline of County Road No. 956 to a point on the line parallel to and perpendicular a distance of 60.00 feet, measured Southwesterly, from a Southwesterly boundary line of that tract of land described in Volume 195, Page 301, Tract III, Polk County Record of Deeds, a 5/8 inch iron rod with aluminum caps bears North 55° 18' West 30.89 feet from said point; thence North 55° 18' West 2,180.13 feet along said line to a 5/8 inch iron rod with aluminum cap; thence South 31° 24' 08" West 2,168.45 feet to a point on said centerline of Market Road No. 7 to a 5/8 inch iron rod with aluminum cap bears North 31° 24' 08" East 30.27 feet from said point; thence South 50° 59' 30" East 1,500.00 feet along said centerline to Market Road No. 7 to the point of beginning.

**SAVE AND EXCEPT** that portion of the above described tract of land lying within County Road No. 956 and Market Road No. 7.

**ALSO SAVE AND EXCEPT:**

Beginning at the intersection of the centerline of Market Road No. 7 and the centerline of County Road No. 956, said intersection is recorded as bearing South 48° 30' West, 2407.02 feet from the most Northerly corner of the Isaac Staats Donation Land Claim No. 66, Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, and running thence North 50° 59' 21" West, 320.28 feet to a point in the center of said Market Road No. 7; thence North 48° 30' East, parallel with the center of said County Road No. 956 a distance of 766.49 feet to an iron rod; thence South 50° 59' 21" East parallel with said Market Road No. 7 a distance of 320.28 feet to the center of said County Road No. 956; thence South 48° 30' West, 766.49 feet to the point of beginning.

**Parcel 2:**

A part of the D.L.C. of Lewis S. Parrott and Amy his wife, Not. No. 2688, Claim No. 67, in Township 9 South, Range 5 West of the Willamette Meridian, more particularly described as beginning at the most Westerly angle corner on the East boundary line of said D.L.C. (which angle corner is the Northeast corner of the Southwest quarter of Section 28, in said Township and Range) and running thence West 19.30 chains to an iron pipe; thence South 25.51 chains to an iron pipe on the North side of the County Road; thence North 86° 45' West along said Road 10.40 chains to an iron pipe in said Road; thence West 17.92 chains to an iron pipe on the West boundary line of said D.L.C.; thence South 6° West on said West boundary line 21.54 chains; thence South 55° 15' East 60.35 chains to the Southeast corner of said D.L.C.; thence North 15° East 80.30 chains to the place of beginning.

**SAVE AND EXCEPT** that portion of said land described in Release of Mortgage recorded April 10, 1972, in Volume 28, Page 674, Book of Records for Polk County, Oregon.

**Parcel 3:**

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**DEC 14 2017**

**OWRD**

FDOR0212.rdw

RECEIVED  
DEC 14 2017  
OWRD

That portion of the following described tract of land lying West of the North and South center line of Section 28, Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; Beginning at the Northeast corner of the Donation Land Claim of Lewis S. Parrott and Amy Parrott, his wife, Notification No. 2688, Claim No. 67, in Township 9 South, Range 5 West of the Willamette Meridian; and running thence South 40 chains; thence West 86.18 chains, more or less, to the West boundary line of said Claim; thence North 6° East along said West boundary line 41.93 chains more or less, to the Northwest corner of said Claim; thence South 89° 56' East 80.97 chain to the place of beginning.

SAVE AND EXCEPT that portion of said land described in Release of Mortgage recorded April 10, 1972, in Volume 28, Page 674, Book of Records for Polk County, Oregon.

Parcel 4:

A part of the Donation Land Claim No. 67 of Lewis S. Parrott and Amy Parrott, his wife Notification No. 2688, Claim No. 67, in Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon, more particularly described as beginning at a point which is 17.44 chains South 6° West from the Northeast corner of the James E. Williams Donation Land Claim No. 68, in said Township and Range; and running thence South 6° West along the West boundary of said Parrott Donation Land Claim 24.38 chains; thence East 17.85 chains to the center of the County Road; thence South 86° 45' East along the center of the County Road 10.40 chains; thence North 25.51 chains to the center line of said Section 28, in said Township and Range; thence West along said center line of said Section 28, 25.50 chains to the place of beginning.

SAVE AND EXCEPT:

That portion of said land described in Release of Mortgage recorded April 10, 1972, in Volume 28, Page 674, Book of Records for Polk County, Oregon.

Parcel 5:

That portion of the said Donation Land Claim of Isaac Staats and wife, beginning at a point South 77° 38' East 26.18 chains from the West corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; and the true place of beginning; thence Southeasterly along said road to point 750 feet Southeasterly from the place of beginning; thence South 49° West to an intersection with the Easterly line of the first parcel described in that certain agreement recorded in Volume 9, Page 688, Miscellaneous Records for Polk County, Oregon; thence Northerly along the East line of said parcel to the most Northerly corner thereof; thence North 49° East to the place of beginning.

Parcel 6:

That portion of the East half of the Donation Land Claim of Isaac and Orlena M. Staats, his wife, Not. No. 2469, Claims No. 66 and 43 in Township 9 and 10 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, beginning at a point which is South 55° 15' East 23.18 chains from the North corner of said Claim; thence South 49° West 17.98 chains to the division line of said Claim; thence South with said line 19.92 chains; thence North 51° 30' East 35.62 chains to the boundary of said Claim; thence North 55° 15' West with said boundary 17.69 chains to the place of beginning.

Parcel 7:

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52° 30' West 47.60 chains along the line of E.E. Staats tract to the



center of the County Road; thence North 40° 30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

**Parcel 8:**

Beginning at the Southwest corner of the land of Oriena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point which is North 77° 38' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running thence North to the center of the public County Road leading from Airlie to Corvallis; thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and thence South 49° West to the place of beginning.

**Parcel 9:**

That portion of said Donation Land Claim of Isaac Staats and wife, beginning at a point South 77° 38' East 26.18 chains from the west corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; thence on said Road South 41° East 2.00 chains; thence North 49° East 20.50 chains to the division line of said Claim; thence South with said division line 54.00 chains to the boundary of said Claim; thence North 77° 38' West 52.49 chains to the place of beginning.

**SAVE AND EXCEPT:**

That portion conveyed by deed recorded September 15, 1976 in Polk County, Oregon, at Book 94, Page 773, said real property being described as :

Beginning at a point on the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon; said point being South 77° 38' East 26.18 chains from the most Westerly corner of said Claim; thence North 49° 00' East; 2476.0 feet to an iron pipe; thence South 3° 15' West 931.5 feet to an iron pipe; thence South 34° 08' East 245.2 feet, to an iron pipe; thence South 66° 28' East 663.9 feet to an iron pipe; thence South 45° 47' West 344.3 feet; to an iron pipe; thence South 37° 01' East 203.7 feet to an iron pipe ; thence North 78° 43' East 395.0 feet to an iron pipe; thence South 35° 13' East 530.5 feet to a point on the Westerly boundary of that certain tract of land conveyed to Lillian E. Williams, in Volume 133, Page 492, Deed Records of Polk County; thence South 52° 48' West along the boundary of said Williams Tract, to the Southerly boundary of the Isaac Staats Donation Land Claim; thence North 77° 38' West along the Southerly boundary of said Staats Donation Land Claim to the place of beginning.

TOGETHER WITH an easement 30 feet in width adjacent to and along the Westerly boundary of the above mentioned Williams Tract for the purpose of ingress and egress of the above described tract, from Polk County Market Road No. 7.

**ALSO:**

Beginning at a point which is South 10.00 chains and East 22.15 chains from the South 1/4 corner of Sections 31 and 32, Township 9 South, Range 5 West of the Willamette Meridian, in Polk County, Oregon; thence East 57.85 chains to the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in said Township and Range; thence North 77° 38' West along the Southerly boundary of the Staats Claim to a point which is South 77° 38' East 26.18 chains from the most Westerly corner of said Claim; thence South 49° 00' West 14.80 chains to the place of beginning.

RECEIVED

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OWRD

RECEIVED

DEC 14 2017

OWRD

**CORRECTED EXHIBIT A**

**Parcel 1:**

The following is the description of a tract of land lying Northwesterly of County Road No. 956 and Northeasterly of Market Road No. 7 in Polk County, Oregon: Beginning at the intersection of the centerline of Market Road No. 7 and the centerline of County Road No. 956, said intersection is recorded as bearing South 48° 30' West 2,407.02 feet from the most Northerly corner of the Isaac Staats Donation Land Claim No. 66, Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, and running thence North 48°30' East 2,345.24 feet along the centerline of County Road No. 956 to a point on the line parallel to and perpendicular a distance of 60.00 feet, measured Southwesterly, from a Southwesterly boundary line of that tract of land described in Volume 195, Page 301, Tract III, Polk County Record of Deeds, a 5/8 inch iron rod with aluminum caps bears North 55° 18' West 30.89 feet from said point; thence North 55° 18' West 2,180.13 feet along said line to a 5/8 inch iron rod with aluminum cap; thence South 31° 24' 08" West 2,168.45 feet to a point on said centerline of Market Road No. 7 to a 5/8 inch iron rod with aluminum cap bears North 31° 24' 08" East 30.27 feet from said point; thence South 50° 59' 30" East 1,500.00 feet along said centerline to Market Road No. 7 to the point of beginning.

SAVE AND EXCEPT that portion of the above described tract of land lying within County Road No. 956 and Market Road No. 7.

**ALSO SAVE AND EXCEPT:**

Beginning at the intersection of the centerline of Market Road No. 7 and the centerline of County Road No. 956, said intersection is recorded as bearing South 48° 30' West, 2407.02 feet from the most Northerly corner of the Isaac Staats Donation Land Claim No. 66, Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, and running thence North 50° 59' 21" West, 320.28 feet to a point in the center of said Market Road No. 7; thence North 48° 30' East, parallel with the center of said County Road No. 956 a distance of 766.49 feet to an iron rod; thence South 50° 59' 21" East parallel with said Market Road No. 7 a distance of 320.28 feet to the center of said County Road No. 956; thence South 48° 30' West, 766.49 feet to the point of beginning.

**Parcel 2:**

A part of the D.L.C. of Lewis S. Parrott and Amy his wife, Not. No. 2688, Claim No. 67, in Township 9 South, Range 5 West of the Willamette Meridian, more particularly described as beginning at the most Westerly angle corner on the East boundary line of said D.L.C. (which angle corner is the Northeast corner of the Southwest quarter of Section 28, in said Township and Range) and running thence West 19.30 chains to an iron pipe; thence South 25.51 chains to an iron pipe on the North side of the County Road; thence North 86° 45' West along said Road 10.40 chains to an iron pipe in said Road; thence West 17.92 chains to an iron pipe on the West boundary line of said D.L.C.; thence South 6° West on said West boundary line 21.54 chains; thence South 55° 15' East 60.35 chains to the Southeast corner of said D.L.C.; thence North 15' East 80.30 chains to the place of beginning.

SAVE AND EXCEPT that portion of said land described in Release of Mortgage recorded April 10, 1972, in Volume 28, Page 674, Book of Records for Polk County, Oregon.

