

64064

SPECIAL WARRANTY DEED Vol. 1486 Page 13056

TULANA FARMS, an Oregon corporation, Grantor, conveys and specially warrants to BHF PROPERTIES, LTD., an Oregon limited partnership, Grantee, the real property located in Klamath County, Oregon, more particularly described on Exhibits A through C, free of encumbrances created or suffered by the Grantor, except as specifically set forth on Exhibit D attached hereto.

The true and actual consideration for this conveyance is Three Million Five Hundred Thousand Dollars (\$3,500,000.00).

DATED this 28th day of December, 1976.

TULANA FARMS

By

President

By

Secretary

STATE OF OREGON)
) ss
County of Klamath)

December 28, 1976

Personally appeared R. N. Oberg and John B. Anderson, who, each being first duly sworn, did say that the former is the Secretary, and that the latter is the President, of Tulana Farms, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and each of them acknowledged said instrument to be its voluntary act and deed.

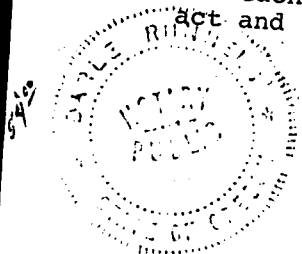
BEFORE ME:

NOTARY PUBLIC FOR OREGON

My Commission Expires:

9/23/77

86 JUL 25 PM 3 03



PARCEL I - DUNN FARM

13057

IN TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN
IN SECTION 1:

A piece or parcel of land lying between the rights of way for the Southern Pacific Railroad, and the Dalles-California Highway in Lot 1 of Section 1; Township 40 South, Range 8 East of the Willamette Meridian, and more particularly described as follows: Beginning at a point at the intersection of the line marking the Easterly boundary of the right of way of the Southern Pacific Railroad, which is a line parallel with and 50.0 feet distant at right angles Southeasterly from the center line of the said Southern Pacific Railroad, as the same is now located and constructed, with a line parallel with and 92.54 feet distant at right angles Southerly from the township line which marks the Northerly boundary of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, from which point of intersection, the section corner at the Northeast corner of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, bears North $88^{\circ}22\frac{1}{2}'$ East, 2927.6 feet distant, and running thence Southwesterly along the said Easterly right of way line of the said Southern Pacific Railroad, 1105 feet, more or less, to its intersection with the meander line marking the Southerly boundary of the said Lot 1, of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence South $40^{\circ}58'$ East along said meander line 97.5 feet, more or less, to its intersection with the line marking the Westerly boundary of the right of way of the Dalles-California Highway, which is a line parallel with and 50.0 feet distant at right angles Northwesterly from the center line of the said The Dalles-California Highway, as the same is now located and constructed; thence Northeasterly along the said Westerly right of way line of the said The Dalles-California Highway 1190 feet, more or less, to its intersection with the said line parallel with and 92.54 feet distant at right angles Southerly from the township line marking the Northerly boundary of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence North $89^{\circ}49'$ West, along said parallel line 97.3 feet, more or less, to the said point of beginning.

ALSO Beginning at the Northwesterly corner of the $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, and running thence North $89^{\circ}49'$ West 704.4 feet, more or less, to a point in the line marking the Northeasterly boundary of the right of way of the Midland-Mack Store Road, which is a line parallel with and 30.0 feet distant at right angles Northeasterly from the center line of the said Midland-Mack Store Road, as the same is now located and constructed; thence South $38^{\circ}25\frac{1}{2}'$ East, along said Northeasterly right of way boundary 1134.2 feet, more or less, to its intersection with the line marking the Easterly boundary of Lot 2, of Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence North $0^{\circ}02'$ West, along said line marking the Easterly boundary of the said Lot 2 of Section 1, Township 40 South, Range 8 East of the Willamette Meridian, 886.3 feet, more or less, to the said point of beginning.

All those portions of Lots 1 and 2, Section 1, lying Southwesterly of the Midland-Mack Store Highway as now constructed and in use, in Township 40 South, Range 8 East of the Willamette Meridian.

The S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 40 South, Range 8 East of the Willamette Meridian.

Lots 3, 4 and 9 of Section 1, SAVING AND EXCEPTING that portion of the A. H. Patterson, Sr. property described in deed recorded in Book 199 page 113, which lies Northerly and Easterly of the Northeast boundary of the New North Canal of the Klamath Drainage District and SAVING AND EXCEPTING THEREFROM that portion conveyed to State of Oregon by deed dated May 23, 1947, recorded June 3, 1947 in Deed Book 207 page 156, records of Klamath County, Oregon.

All that portion of Lot 6, Section 1, lying Easterly of the Central Pacific Railway Company right of way, SAVING AND EXCEPTING that portion thereof lying Northerly of the Midland-Mack Store Highway and having been conveyed to Arthur Neil Phipps, et al, by deed dated March 14, 1950, recorded March 17, 1950, in Book 237 page 387, Deed Records of Klamath County, Oregon, and ALSO SAVING AND EXCEPTING that portion thereof conveyed to Klamath County by deed dated April 21, 1934, recorded September 19, 1934, in Deed Book 103 page 506 Records of Klamath County, Oregon, and ALSO SAVING AND EXCEPTING therefrom the portion conveyed to the State of Oregon by deed dated May 31, 1947, recorded June 25, 1947, in Book 208 page 87, Deed Records of Klamath County, Oregon.

Those portions of Lot 7, the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, lying Easterly of the Central Pacific Railway Company right of way SAVING AND EXCEPTING from said Lot 7 that portion conveyed to the State of Oregon by deed dated May 31, 1947, recorded June 25, 1947, in Book 208 page 87, Deed records of Klamath County, Oregon.

All of Lots 5 and 8, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1.

IN SECTION 11:

That portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying Easterly of the Central Pacific Railroad right of way.

IN SECTION 12:

All that portion of Section 12 lying Easterly of the Central Pacific Railroad right of way.

IN SECTION 13: ALL

IN SECTION 14:

That portion of the E $\frac{1}{2}$ lying Easterly of the Central Pacific Railroad right of way.

IN TOWNSHIP 40 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN

IN SECTION 6:

That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southwesterly of the New North Canal of the Klamath Drainage District.

IN SECTION 7:

Lots 1, 8, 9, 10 and 13; and the S $\