**Parcel 3:**

That portion of the following described tract of land lying West of the North and South center line of Section 28, Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; Beginning at the Northeast corner of the Donation Land Claim of Lewis S. Parrott and Amy Parrott, his wife, Notification No. 2688, Claim No. 67, in Township 9 South, Range 5 West of the Willamette Meridian; and running thence South 40 chains; thence West 88.16 chains, more or less, to the West boundary line of said Claim; thence North 6° East along said West boundary line 41.93 chains more or less, to the Northwest corner of said Claim; thence South 89° 58' East 80.97 chain to the place of beginning.

SAVE AND EXCEPT that portion of said land described in Release of Mortgage recorded April 10, 1972, in Volume 28, Page 674, Book of Records for Polk County, Oregon.

7/9

Parcel 4:

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Parcel 6:

That portion of the East half of the Donation Land Claim of Isaac and Orlena M. Staats, his wife, Not. No. 2469, Claims No. 66 and 43 in Township 9 and 10 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, beginning at a point which is South 55° 15' East 23.18 chains from the North corner of said Claim; thence South 49° West 17.98 chains to the division line of said Claim; thence South with said line 19.92 chains; thence North 51° 30' East 35.62 chains to the boundary of said Claim; thence North 55° 15' West with said boundary 17.69 chains to the place of beginning.

Parcel 7:

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52°30' West 47.60 chains along the line of E.E. Staats tract to the center of the County Road; thence North 40° 30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

Parcel 8:

Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point which is North 77° 38' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running thence North to the center of the public County Road leading from Airlie to Corvallis; thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and thence South 49° West to the place of beginning.

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Corrected Exhibit A  
Page 2 of 3

8/9

**Parcel 9:**

That portion of said Donation Land Claim of Isaac Staats and wife, beginning at a point South 77° 38' East 26.18 chains from the west corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; thence on said Road South 41° East 2.00 chains; thence North 49° East 20.50 chains to the division line of said Claim; thence South with said division line 54.00 chains to the boundary of said Claim; thence North 77° 38' West 52.49 chains to the place of beginning.

**SAVE AND EXCEPT:**

That portion conveyed by deed recorded September 15, 1976 in Polk County, Oregon, at Book 94, Page 773, said real property being described as :

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TOGETHER WITH an easement 30 feet in width adjacent to and along the Westerly boundary of the above mentioned Williams Tract for the purpose of ingress and egress of the above described tract, from Polk County Market Road No. 7.

**ALSO:**

Beginning at a point which is South 10.00 chains and East 22.15 chains from the South 1/4 corner of Sections 31 and 32, Township 9 South, Range 5 West of the Willamette Meridian, in Polk County, Oregon; thence East 57.85 chains to the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in said Township and Range; thence North 77° 38' West along the Southerly boundary of the Staats Claim to a point which is South 77° 38' East 26.18 chains from the most Westerly corner of said Claim; thence South 49° 00' West 14.80 chains to the place of beginning.

FURTHER SAVE AND EXCEPT from Parcel 9 that portion of the above described parcel deeded to Louis E. Hamilton and Dorothy D. Hamilton recorded on April 9, 1980 in Book of Records Book 148, Page 281, Polk County, Oregon.

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DEC 14 2017

OWRD

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

2017-005194



\$91.00

05/01/2017 04:36:51 PM

REC-D Cnt=1 Stn=1 C. PARIS  
\$45.00 \$10.00 \$11.00 \$20.00 \$5.00

**PROPERTY LINE ADJUSTMENT DEED**

HAMILTON S FARMS, an Oregon partnership, "Grantor," is the owner of real property located in Polk County, Oregon, referred to herein as "Parcel 1," and more particularly described in Exhibit A, attached hereto and incorporated by this reference. HAMILTON FARMS, LLC, an Oregon limited liability company, "Grantee," is the owner of the real property located in Polk County Oregon, referred to herein as "Parcel 2," more particularly described in Exhibit B, attached hereto and incorporated by this reference.

The purpose of this Property Line Adjustment Deed (the "Deed") is to affect a property line adjustment between Parcel 1 and Parcel 2 such that Parcel 1 will be reduced in size by 134.34 acres, more or less, and will hereafter consist of only the land described on Exhibit D ("Adjusted Parcel 1"), attached hereto and incorporated by this reference; and Parcel 2 will be increased in size by 134.34 acres, more or less, and will hereafter consist of the land more particularly described on Exhibit E ("Adjusted Parcel 2"), attached hereto and incorporated by this reference.

Now, therefore, in order to affect the property line adjustment and to create the reconfigured properties as described on Exhibit D and Exhibit E, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Union County, Oregon, described on Exhibit C (the "Transferred Property"), attached hereto and incorporated by this reference.

The true and actual consideration for this transfer, is other value given or promised, the receipt and sufficiency of which are hereby acknowledged by Grantor. The purpose of this Deed is to affect a property line adjustment, and the two properties are to remain separate and distinct. Grantor and Grantee acknowledge and agree the purpose and intent of this Deed is to satisfy the conditions of approval for Polk County Property Line Adjustment LLA 17-12, Effective Date April 13, 2017.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 1<sup>st</sup> day of April, 2017.

**GRANTOR:**

Hamilton S Farms, a partnership

By: Steve Hamilton  
Steve Hamilton, Manager  
Hamilton Farms, LLC, Partner

**GRANTEE:**

Hamilton Farms, LLC  
an Oregon limited liability company

By: Steve Hamilton  
Steve Hamilton, Manager

[Notary blocks on next page.]

After Recording, Return To:  
Churchill Leonard Lawyers  
P.O. Box 804  
Salem, OR 97308

Send Tax Statements to:  
No Change

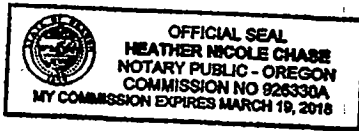
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DEC 14 2017  
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5-88402

1/a

STATE OF OREGON )  
 ) ss.  
County of Polk )

On this 1<sup>st</sup> day of ~~April~~ <sup>May</sup>, 2017, personally appeared Steve Hamilton, Manager of Hamilton Farms, LLC, as Partner, on behalf of Hamilton S Farms, an Oregon partnership, who being duly sworn, did acknowledge the foregoing instruction to be its voluntary act and deed. Before me:



Heather N Chase  
Notary Public for Oregon  
My Commission expires: March 19 2018

STATE OF OREGON )  
 ) ss.  
County of Polk )

On this 1<sup>st</sup> day of ~~April~~ <sup>May</sup>, 2017, personally appeared Steve Hamilton, Manager of Hamilton Farms, LLC, an Oregon limited liability company, who being duly sworn, did acknowledge the foregoing instruction to be its voluntary act and deed. Before me:



Heather N Chase  
Notary Public for Oregon  
My Commission expires: March 19 2018

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EXHIBIT A:"Parcel 1"

## Parcel 7:

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52° 30' West 47.60 chains along the line of E.E Staats tract to the center of the County Road; thence North 40° 30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

## ALSO:

## Parcel 9:

That portion of said Donation Land Claim of Isaac Staats and wife. Beginning at a point South 77° 38' East 26.18 chains from the west corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; thence on said Road South 41° East 2.00 chains; thence North 49° East 20.50 chains to the division line of said Claim; thence South with said division line 54.00 chains to the boundary of said claim; thence North 77° 38' West 52.49 chains to the place of beginning.

## SAVE AND EXCEPT:

That portion conveyed by deed recorded September 15, 1976 in Polk County, Oregon, at Book 94, Page 773, said real property described as:

Beginning at a point on the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon; said point being South 77° 38' East 26.18 chains from the most westerly corner of said Claim; thence North 49° 00' East; 2476.0 feet to an iron pipe; thence South 3° 15' West 931.5 feet to an iron pipe; thence South 34° 08' East 245.2 feet, to an iron pipe; thence South 66° 28' East 663.9 feet to an iron pipe; thence South 45° 47' West 344.3 feet; to an iron pipe; thence South 37° 01' East 203.7 feet to an iron pipe; thence North 78° 43' East 395.0 feet to an iron pipe; thence South 35° 13' East 530.5 feet to a point on the Westerly boundary of that certain tract of land conveyed to Lillian E. Williams, in Volume 133, Page 492, Deed Records of Polk County; thence South 52° 46' West along the boundary of said Williams Tract, to the Southerly boundary of the Isaac Staats Donation Land Claim; thence North 77° 38' West along the Southerly boundary of said Staats Donation land Claim to the place of beginning.

TOGETHER WITH an easement 30 feet in width adjacent to and along the Westerly boundary of the above mentioned Williams Tract for the purpose of ingress and egress of the above described tract, from Polk County market Road No. 7.

## Parcel 8:

Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point which is North 77° 36' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running Thence North to the center of the public County Road leading from Airlie to Corvallis; Thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and Thence South 49° West to the Place of beginning.

ALSO: A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the Northwest Quarter of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; THENCE along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet to the true point of beginning; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline N 39°51'45"W 98.88 feet to the Hamilton-Dake northwesterly line; thence along the Hamilton-Dake northwesterly line; S 52°06'07"W 1078.94 feet to the point of beginning, containing 1.22 acres, more or less; Excepting 0.06 acres lying within the right-of-way of Airlie Road.

SAVE AND EXCEPT: A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; Containing 3.19 acres, more or less.

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**EXHIBIT B:**

**"Parcel 2"**

**Parcel 6:**

That portion of the East half of the Donation Land Claim of Isaac and Orlena M. Staats, his wife, Not. No. 2469, Claims No. 66 and 43 in township 9 and 10 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, beginning at a point which is South 55° 15' East 23.18 chains from the North corner of said Claim; thence South 49° West 17.98 chains to the division line of said Claim; thence South with said line 19.92 chains; thence North 51° 30' East 35.62 chains to the boundary of said Claim; thence North 55° 15' West with said boundary 17.69 chains to the place of beginning.

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**EXHIBIT C:**

**"Transferred Property"**

Parcel 7:

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52° 30' West 47.60 chains along the line of E.E Staats tract to the center of the County Road; thence North 40° 30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

ALSO:

Parcel 9:

That portion of said Donation Land Claim of Isaac Staats and wife. Beginning at a point South 77° 38' East 26.18 chains from the west corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; thence on said Road South 41° East 2.00 chains; thence North 49° East 20.50 chains to the division line of said Claim; thence South with said division line 54.00 chains to the boundary of said claim; thence North 77° 38' West 52.49 chains to the place of beginning.

SAVE AND EXCEPT:

That portion conveyed by deed recorded September 15, 1976 in Polk County, Oregon, at Book 94, Page 773, said real property described as:

Beginning at a point on the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon; said point being South 77° 38' East 26.18 chains from the most westerly corner of said Claim; thence North 49° 00' East; 2476.0 feet to an iron pipe; thence South 3° 15' West 931.5 feet to an iron pipe; thence South 34° 08' East 245.2 feet; to an iron pipe; thence South 66° 28' East 663.9 feet to an iron pipe; thence South 45° 47' West 344.3 feet; to an iron pipe; thence South 37° 01' East 203.7 feet to an iron pipe; thence North 78° 43' East 395.0 feet to an iron pipe; thence South 35° 13' East 530.5 feet to a point on the Westerly boundary of that certain tract of land conveyed to Lillian E. Williams, in Volume 133, Page 492, Deed Records of Polk County; thence South 52° 46' West along the boundary of said Williams Tract, to the Southerly boundary of the Isaac Staats Donation Land Claim; thence North 77° 38' West along the Southerly boundary of said Staats Donation land Claim to the place of beginning.

TOGETHER WITH an easement 30 feet in width adjacent to and along the Westerly boundary of the above mentioned Williams Tract for the purpose of ingress and egress of the above described tract, from Polk County market Road No. 7.

ALSO:

Beginning at a point which is South 10.00 chains and East 22.15 chains from the South ¼ corner of Sections 31 and 32, Township 9 South, Range 5 West of the Willamette Meridian, in Polk County, Oregon; thence East 57.85 chains to the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in said Township and Range; thence North 77° 38' West along the Southerly boundary of the Staats Claim to a point which is South 77° 38' East 26.18 chains from the most Westerly corner of said Claim; thence South 49° 00' West 14.80 chains to the place of beginning.

FURTHER SAVE AND EXCEPT from Parcel 9 that portion of the above described as parcel deeded to Louis E. Hamilton and Dorothy D. Hamilton recorded on April 9, 1980 in Book of Records Book 148, page 281, Polk County, Oregon.

Parcel 8:

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Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point wch is North 77° 36' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running Thence North to the center of the public County Road leading from Airlie to Corvallis; Thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and Thence South 49° West to the Place of beginning.

ALSO: A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the Northwest Quarter of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; thence along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet to the true point of beginning; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline N 39°51'45"W 98.88 feet to the Hamilton-Dake northwesterly line; thence along the Hamilton-Dake northwesterly line; S 52°06'07"W 1078.94 feet to the point of beginning, containing 1.22 acres, more or less; Excepting 0.06 acres lying within the right-of-way of Airlie Road.

SAVE AND EXCEPT: A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; Containing 3.19 acres, more or less.

ALSO SAVE AND EXCEPT: A portion of "Parcel 9" of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a point in the centerline of County Road No. 8620 (Airlie Road) where it intersects the west line of said "Parcel 9" lying N 20°04'36"W 2109.42 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, also lying N 48°52'13"E 30.36 feet from a 3/4" iron pipe; thence along said centerline, on the arc of a 1909.86 foot radius curve right (Long Chord = S 44°53'13"E 334.54 feet) 334.97 feet; thence continuing S 39°51'45"E 647.57 feet; thence leaving said centerline, S 62°32'09"W 1335.29 feet to a 1/2" pipe on the Hamilton Farms southwest line; thence N 03°15'00"E 931.50 feet to an iron pipe on the Hamilton Farms west line; thence N 48°52'13"E 638.39 feet to the point of beginning; containing 19.72 acres, more or less.

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**EXHIBIT D:**

**"Adjusted Parcel 1"**

**RESULTANT PROPERTY 1**

A portion of "Parcel 9" of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a point in the centerline of County Road No. 8620 (Airlie Road) where it intersects the west line of said "Parcel 9" lying N 20°04'36"W 2109.42 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, also lying N 48°52'13"E 30.36 feet from a 3/4" iron pipe; thence along said centerline, on the arc of a 1909.86 foot radius curve right (Long Chord = S 44°53'13"E 334.54 feet) 334.97 feet; thence continuing S 39°51'45"E 647.57 feet; thence leaving said centerline, S 62°32'09"W 1335.29 feet to a 1/2" pipe on the Hamilton Farms southwest line; thence N 03°15'00"E 931.50 feet to an iron pipe on the Hamilton Farms west line; thence N 48°52'13"E 638.39 feet to the point of beginning; containing 19.72 acres, more or less.

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**EXHIBIT E:**

**"Adjusted Parcel 2"**

**RESULTANT PROPERTY 2**

A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records AND a portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying in all Quarters of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, AND in the Northeast Quarter of Section 5 and Northwest Quarter of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a point in the centerline of County Road No. 8620 (Airlie Road) where it intersects the west line of said "Parcel 9" lying N 18°18'14"W 1993.67 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, also lying N 48°52'13"E 30.36 feet and S 47°55'52"E 132.00 feet from a 3/4" iron pipe; THENCE along the Hamilton Farms west line, N 49°00'00"E 2539.68 feet to a point on the north line of the Isaac Staats DLC No. 43, lying S 55°15'E 23.18 chains from the North corner of said Claim; thence along said North Claim line, S 55°15'00"E 2273.70 feet to a point lying N 55°15'W 32.30 chains from the East Corner of said Staats Claim; thence along the Southeasterly line of Parcel 7 of said Hamilton Farms Document, S 52°30'00"W 3134.39 feet to the centerline of said County Road 8620 (Airlie Rd.); thence along said centerline S 39°51'45"E 471.89 feet; thence leaving said centerline, S 57°19'08"W 1086.84 feet to the most Southerly corner of Parcel 9 of said Hamilton Farms document; thence along the westerly line of said Parcel 9, N 35°26'52"W 537.82 feet to a 1/2" iron pipe; thence continuing, S 78°41'23"W 393.93 feet to a 1/2" iron pipe; thence continuing, N 38°00'31"W 203.70 feet to a 1/2" iron pipe; THENCE continuing, N 46°06'22"E 344.30 feet to a 1/2" iron pipe; thence continuing, N 66°31'37"W 658.98 feet to a 1/2" iron pipe; thence continuing, N 34°08'00"W 245.20 feet to a 1/2" iron pipe; thence leaving said west line, N 62°32'09"E 1335.29 feet to said centerline of County Road 8620 (Airlie Road); thence along said centerline, N 39°51'45"W 647.57 feet; thence on the arc of a 1909.86 foot radius curve left (Long Chord = N 42°54'23"W 202.84 feet) 202.94 feet to the point of beginning.

**SAVE AND EXCEPT the following:** A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; Containing 3.19 acres, more or less.

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RECORDING REQUESTED BY:  
**TICOR TITLE COMPANY**

1433 SW 6th Avenue  
Portland, OR 97201

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AFTER RECORDING RETURN TO:  
Order No.: 471817060106-KO  
Matthew L. Hamilton and Esther R. Hamilton  
14080 Airlie Rd.  
Monmouth, OR 97361

SEND TAX STATEMENTS TO:  
Matthew L. Hamilton and Esther R. Hamilton  
14080 Airlie Rd.  
Monmouth, OR 97361

APN: 341981  
Map: 09532-00-01402

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk  
2017-008550  
07/19/2017 01:18:55 PM  
REC-WD Cnt=1 Str=0 C. PARIS  
\$15.00 \$11.00 \$10.00 \$20.00 \$5.00 \$61.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Hamilton S Farms, a Partnership, Grantor, conveys and warrants to Matthew L. Hamilton and Esther R. Hamilton, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Polk, State of Oregon:

A portion of "Parcel 9" of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying the Southeast Quarter of Section 32, Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at point in the centerline of County Road No. 8620 (Airlie Road) where it intersects the West line of said "Parcel 9" lying North 20°04'36" West 2109.42 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West of the Willamette Meridian, also lying North 48°52'13" East 30.36 feet from a 3/4" iron pipe; thence along said centerline, on the arc of a 1909.86 foot radius curve right (long chord = South 44°53'13" East 334.54 feet) 334.97 feet; thence continuing South 39°51'45" East 647.57 feet; thence leaving said centerline, South 62°32'09" West 1335.29 feet to a 1/2" pipe on the Hamilton Farms Southwest line; thence North 03°15'00" East 931.50 feet to an iron pipe on the Hamilton Farms West line; thence North 48°52'13" East 638.39 feet to the Point of Beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS THREE HUNDRED TWELVE THOUSAND AND NO/100 DOLLARS (\$312,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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

TICOR TITLE - 471817060106

S-88402

**STATUTORY WARRANTY DEED**

(continued)

**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.**

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 7/18/17

Hamilton S Farms, a Partnership, by Hamilton Farms, LLC, an Oregon Limited Liability Company

BY: [Signature]  
Steve Hamilton, Manager

Hamilton S. Farms

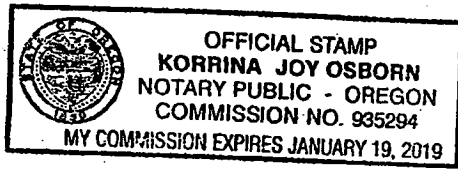
BY: [Signature]  
Steve Hamilton, Partner

State of OR  
County of Polk

This instrument was acknowledged before me on 7-18-17 by Steve Hamilton, Manager of Hamilton S. Farms A Partnership, by Hamilton Farms, LLC an Oregon Limited Liability Company and Partner of Hamilton S. Farms.

[Signature]  
Notary Public - State of Oregon

My Commission Expires: 1-19-19



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**EXHIBIT "A"**  
**Exceptions**

**Subject to:**

The Land has been classified as farm, 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 the limits of streets, roads and highways.

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

Granted to: Consumers Power, Inc.  
Purpose: as mentioned in said easement  
Recording Date: July 27, 1976  
Recording No: Book 91, Page 806  
Affects: Exact location not described

Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.

Tax Identification No.: 341981

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RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

2017-007118



\$91.00

00330080201700071180090083

06/15/2017 02:10:45 PM

REC-D Cnt=1 Stn=1 C. PARIS  
\$45.00 \$10.00 \$11.00 \$20.00 \$5.00

**PROPERTY LINE ADJUSTMENT DEED**

HAMILTON S FARMS, an Oregon partnership, "Grantor," is the owner of real property located in Polk County, Oregon, referred to herein as "Parcel 1," and more particularly described in Exhibit A, attached hereto and incorporated by this reference. HAMILTON B FARMS, an Oregon partnership, "Grantee," is the owner of the real property located in Polk County Oregon, referred to herein as "Parcel 2," more particularly described in Exhibit B, attached hereto and incorporated by this reference.

This deed is being recorded to correct and replace Property Line Adjustment Deed 2017-005193 recorded in Polk County, Oregon on May 1, 2017. The purpose of this Property Line Adjustment Deed (the "Deed") is to affect a property line adjustment between Parcel 1 and Parcel 2 such that Parcel 1 will be decreased in size by 3.19 acres, more or less, and will hereafter consist of only the land described on Exhibit D ("Adjusted Parcel 1"), attached hereto and incorporated by this reference; and Parcel 2 will be increased in size by 3.19 acres, more or less, and will hereafter consist of the land more particularly described on Exhibit E ("Adjusted Parcel 2"), attached hereto and incorporated by this reference.

Now, therefore, in order to affect the property line adjustment and to create the reconfigured properties as described on Exhibit D and Exhibit E, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Union County, Oregon, described on Exhibit C (the "Transferred Property"), attached hereto and incorporated by this reference.

The true and actual consideration for this transfer, is other value given or promised, the receipt and sufficiency of which are hereby acknowledged by Grantor. The purpose of this Deed is to affect a property line adjustment, and the two properties are to remain separate and distinct. Grantor and Grantee acknowledge and agree the purpose and intent of this Deed is to satisfy the conditions of approval for Polk County Property Line Adjustment LLA 17-11, Effective Date April 13, 2017.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 15 day of June, 2017.

**GRANTOR:**

Hamilton S Farms, a partnership

By: Steve Hamilton  
Steve Hamilton, Manager  
Hamilton Farms, LLC, Partner

**GRANTEE:**

Hamilton B Farms, a partnership

By: Steve Hamilton  
Steve Hamilton, Manager  
Hamilton Farms, LLC, Partner

[Notary blocks on next page.]

After Recording, Return To:  
Churchill Leonard Lawyers  
P.O. Box 8C4  
Salem, OR 97308

Send Tax Statements to:  
No Change

S-88402

1/a

STATE OF OREGON )  
County of Polk ) ss.

On this 15<sup>th</sup> day of June, 2017, personally appeared Steve Hamilton, Manager of Hamilton Farms, LLC, as Partner, on behalf of Hamilton S Farms, an Oregon partnership, who being duly sworn, did acknowledge the foregoing instruction to be its voluntary act and deed. Before me:



Heather N Chase  
Notary Public for Oregon  
My Commission expires: March 19 2018

STATE OF OREGON )  
County of Polk ) ss.

On this 15<sup>th</sup> day of June, 2017, personally appeared Steve Hamilton, Manager of Hamilton Farms, LLC, as Partner, on behalf of Hamilton B Farms, an Oregon partnership, who being duly sworn, did acknowledge the foregoing instruction to be its voluntary act and deed. Before me:



Heather N Chase  
Notary Public for Oregon  
My Commission expires: March 19 2018

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RECEIVED

DEC 14 2017

OWRD

EXHIBIT A:

"Parcel 1"

Parcel 9:

That portion of said Donation Land Claim of Isaac Staats and wife. Beginning at a point South 77° 38' East 26.18 chains from the west corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; thence on said Road South 41° East 2.00 chains; thence North 49° East 20.50 chains to the division line of said Claim; thence South with said division line 54.00 chains to the boundary of said claim; thence North 77° 38' West 52.49 chains to the place of beginning.

SAVE AND EXCEPT:

That portion conveyed by deed recorded September 15, 1976 in Polk County, Oregon, at Book 94, Page 773, said real property described as:

Beginning at a point on the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon; said point being South 77° 38' East 26.18 chains from the most westerly corner of said Claim; thence North 49° 00' East; 2476.0 feet to an iron pipe; thence South 3° 15' West 931.5 feet to an iron pipe; thence South 34° 08' East 245.2 feet, to an iron pipe; thence South 66° 28' East 663.9 feet to an iron pipe; thence South 45° 47' West 344.3 feet; to an iron pipe; thence South 37° 01' East 203.7 feet to an iron pipe; thence North 78° 43' East 395.0 feet to an iron pipe; thence South 35° 13' East 530.5 feet to a point on the Westerly boundary of that certain tract of land conveyed to Lillian E. Williams, in Volume 133, Page 492, Deed Records of Polk County; thence South 52° 46' West along the boundary of said Williams Tract, to the Southerly boundary of the Isaac Staats Donation Land Claim; thence North 77° 38' West along the Southerly boundary of said Staats Donation land Claim to the place of beginning.

TOGETHER WITH an easement 30 feet in width adjacent to and along the Westerly boundary of the above mentioned Williams Tract for the purpose of ingress and egress of the above described tract, from Polk County market Road No. 7.

ALSO:

Beginning at a point which is South 10.00 chains and East 22.15 chains from the South ¼ corner of Sections 31 and 32, Township 9 South, Range 5 West of the Willamette Meridian, in Polk County, Oregon; thence East 57.85 chains to the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in said Township and Range; thence North 77° 38' West along the Southerly boundary of the Staats Claim to a point which is South 77° 38' East 26.18 chains from the most Westerly corner of said Claim; thence South 49° 00' West 14.80 chains to the place of beginning.

FURTHER SAVE AND EXCEPT from Parcel 9 that portion of the above described as parcel deeded to Louis E. Hamilton and Dorothy D. Hamilton recorded on April 9, 1980 in Book of Records Book 148, page 281, Polk County, Oregon.

Parcel 8:

Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point wich is North 77° 38' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running Thence North to the center of the public County Road leading from Airlie to Corvallis; Thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and Thence South 49° West to the Place of beginning.

ALSO: A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the Northwest Quarter of Section 4,

Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; thence along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet to the true point of beginning; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline N 39°51'45"W 98.88 feet to the Hamilton-Dake northwesterly line; thence along the Hamilton-Dake northwesterly line; S 52°06'07"W 1078.94 feet to the point of beginning, containing 1.22 acres, more or less; Excepting 0.06 acres lying within the right-of-way of Airlie Road.

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DEC 14 2017  
OWRD

A/G

**EXHIBIT B:**

**"Parcel 2"**

**Parcel 7:**

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52° 30' West 47.60 chains along the line of E.E. Staats tract to the center of the County Road; thence North 40°30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

RECEIVED  
DEC 14 2017  
OWRD

5/1a

**EXHIBIT C:**

**"Transferred Property"**

A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; containing 3.19 acres, more or less.

RECEIVED  
DEC 14 2017  
OWRD

w/a

RECEIVED

DEC 14 2017

OWRD

EXHIBIT D:

"Adjusted Parcel 1"

Parcel 9:

That portion of said Donation Land Claim of Isaac Staats and wife. Beginning at a point South 77° 38' East 26.18 chains from the west corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; thence on said Road South 41° East 2.00 chains; thence North 49° East 20.50 chains to the division line of said Claim; thence South with said division line 54.00 chains to the boundary of said claim; thence North 77° 38' West 52.49 chains to the place of beginning.

SAVE AND EXCEPT:

That portion conveyed by deed recorded September 15, 1976 in Polk County, Oregon, at Book 94, Page 773, said real property described as:

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TOGETHER WITH an easement 30 feet in width adjacent to and along the Westerly boundary of the above mentioned Williams Tract for the purpose of ingress and egress of the above described tract, from Polk County market Road No. 7.

ALSO:

Beginning at a point which is South 10.00 chains and East 22.15 chains from the South ¼ corner of Sections 31 and 32, Township 9 South, Range 5 West of the Willamette Meridian, in Polk County, Oregon; thence East 57.85 chains to the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in said Township and Range; thence North 77° 38' West along the Southerly boundary of the Staats Claim to a point which is South 77° 38' East 26.18 chains from the most Westerly corner of said Claim; thence South 49° 00' West 14.80 chains to the place of beginning.

FURTHER SAVE AND EXCEPT from Parcel 9 that portion of the above described as parcel deeded to Louis E. Hamilton and Dorothy D. Hamilton recorded on April 9, 1980 in Book of Records Book 148, page 281, Polk County, Oregon.

Parcel 8:

Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point wich is North 77° 38' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running Thence North to the center of the public County Road leading from Airlie to Corvallis; Thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and Thence South 49° West to the Place of beginning.

ALSO: A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the Northwest Quarter of Section 4,

7/9

Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; thence along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet to the true point of beginning; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline N 39°51'45"W 98.88 feet to the Hamilton-Dake northwesterly line; thence along the Hamilton-Dake northwesterly line; S 52°06'07"W 1078.94 feet to the point of beginning, containing 1.22 acres, more or less; Excepting 0.06 acres lying within the right-of-way of Airlie Road.

**SAVE AND EXCEPT:**

A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; Containing 3.19 acres, more or less.

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**EXHIBIT E:**

**"Adjusted Parcel 2"**

Parcel 7:

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52° 30' West 47.60 chains along the line of E.E. Staats tract to the center of the County Road; thence North 40°30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

ALSO:

A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; Containing 3.19 acres, more or less.

RECEIVED

DEC 14 2017

OWRD

RECEIVED  
DEC 14 2017  
OWRD

WARRANTY DEED

Steven Lee Hamilton, individually, as to an undivided 20% interest, and Steven Lee Hamilton, Trustee of, and for the benefit of the Hamilton Family Trust, dated July 10, 1998, as to an undivided 80% interest, Grantors, convey and warrant to Hamilton Farms, LLC, an Oregon limited liability company, Grantee, all of their undivided interest in and to the following described real property:

SEE "EXHIBIT A" attached hereto  
Tax Account Numbers 219848 and 480536  
Subject to encumbrances shown on attached "EXHIBIT B"


The true and actual consideration for this conveyance is other property or value given or promised.

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEE AND GRANTEE'S HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE AMOUNT, NATURE AND TERMS OF ANY RIGHT OR INDEMNIFICATION AVAILABLE TO GRANTORS 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 GRANTORS UNDER ANY SUCH TITLE INSURANCE POLICY.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

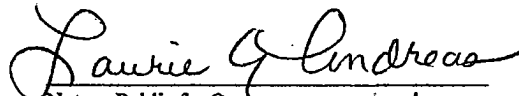
Dated this 21 day of Feb, 2014.

  
Steven Lee Hamilton

  
Steven Lee Hamilton, Trustee  
Hamilton Family Trust U/A 7/10/1998

STATE OF OREGON     )  
                                  ) ss.  
County of Marion     )

The forgoing instrument was acknowledged before me this 21<sup>st</sup> day of Feb, 2014, by Steven Lee Hamilton, individually, and as Trustee of the Hamilton Family Trust dated July 10, 1998.

  
Notary Public for Oregon  
My Commission expires: 5/11/16



AFTER RECORDING,  
RETURN TO:  
Churchill, Leonard  
PO Box 804  
Salem, OR 97308

UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO:  
Hamilton Farms, LLC  
14190 Airlie Rd. Monmouth, OR 97361

Page 1 - WARRANTY DEED  
dhl 12974 deed hamilton farms 1501 1503 / la

RECORDED IN POLK COUNTY     2014-001494  
Valerie Unger, County Clerk



00282259201400014940030034

\$61.00

02/24/2014 04:39:50 PM

REC-WD     Cnt=1     Stn=1     K. WILLIAMS  
\$15.00 \$10.00 \$11.00 \$20.00 \$5.00

5-888482

1/3

**EXHIBIT A**

Beginning at the most Northerly corner of the Isaac Staats and wife Donation Land Claim No. 66, in Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; thence South 55°15' East 1533.84 feet to a point; thence South 49°00' West 2539.68 feet; thence North 41°00' West 132 feet; thence South 49°00' West 1250 feet; thence North 51°10' West parallel to County Market Road No. 7, 1401.84 feet, more or less, to the Northwesterly boundary line of the said Staats Donation Land Claim; thence North 49°00' East along said Northwesterly line 3657.02 feet, more or less, to the place of beginning.

SAVE AND EXCEPT that portion of said land described in Partial Release of Mortgage recorded May 30, 1972 in Volume 30, page 383, Book of Records for Polk County, Oregon.

SAVE AND EXCEPT an easement 30 feet in width running from the intersection of the Northwesterly boundary of the said Staats Donation Land Claim and center of County Market Road No. 7, South 49°00' West 1250 feet, more or less to the most Westerly corner of the herein described tract. Said easement to run parallel to and 30 feet from the Northwesterly boundary of the said Staats Donation Land Claim.

ALSO SAVE AND EXCEPT all that portion of the herein described tracts of land lying within the boundaries of roads and highways.

SAVE AND EXCEPT the following described property:

Beginning at a point on the center of County Market Road No. 7 which is South 49°0' West 2407.02 feet from the most Northerly corner of the Isaac Staats and wife Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; thence South 49°0' West 845 feet; thence South 51°10' East parallel to said county road 500 feet; thence North 49°0' East 140 feet; thence North 51°10' West 470 feet; thence North 49°0' East 705 feet to the center of said county road; thence North 51°10' West 30 feet along said county road to the place of beginning.

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DEC 14 2017  
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**EXHIBIT B**

Subject to:

1. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
2. Easement, including terms and provisions contained therein:  
Recording Information: September 13, 1947 in Book 130, Page 361, Deed Records  
In Favor of: Mountain States Power Company, a corporation
3. Easement, including terms and provisions contained therein:  
Recording Information: April 30, 1965 in Book 195, Page 301, Deed Records  
Affects: 30 feet in width along the Westerly boundary
4. Easement, including terms and provisions contained therein:  
Recording Information: July 18, 1969 in Book 219, Page 423, Deed Records  
In Favor of: Luckiamute Domestic Water Cooperative
5. Easement, including terms and provisions contained therein:  
Recording Information: May 11, 1973 in Book 43, Page 505, Book of Records  
In Favor of: Consumers Power Inc.  
For: electric and telephone lines
6. Easement, including terms and provisions contained therein:  
Recording Information: July 27, 1976 in Book 91, Page 806, Book of Records  
In Favor of: Consumers Power Inc., an Oregon corporation
7. An easement reserved in a deed, including the terms and provisions thereof;  
Recorded: June 19, 1998  
Recording Information: Book 357, Page 968, Book of Records  
From: Louis E. Hamilton and Dorothy Dawn Hamilton  
Affects: Westerly 30 feet
8. Easement, including terms and provisions contained therein:  
Recording Information: October 30, 1998 in Book 365, Page 2429, Book of Records  
In Favor of: Consumers Power Inc., an Oregon corporation and to its licensees, successors,  
and assigns  
For: underground power transmission facilities  
(Affects Tax Lot 1501)
9. Easement Agreement for Septic System, including terms and provisions thereof.  
Recorded: March 12, 1999 in Book 374, Page 1353, Book of Records
10. Easement, including terms and provisions contained therein:  
Recording Information: April 02, 2009 as Document No. 2009-003712, Book of Records  
In Favor of: Consumers Power Inc., an Oregon corporation and to its licensees, successors,  
and assigns  
For: the construction, erection, perpetual operation, maintenance, repair, alteration, inspection,  
replacement and removal of electrical, communication and related transmission and distribution  
lines  
(Affects Tax Lot 1503)

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DEC 14 2017  
OWRD

WARRANTY DEED

Steven L. Hamilton and Beverly L. Hamilton, husband and wife, as tenants by the entirety, Grantors, convey and warrant to Hamilton Farms, LLC, an Oregon limited liability company, Grantee, the following described real property:

SEE "EXHIBIT A" attached hereto  
Tax Account Number 219851  
Subject to encumbrances shown on attached "EXHIBIT B"

The true and actual consideration for this conveyance is other property or value given or promised.

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEE AND GRANTEE'S HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE AMOUNT, NATURE AND TERMS OF ANY RIGHT OR INDEMNIFICATION AVAILABLE TO GRANTORS UNDER ANY TITLE INSURANCE POLICY, AND GRANTORS SHALL HAVE NO LIABILITY OR OBLIGATION EXCEPT TO THE EXTENT THAT REIMBURSEMENT FOR SUCH LIABILITY OR OBLIGATION IS AVAILABLE TO GRANTORS UNDER ANY SUCH TITLE INSURANCE POLICY.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 21 day of Feb, 2014.

*Steven L. Hamilton*  
Steven L. Hamilton

*Beverly L. Hamilton*  
Beverly L. Hamilton

STATE OF OREGON )  
County of Marion ) ss.

The forgoing instrument was acknowledged before me this 21<sup>st</sup> day of Feb., 2014, by Steven L. Hamilton and Beverly L. Hamilton.

*Laurie E. Andreas*  
Notary Public for Oregon  
My Commission expires: 5/11/16



RECEIVED  
DEC 14 2017  
OWRD

AFTER RECORDING,  
RETURN TO:  
Churchill, Leonard  
PO Box 804  
Salem, OR 97308

UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO:  
Hamilton Farms, LLC  
14190 Airlie Rd.  
Marion, OR 97361

Page 1 - WARRANTY DEED  
dnl 12974 deed hamilton farms 1502 / la

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk  
2014-001493



00282258201400014930030037

\$61.00

02/24/2014 04:38:53 PM

REC-WD Cnt=1 Stn=1 K. WILLIAMS  
\$15.00 \$10.00 \$11.00 \$20.00 \$5.00

S-88482

1/3

**EXHIBIT A**

Beginning at the most Northerly corner of the Isaac Staats and wife Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; thence South 55°15' East 1533.84 feet to a point; thence South 49°00' West 2539.68 feet; thence North 41°00' West 132 feet which point is on the Southerly right of way line of Polk County Market Road #7; thence Westerly along the South line of said Market Road #7, 367 feet to a point; thence Southerly at right angles to said Market Road #7, 265 feet to a point which point is the true point of beginning; thence Westerly parallel to said Market Road #7, 200 feet to a point; thence Southerly at right angles to said Market Road #7, 200 feet to a point; thence Easterly parallel to said Market Road #7, 200 feet to a point; thence Northerly at right angles to said Market Road #7, 200 feet to the point of beginning.

ALSO a strip of ground for ingress and egress, 30 feet in width being 30 feet Southerly of the true point of beginning and 30 feet Easterly of true point of beginning; thence Northerly to Market Road #7.

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**EXHIBIT B**

Subject to:

1. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
2. Easement, including terms and provisions contained therein:  
Recording Information: September 13, 1947 in Book 130, Page 361, Deed Records  
In Favor of: Mountain States Power Company, a corporation
3. Easement, including terms and provisions contained therein:  
Recording Information: April 30, 1965 in Book 195, Page 301, Deed Records  
Affects: 30 feet in width along the Westerly boundary
4. Easement, including terms and provisions contained therein:  
Recording Information: July 18, 1969 in Book 219, Page 423, Deed Records  
In Favor of: Luckiamute Domestic Water Cooperative
5. Easement, including terms and provisions contained therein:  
Recording Information: May 11, 1973 in Book 43, Page 505, Book of Records  
In Favor of: Consumers Power Inc.  
For: electric and telephone lines
6. Easement, including terms and provisions contained therein:  
Recording Information: July 27, 1976 in Book 91, Page 806, Book of Records  
In Favor of: Consumers Power Inc., an Oregon corporation
7. An easement reserved in a deed, including the terms and provisions thereof;  
Recorded: June 19, 1998  
Recording Information: Book 357, Page 968, Book of Records  
From: Louis E. Hamilton and Dorothy Dawn Hamilton  
Affects: Westerly 30 feet
8. Easement Agreement for Septic System, including terms and provisions thereof.  
Recorded: March 12, 1999 in Book 374, Page 1353, Book of Records

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B363P0510

98 SEP 21 AM 10:58



HAMILTON, STEVEN L.

STATE OF OREGON, } ss.  
County of \_\_\_\_\_

Grantor's Name and Address  
HAMILTON, BEVERLY

I certify that the within instrument was received for record on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ and/or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Records of said County.

SPACE RESERVED FOR RECORDER'S USE

Witness my hand and seal of County affixed.

After recording, return to (Name, Address, Zip):

FIRST AMERICAN TITLE  
807 Main Street/P. O. Box 451  
Dallas, OR 97338

Until requested otherwise, send all tax statements to (Name, Address, Zip):

STEVEN L. & BEVERLY HAMILTON  
15365 Airlie Road  
Mormouth, OR 97361

NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
By \_\_\_\_\_, Deputy.

DEED CREATING ESTATE BY THE ENTIRETY

KNOW ALL BY THESE PRESENTS that STEVEN L. HAMILTON

\_\_\_\_\_ hereinafter called grantor, the spouse of the grantee hereinafter named, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BEVERLY HAMILTON hereinafter called the grantee, an undivided one-half of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in POLK County, State of Oregon, described as follows, to-wit:

SEE ATTACHED LEGAL DESCRIPTION - EXHIBIT "A"

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(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold an undivided one-half of the above described real property unto the grantee forever.

The above named grantor retains a like undivided one-half of that same real property, and it is the intent and purpose of this instrument to create, and there hereby is created, an estate by the entirety between husband and wife as to this real property.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ nil. However, the actual consideration consists of or includes other property or value given or promised which is  part of the  the whole (indicate which) consideration. (The sentence between the symbols <sup>Ⓞ</sup>, if not applicable, should be deleted. See ORS 93.030.)

IN WITNESS WHEREOF, the grantor has executed this instrument this 17 day of SEPTEMBER, 19 98.

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.

*Steven L. Hamilton*  
STEVEN L. HAMILTON

STATE OF OREGON, County of POLK ) ss.  
This instrument was acknowledged before me on SEPTEMBER 17, 19 98  
by STEVEN L. HAMILTON



*Carol A. Trowbridge*  
Notary Public for Oregon  
My commission expires 12/23/01

FIRST AMERICAN TITLE 236205-P

2-88182



DESCRIPTION SHEET

EXHIBIT "A"

Beginning at a point on the center of County Market Road No. 7 which is South 49°0' West 2407.02 feet from the most Northerly corner of the Isaac Staats and wife Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; thence South 49°0' West 845 feet; thence South 51°10' East parallel to said County Road 500 feet thence North 49°0' East 140 feet; thence North 51°10' West 470 feet; thence North 49°0' East 705 feet to the center of said County Road; thence North 51°10' West 30 feet along said County Road to the place of beginning.

EXCEPTING THEREFROM all that portion of the herein described tract lying within the boundaries of roads and highways.

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STATE OF OREGON )  
 ) SS.  
 COUNTY OF POLK )  
 I hereby certify that this instrument  
 was received and duly recorded  
 by me in Polk County records.  
 STATE OF OREGON  
 LINDA DAWSON,  
 COUNTY CLERK

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 10  
 19

AC

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

2017-007119



\$91.00

06/15/2017 02:10:56 PM

REC-D Cnt=1 Stn=1 C. PARIS  
\$45.00 \$10.00 \$11.00 \$20.00 \$5.00

**PROPERTY LINE ADJUSTMENT DEED**

HAMILTON B FARMS, an Oregon partnership, "Grantor," is the owner of real property located in Polk County, Oregon, referred to herein as "Parcel 1," and more particularly described in Exhibit A, attached hereto and incorporated by this reference. HAMILTON S FARMS, an Oregon partnership, "Grantee," is the owner of the real property located in Polk County Oregon, referred to herein as "Parcel 2," more particularly described in Exhibit B, attached hereto and incorporated by this reference.

This deed is being recorded to correct and replace Property Line Adjustment Deed 2017-005193 recorded in Polk County, Oregon on May 1, 2017. The purpose of this Property Line Adjustment Deed (the "Deed") is to affect a property line adjustment between Parcel 1 and Parcel 2 such that Parcel 1 will be decreased in size by 67.52 acres, more or less, and will hereafter consist of only the land described on Exhibit D ("Adjusted Parcel 1"), attached hereto and incorporated by this reference; and Parcel 2 will be increased in size by 67.52 acres, more or less, and will hereafter consist of the land more particularly described on Exhibit E ("Adjusted Parcel 2"), attached hereto and incorporated by this reference.

Now, therefore, in order to affect the property line adjustment and to create the reconfigured properties as described on Exhibit D and Exhibit E, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Union County, Oregon, described on Exhibit C (the "Transferred Property"), attached hereto and incorporated by this reference.

The true and actual consideration for this transfer, is other value given or promised, the receipt and sufficiency of which are hereby acknowledged by Grantor. The purpose of this Deed is to affect a property line adjustment, and the two properties are to remain separate and distinct. Grantor and Grantee acknowledge and agree the purpose and intent of this Deed is to satisfy the conditions of approval for Polk County Property Line Adjustment LLA 17-11, Effective Date April 13, 2017.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 15 day of June, 2017.

**GRANTOR:**

Hamilton B Farms, a partnership

By: [Signature]  
Steve Hamilton, Manager  
Hamilton Farms, LLC, Partner

**GRANTEE:**

Hamilton S Farms, a partnership

By: [Signature]  
Steve Hamilton, Manager  
Hamilton Farms, LLC, Partner

[Notary blocks on next page.]

After Recording, Return To:  
Churchill Leonard Lawyers  
P.O. Box 804  
Salem, OR 97308

Send Tax Statements to:  
No Change

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1/a

STATE OF OREGON )  
 ) ss.  
County of Polk )

On this 15<sup>th</sup> day of June, 2017, personally appeared Steve Hamilton, Manager of Hamilton Farms, LLC, as Partner, on behalf of Hamilton B Farms, an Oregon partnership, who being duly sworn, did acknowledge the foregoing instruction to be its voluntary act and deed. Before me:



Heather n Chase  
Notary Public for Oregon  
My Commission expires: March 19, 2018

STATE OF OREGON )  
 ) ss.  
County of Polk )

On this 15<sup>th</sup> day of June, 2017, personally appeared Steve Hamilton, Manager of Hamilton Farms, LLC, as Partner, on behalf of Hamilton S Farms, an Oregon partnership, who being duly sworn, did acknowledge the foregoing instruction to be its voluntary act and deed. Before me:



Heather n Chase  
Notary Public for Oregon  
My Commission expires: March 19, 2018

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**EXHIBIT A:**

**"Parcel 1"**

**Parcel 7:**

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52° 30' West 47.60 chains along the line of E.E. Staats tract to the center of the County Road; thence North 40°30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

**ALSO:**

A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; Containing 3.19 acres, more or less.

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**EXHIBIT B:**

**"Parcel 2"**

Parcel 9:

That portion of said Donation Land Claim of Isaac Staats and wife. Beginning at a point South 77° 38' East 26.18 chains from the west corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; thence on said Road South 41° East 2.00 chains; thence North 49° East 20.50 chains to the division line of said Claim; thence South with said division line 54.00 chains to the boundary of said claim; thence North 77° 38' West 52.49 chains to the place of beginning.

SAVE AND EXCEPT:

That portion conveyed by deed recorded September 15, 1976 in Polk County, Oregon, at Book 94, Page 773, said real property described as:

Beginning at a point on the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon; said point being South 77° 38' East 26.18 chains from the most westerly corner of said Claim; thence North 49° 00' East; 2476.0 feet to an iron pipe; thence South 3° 15' West 931.5 feet to an iron pipe; thence South 34° 08' East 245.2 feet, to an iron pipe; thence South 66° 28' East 663.9 feet to an iron pipe; thence South 45° 47' West 344.3 feet; to an iron pipe; thence South 37° 01' East 203.7 feet to an iron pipe; thence North 78° 43' East 395.0 feet to an iron pipe; thence South 35° 13' East 530.5 feet to a point on the Westerly boundary of that certain tract of land conveyed to Lillian E. Williams, in Volume 133, Page 492, Deed Records of Polk County; thence South 52° 46' West along the boundary of said Williams Tract, to the Southerly boundary of the Isaac Staats Donation Land Claim; thence North 77° 38' West along the Southerly boundary of said Staats Donation land Claim to the place of beginning.

TOGETHER WITH an easement 30 feet in width adjacent to and along the Westerly boundary of the above mentioned Williams Tract for the purpose of ingress and egress of the above described tract, from Polk County market Road No. 7.

ALSO:

Beginning at a point which is South 10.00 chains and East 22.15 chains from the South ¼ corner of Sections 31 and 32, Township 9 South, Range 5 West of the Willamette Meridian, in Polk County, Oregon; thence East 57.85 chains to the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in said Township and Range; thence North 77° 38' West along the Southerly boundary of the Staats Claim to a point which is South 77° 38' East 26.18 chains from the most Westerly corner of said Claim; thence South 49° 00' West 14.80 chains to the place of beginning.

FURTHER SAVE AND EXCEPT from Parcel 9 that portion of the above described as parcel deeded to Louis E. Hamilton and Dorothy D. Hamilton recorded on April 9, 1980 in Book of Records Book 148, page 281, Polk County, Oregon.

Parcel 8:

Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point wich is North 77° 38' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running Thence North to the center of the public County Road leading from Airlie to Corvallis; Thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and Thence South 49° West to the Place of beginning.

ALSO: A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the Northwest Quarter of Section 4, Township 10

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South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; thence along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet to the true point of beginning; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline N 39°51'45"W 98.88 feet to the Hamilton-Dake northwesterly line; thence along the Hamilton-Dake northwesterly line; S 52°06'07"W 1078.94 feet to the point of beginning, containing 1.22 acres, more or less; Excepting 0.06 acres lying within the right-of-way of Airlie Road.

SAVE AND EXCEPT:

A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; Containing 3.19 acres, more or less.

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**EXHIBIT C:**

**“Transferred Property”**

Parcel 7:

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52° 30' West 47.60 chains along the line of E.E Staats tract to the center of the County Road; thence North 40° 30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

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**EXHIBIT D:**

**"Adjusted Parcel 1"**

**RESULTANT PROPERTY 3**

A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; Containing 3.19 acres, more or less.

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**EXHIBIT E:**

**"Adjusted Parcel 2"**

Parcel 7:

Beginning at a point North 55° 15' West 32.30 chains from the most Easterly corner of the said Isaac Staats Donation Land Claim, running thence South 52° 30' West 47.60 chains along the line of E.E Staats tract to the center of the County Road; thence North 40° 30' West 6.63 chains along the center of said road; thence North 11.47 chains; thence North 51° 30' East 35.62 chains to the North and East line of said Isaac Staats Donation Land Claim; thence South 55° 15' East 16.76 chains along line of said Donation Land Claim to the place of beginning.

ALSO:

Parcel 9:

That portion of said Donation Land Claim of Isaac Staats and wife. Beginning at a point South 77° 38' East 26.18 chains from the west corner of said Donation Land Claim; thence North 49° East 47.18 chains to the Corvallis Road; thence on said Road South 41° East 2.00 chains; thence North 49° East 20.50 chains to the division line of said Claim; thence South with said division line 54.00 chains to the boundary of said claim; thence North 77° 38' West 52.49 chains to the place of beginning.

SAVE AND EXCEPT:

That portion conveyed by deed recorded September 15, 1976 in Polk County, Oregon, at Book 94, Page 773, said real property described as:

Beginning at a point on the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon; said point being South 77° 38' East 26.18 chains from the most westerly corner of said Claim; thence North 49° 00' East; 2476.0 feet to an iron pipe; thence South 3° 15' West 931.5 feet to an iron pipe; thence South 34° 08' East 245.2 feet, to an iron pipe; thence South 66° 28' East 663.9 feet to an iron pipe; thence South 45° 47' West 344.3 feet; to an iron pipe; thence South 37° 01' East 203.7 feet to an iron pipe; thence North 78° 43' East 395.0 feet to an iron pipe; thence South 35° 13' East 530.5 feet to a point on the Westerly boundary of that certain tract of land conveyed to Lillian E. Williams, in Volume 133, Page 492, Deed Records of Polk County; thence South 52° 46' West along the boundary of said Williams Tract, to the Southerly boundary of the Isaac Staats Donation Land Claim; thence North 77° 38' West along the Southerly boundary of said Staats Donation land Claim to the place of beginning.

TOGETHER WITH an easement 30 feet in width adjacent to and along the Westerly boundary of the above mentioned Williams Tract for the purpose of ingress and egress of the above described tract, from Polk County market Road No. 7.

ALSO:

Beginning at a point which is South 10.00 chains and East 22.15 chains from the South ¼ corner of Sections 31 and 32, Township 9 South, Range 5 West of the Willamette Meridian, in Polk County, Oregon; thence East 57.85 chains to the Southerly boundary of the Isaac Staats Donation Land Claim No. 66 in said Township and Range; thence North 77° 38' West along the Southerly boundary of the Staats Claim to a point which is South 77° 38' East 26.18 chains from the most Westerly corner of said Claim; thence South 49° 00' West 14.80 chains to the place of beginning.

FURTHER SAVE AND EXCEPT from Parcel 9 that portion of the above described as parcel deeded to Louis E. Hamilton and Dorothy D. Hamilton recorded on April 9, 1980 in Book of Records Book 148, page 281, Polk County, Oregon.

Parcel 8:

Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point wich is North 77° 38' West  
Page 8 -- Property Line Adjustment Deed (Polk County, Oregon)

Churchill Leonard Lawyers  
PO Box 804; Salem OR 97308  
(503) 585-2255

aws/13495 correction PLA deed-Hamilton B

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30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running Thence North to the center of the public County Road leading from Airlie to Corvallis; Thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and Thence South 49° West to the Place of beginning.

ALSO: A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the Northwest Quarter of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; thence along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet to the true point of beginning; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline N 39°51'45"W 98.88 feet to the Hamilton-Dake northwesterly line; thence along the Hamilton-Dake northwesterly line; S 52°06'07"W 1078.94 feet to the point of beginning, containing 1.22 acres, more or less; Excepting 0.06 acres lying within the right-of-way of Airlie Road.

SAVE AND EXCEPT: A portion of that tract conveyed to Hamilton Farms, LLC per Document No. 2013-010702, Polk County Records, lying in the Southwest Quarter of Section 33 and the Southeast Quarter of Section 32, Township 9 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron rod lying N 06°15'39"E 327.43 feet from the corner of Sections 32 and 33 of Township 9 South, Range 5 West, and Sections 4 and 5, Township 10 South, Range 5 West, Willamette Meridian, thence N 37°23'40"W 110.02 feet to a 5/8" iron rod; thence N 39°59'51"E 260.01 feet to a 5/8" iron rod; thence S 89°05'23"E 325.68 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline, S 39°51'45"E 307.99 feet; thence leaving said centerline, S 85°52'13"W 624.97 feet to the point of beginning; containing 3.19 acres, more or less.

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OWRD

a/a

RECORDING REQUESTED BY:



315 Commercial St SE, Ste 150  
Salem, OR 97301

**GRANTOR'S NAME:**  
Hamilton- Dake Family Trust and Holly Hamilton-Dake

**GRANTEE'S NAME:**  
Matthew L. Hamilton and Esther R. Hamilton

**AFTER RECORDING RETURN TO:**  
Order No.: 471817060699-LN  
Matthew L. Hamilton and Esther R. Hamilton, as tenants by the  
entirety  
14080 Airle Road  
Monmouth, OR 97361

**SEND TAX STATEMENTS TO:**  
Matthew L. Hamilton and Esther R. Hamilton  
14080 Airle Road  
Monmouth, OR 97361

**APN:** 480552  
480565  
480635  
**Map:** 09533-00-00601  
09500-00-00601  
10504-00-00201  
Vacant Land, Monmouth, OR 97361

**RECORDED IN POLK COUNTY**      **2017-009550**  
Valerie Unger, County Clerk



**\$61.00**

00332708201700095500030034      **08/10/2017 01:49:23 PM**

**REC-WD**      **Cnt=1 Stn=1 C. PARIS**  
\$15.00 \$10.00 \$11.00 \$20.00 \$5.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Hamilton M Farms, an Oregon Partnership, Grantor, conveys and warrants to **Matthew L. Hamilton and Esther R. Hamilton, as tenants by the entirety**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Polk, State of Oregon:

That portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying North of County Road 8620 (Airle Road) and also that portion lying East of County Road 1051 (Berry Creek Road), all lying in the South Half of Section 33, Township 9 South, Range 5 West, and in the North Half of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a point on the Southeasterly line of the Isaac Staats Donation Land Claim No. 43 where said line intersects the North-South centerline of said Section 4, lying North 49° 34' 02" East 480.11 feet from an aluminum capped monument at the Southerly Corner of said Donation Land Claim No. 43; thence along said North-South centerline of Section 4, South 00° 00' 00" East 349.77 feet to the North line of the Thomas Berry Donation Land Claim No. 52, being the Hamilton-Dake Southeast Corner; thence along said Claim line, South 56° 31' 41" West 422.13 feet to the centerline of County Road No. 1051 (Berry Creek Road); thence leaving said Claim line, along the County Road centerline on the arc of a 572.96 foot radius curve right (Long Chord = North 09° 19' 42" West 480.15 feet) 495.44 feet; thence continuing North 15° 26' 38" East 226.22 feet to the centerline intersection of said County Roads 1051 (Berry Creek Road) and No. 8620 (Airle Road); thence along the centerline of Airle Road North 71° 17' 16" West 800.67 feet; thence on the arc of a 572.96 foot radius curve right (Long Chord = North 55° 34' 31" West 310.33 feet) 314.26 feet; thence North 39° 51' 45" West 547.37 feet to the intersection of said centerline of County Road 8620 (Airle Road) with the Hamilton-Dake Northwesterly line; thence leaving said County Road, along the Hamilton-Dake Northwesterly line, North 52° 06' 07" East 1247.20 feet to the Hamilton-Dake most Northerly Corner; thence along the Hamilton-Dake Northeasterly line, South 53° 03' 22" East 1846.68 feet, more or less, to the Southeasterly line of said Isaac Staats Donation Land Claim No. 43; thence along said Southeasterly Claim line, South 49° 34' 02" West 952.75 feet to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED SEVENTY-TWO THOUSAND SIX HUNDRED AND NO/100 DOLLARS (\$272,600.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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

S-88482

113

**STATUTORY WARRANTY DEED**

(continued)

**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.**

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 8-10-17

Hamilton M Farms, an Oregon Partnership

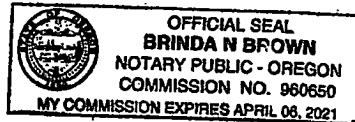
BY: [Signature]  
Steve Hamilton, Manager

State of Oregon  
County of Polk

This instrument was acknowledged before me on August 10, 2017 by Steve Hamilton, as Manager of Hamilton Farms, an Oregon Partnership

[Signature]  
Notary Public - State of Oregon

My Commission Expires: April 6, 2021



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**EXHIBIT "A"**  
Exceptions

**Subject to:**

The Land has been classified as forest and farm, 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 the limits of streets, roads and highways.

**Matters contained in that certain document**

Entitled: Reservation

Dated: May 1, 1948

Executed by: United States of America by Federal Farm Mortgage Corporation

Recording Date: January 27, 1948

Recording No: Book 132, Page 418

Which provides for, among other things: All uranium, thorium, and all other materials determined pursuant to section 5 (b) (1) of the atomic energy act

**Matters contained in that certain document**

Entitled: Reservation

Dated: January 21, 1948

Executed by: United States of America by Federal Farm Mortgage Corporation

Recording Date: January 27, 1948

Recording No: Book 132, Page 433

Which provides for, among other things: All uranium, thorium, and all other materials determined pursuant to section 5 (b) (1) of the atomic energy act

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

Granted to: Consumers Power Inc., an Oregon corporation

Purpose: right of way

Recording Date: August 19, 1966

Recording No: Book 201, Page 580

**Reciprocal Right-of-Way Agreement, including the terms and provisions thereof**

Recording Date: March 27, 1968

Recording No.: Book 209, Page 671

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

Granted to: Luckimute Domestic Water Cooperative

Purpose: right of way

Recording Date: September 17, 1969

Recording No: Book 219, Page 408

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

Granted to: Luckimute Domestic Water Cooperative

Purpose: right of way

Recording Date: September 17, 1969

Recording No: Book 219, Page 409

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

Granted to: Luckimute Domestic Water Cooperative

Purpose: construct and maintain underground water main

Recording Date: October 22, 1969

Recording No: Book 220, Page 241

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

Granted to: Consumers Power Inc., an Oregon corporation

Purpose: poles and elevated lines

Recording Date: August 15, 2008

Recording No: 2008-010298

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**RECORDING COVER SHEET**

(Please print or type)

Correction Property Line Adjustment Deed

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**After recording return to:** ORS 205.234(1)(c)

Matthew Hamilton

Hamilton Farms, LLC

14190 Airlie Road

Monmouth, OR 97361

*This space reserved for use by  
Recording Office*

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

2017-007117

**1. Title(s) of the transaction(s)** ORS 205.234(1)

Correction Deed



NO FEE

00330079201700071170080081

06/15/2017 02:08:40 PM

REC-COR Cnt=1 Stn=1 C. PARIS  
This is a no fee document

**2. Direct party(ies) / grantor(s)** ORS 205.234(1)(b)

Holly Hamilton-Dake, an individual, as to an undivided 38.62%, and Holly Hamilton-Dake, Trustee of the Hamilton-Dake Family Trust dated July 10, 1998, as to an undivided 61.38% interest, as tenants in common, collectively "Grantor"

**3. Indirect party(ies) / grantee(s) Trust Deed / Mortgage Assignee Address** ORS 205.234(1)(b)&(g)

Hamilton M Farms, an Oregon partnership, "Grantee"

**4. True and actual consideration:**  
ORS 205.234(1) Amount in dollars or other

\$

Other: Other value given or promised

**5. Send tax statements to:** ORS 205.234(1)(e)

Hamilton M Farms

14190 Airlie Road

Monmouth, OR 97361

**6. Satisfaction of lien, order, or warrant:**

ORS 205.234(1)(f)

FULL

PARTIAL

**7. The amount of the monetary obligation imposed by the lien, order, or warrant:** ORS 205.234(1)(f)

\$

**8. Previously recorded document reference:** 2017-005191; 2017-006081

**9. If this instrument is being re-recorded complete the following statement:** ORS 205.244(2)

"Rerecorded at the request of Hamilton M Farms, Grantee

to correct errors in the legal descriptions in Exhibit A and Exhibit D

previously recorded in book \_\_\_\_\_ and page \_\_\_\_\_, or as fee number 2017-006081."

S-88482

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\*\*\*, an individual, as to an undivided 38.62%, and Holly Hamilton-Dake, Trustee of the Hamilton-Dake Family Trust dated July 10, 1998, as to an undivided 61.38% interest, as tenants in common, collectively "Grantor"

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

2017-006081



\$81.00

05/22/2017 03:06:47 PM

REC-COR Cnt=1 Stn=1 C. PARIS  
\$35.00 \$10.00 \$11.00 \$20.00 \$5.00

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

2017-005191



\$81.00

05/01/2017 04:29:38 PM

REC-D Cnt=1 Stn=1 C. PARIS  
\$35.00 \$10.00 \$11.00 \$20.00 \$5.00

**CORRECTION  
PROPERTY LINE ADJUSTMENT DEED**  
\*\*\*

HOLLY HAMILTON-DAKE, ~~XXXXXX~~ are the owners of real property located in Polk County, Oregon, referred to herein as "Parcel 1," and more particularly described in Exhibit A, attached hereto and incorporated by this reference. HAMILTON M FARMS, an Oregon partnership, "Grantee," is the owner of the real property located in Polk County Oregon, referred to herein as "Parcel 2," more particularly described in Exhibit B, attached hereto and incorporated by this reference.

The purpose of this Property Line Adjustment Deed (the "Deed") is to affect a property line adjustment between Parcel 1 and Parcel 2 such that Parcel 1 will be reduced in size by 54.90 acres, more or less, and will hereafter consist of only the land described on Exhibit D ("Adjusted Parcel 1"), attached hereto and incorporated by this reference; and Parcel 2 will be increased in size by 54.90 acres, more or less, and will hereafter consist of the land more particularly described on Exhibit E ("Adjusted Parcel 2"), attached hereto and incorporated by this reference.

Now, therefore, in order to affect the property line adjustment and to create the reconfigured properties as described on Exhibit D and Exhibit E, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Union County, Oregon, described on Exhibit C (the "Transferred Property"), attached hereto and incorporated by this reference.

The true and actual consideration for this transfer, is other value given or promised, the receipt and sufficiency of which are hereby acknowledged by Grantor. The purpose of this Deed is to affect a property line adjustment, and the two properties are to remain separate and distinct. Grantor and Grantee acknowledge and agree the purpose and intent of this Deed is to satisfy the conditions of approval for Polk County Property Line Adjustment LLA 17-09, Effective Date April 13, 2017.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 26 day of April, 2017.

GRANTOR:

GRANTEE:

Hamilton M Farms, a partnership

Holly Hamilton-Dake  
Holly Hamilton-Dake  
Holly Hamilton-Dake,  
Trustee of the Hamilton-Dake Family Trust  
Holly Hamilton-Dake, Trustee  
of the Hamilton-Dake Family Trust

By: Steve Hamilton  
Steve Hamilton, Manager  
Hamilton Farms, LLC, Partner

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[Notary blocks on next page.]

After Recording, Return To:  
Churchill Leonard Lawyers  
P.O. Box 804  
Salem, OR 97308

Send Tax Statements to:  
No Change

2/5  
74

STATE OF FL )  
County of Lee ) ss.

On this 26 day of April, 2017, personally appeared Holly Hamilton-Dake, who being duly sworn, did acknowledge the foregoing instruction to be her voluntary act and deed. Before me:



[Signature]  
Notary Public for Oregon-Florida  
My Commission expires: June 06, 2017

STATE OF OREGON )  
County of Polk ) ss.

On this 1<sup>st</sup> day of May, 2017, personally appeared Steve Hamilton, Manager of Hamilton Farms, LLC, as Partner, on behalf of Hamilton M Farms, an Oregon partnership, who being duly sworn, did acknowledge the foregoing instruction to be its voluntary act and deed. Before me:



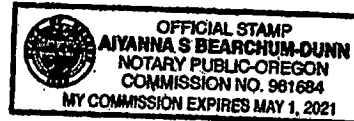
Heather N. Chase  
Notary Public for Oregon  
My Commission expires: March 19 2018

STATE OF Oregon )  
County of Deschutes ) ss.

On this 18 day of May 2017, personally appeared Holly Hamilton-Dake, Trustee of the Hamilton-Dake Family Trust dated July 10, 1998 who being duly sworn, did acknowledge the foregoing instruction to be its voluntary act and deed. Before me:

Aiyanna S. Bearchum-Dunn  
Notary Public for Oregon  
My Commission Expires: 5-1-2021

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**EXHIBIT A:**

**"Parcel 1"**

Beginning at a point on the Section line between Sections four and five in Township ten South of Range Five West of the Willamette Meridian in Polk County, Oregon, at the Northeast corner of the Donation Land Claim of Sebastian Jewitt No. 54; thence North 57° 15' East along the North boundary line of the Berry Claim to a point where the center line running North and South through said Section Four interests the North line of said Berry Donation Land Claim; thence North along said section line to where it intersects the Southern boundary line of the Donation Land Claim of Isaac Staats; thence North 49° East along said line to the Southeast corner of the 80 acre tract of land deeded to J. M. Staats, described in deed Volume 10 at page 603, Records of Polk County, Oregon; thence North 54° 30' West along the boundary line of said tract 1846.68 feet to the Northwest line of the tract of land lastly described in deed to Lillian E. Williams recorded March 23, 1948 in Book 133, Page 492, Deed Records, Polk County, Oregon; thence South 52° 30' West 37.50 chains to the Southwest boundary line of the Isaac Staats Donation Land Claim; thence southeasterly along said line to the West line of said section 4; thence southerly along the section line to the place of beginning.

SAVE AND EXCEPT those portions lying within the County Road.

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**EXHIBIT B:**

**"Parcel 2"**

**Parcel 8:**

**Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point wich is North 77° 36' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running Thence North to the center of the public County Road leading from Airlie to Corvallis; Thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and Thence South 49° West to the Place of beginning.**

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4/17

**EXHIBIT C:**

**"Transferred Property"**

That portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying North of County Road 8620 (Airlie Road) and ALSO that portion lying East of County Road 1051 (Berry Creek Road), all lying in the South Half of Section 33, Township 9 South, Range 5 West, and in the North Half of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a point on the Southeasterly line of the Isaac Staats DLC No. 43 where said line intersects the North-South centerline of said Section 4, lying N 49°34'02"E 480.11 feet from an aluminum capped monument at the Southerly Corner of said DLC No. 43; thence along said North-South centerline of Section 4, S 00°00'00"E 349.77 feet to the North line of the Thomas Berry DLC No. 52, being the Hamilton-Dake Southeast Corner; thence along said Claim line, S 56°31'41"W 422.13 feet to the centerline of County Road No. 1051 (Berry Creek Road); thence leaving said Claim line, along the County Road centerline on the arc of a 572.96 foot radius curve right (Long Chord = N 09°19'42"W 480.15 feet) 495.44 feet; thence continuing N 15°26'38"E 226.22 feet to the centerline intersection of said County Roads 1051 (Berry Creek Road) and No. 8620 (Airlie Road); thence along the centerline of Airlie Road N 71°17'16"W 800.67 feet; thence on the arc of a 572.96 foot radius curve right (Long Chord = N 55°34'31"W 310.33 feet) 314.26 feet; thence N 39°51'45"W 547.37 feet to the intersection of said centerline of County Road 8620 (Airlie Road) with the Hamilton-Dake Northwesterly line; thence leaving said County Road, along the Hamilton-Dake Northwesterly line, N 52°06'07"E 1247.20 feet to the Hamilton-Dake most Northerly Corner; thence along the Hamilton-Dake Northeasterly line, S 53°03'22"E 1846.68 feet, more or less, to the Southeasterly line of said Isaac Staats DLC No. 43; thence along said Southeasterly Claim line, S 49°34'02"W 952.75 feet to the point of beginning, containing 57.00 acres, more or less.

ALSO: A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the Northwest Quarter of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; thence along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet to the true point of beginning; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline N 39°51'45"W 98.88 feet to the Hamilton-Dake northwesterly line; thence along the Hamilton-Dake northwesterly line; S 52°06'07"W 1078.94 feet to the point of beginning, containing 1.22 acres, more or less; excepting 0.06 acres lying within the right-of-way of Airlie Road.

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**EXHIBIT D:**

**"Adjusted Parcel 1"**

**RESULTANT PROPERTY 5**

A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the West Half of Section 4, and Northeast Quarter of Section 5, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; thence along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline by the following courses, S 39°51'45"E 448.49 feet; thence on the arc of a 572.96 foot radius curve left (Long Chord = S 55°34'31"E 310.33 feet) 314.26 feet; thence S 71°17'16"E 800.67 feet to the centerline intersection of County Roads 1051 (Berry Creek Road) and No. 8620 (Airlie Road); thence along the centerline of Berry Creek Road, S 15°26'38"W 226.22 feet; thence on the arc of a 572.96-foot radius curve left (Long Chord = S 09°19'42"E 480.15 feet) 495.44 feet to the North line of the Thomas W. Berry DLC No. 52; thence leaving said County Road, along said Claim line, S 56°31'41"W 316.78 feet to the Northeast Corner of the William J. Berry DLC No. 53; thence S 57°10'21"W 2452.35 feet to the point of beginning, containing 94.21 acres, more or less.

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**EXHIBIT E:**

**"Adjusted Parcel 2"**

**Parcel 8:**

Beginning at the Southwest corner of the land of Orlena Maria Staats in the Donation Lands Claim of Said Isaac Staats and wife, said Southwest corner being at a point wch is North 77° 36' West 30.16 chains and North 8.58 chains, more or less, from the most Southerly Southeast corner of said Donation Land Claim, and running Thence North to the center of the public County Road leading from Airlie to Corvallis; Thence Southeasterly along the center of said road to the Northwest boundary line of the land of James Mortimer Staats in said Donation Land Claim; and Thence South 49° West to the Place of beginning.

ALSO: That portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying North of County Road 8620 (Airlie Road) and ALSO that portion lying East of County Road 1051 (Berry Creek Road), all lying in the South Half of Section 33, Township 9 South, Range 5 West, and in the North Half of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at a point on the Southeasterly line of the Isaac Staats DLC No. 43 where said line intersects the North-South centerline of said Section 4, lying N 49°34'02"E 480.11 feet from an aluminum capped monument at the Southerly Corner of said DLC No. 43; thence along said North-South centerline of Section 4, S 00°00'00"E 349.77 feet to the North line of the Thomas Berry DLC No. 52, being the Hamilton-Dake Southeast Corner; thence along said Claim line, S 56°31'41"W 422.13 feet to the centerline of County Road No. 1051 (Berry Creek Road); thence leaving said Claim line, along the County Road centerline on the arc of a 572.96 foot radius curve right (Long Chord = N 09°19'42"W 480.15 feet) 495.44 feet; thence continuing N 15°26'38"E 226.22 feet to the centerline intersection of said County Roads 1051 (Berry Creek Road) and No. 8620 (Airlie Road); thence along the centerline of Airlie Road N 71°17'16"W 800.67 feet; thence on the arc of a 572.96 foot radius curve right (Long Chord = N 55°34'31"W 310.33 feet) 314.26 feet; thence N 39°51'45"W 547.37 feet to the intersection of said centerline of County Road 8620 (Airlie Road) with the Hamilton-Dake Northwesterly line; thence leaving said County Road, along the Hamilton-Dake Northwesterly line, N 52°06'07"E 1247.20 feet to the Hamilton-Dake most Northerly Corner; thence along the Hamilton-Dake Northeasterly line, S 53°03'22"E 1846.68 feet, more or less, to the Southeasterly line of said Isaac Staats DLC No. 43; thence along said Southeasterly Claim line, S 49°34'02"W 952.75 feet to the point of beginning, containing 57.00 acres, more or less.

ALSO: A portion of that tract conveyed to Holly Hamilton-Dake per Document No. 2013-010701, Polk County Records, lying South of County Road 8620 (Airlie Road) and lying West of County Road 1051 (Berry Creek Road), all lying in the Northwest Quarter of Section 4, Township 10 South, Range 5 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

Beginning at the Northeast Corner of the F. Sebastian Jewitt DLC No. 54, said Township and Range, being on the line between said Sections 4 and 5; thence along said Section line, N 00°33'50"W 152.42 feet to the 1/4 Corner of said Sections 4 and 5; thence continuing, N 00°39'33"W 2130.99 feet to the South line of the Isaac Staats DLC No. 43; thence along said Claim line N 77°29'16"W 50.88 feet to the Hamilton-Dake most Northwesterly corner; thence along the Hamilton-Dake northwesterly line, N 52°06'07"E 148.86 feet to the true point of beginning; thence leaving said Northwesterly line, N 57°19'08"E 1086.84 feet to the centerline of County Road No. 8620 (Airlie Road); thence along said centerline N 39°51'45"W 98.88 feet to the Hamilton-Dake northwesterly line; thence along the Hamilton-Dake northwesterly line; S 52°06'07"W 1078.94 feet to the point of beginning, containing 1.22 acres, more or less; excepting 0.06 acres lying within the right-of-way of Airlie Road.

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8/8  
7/8



Oregon Water Resources Department  
 Permit to Appropriate Only Stored Water - Expedited Secondary

- [Main](#)   [Help](#)
- [Return](#)   [Contact Us](#)

Today's Date: Thursday, December 14, 2017

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	104	\$800.80
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,840.80

OWRD Fee Schedule

Fee Calculator Version: B20170117

*WMB*

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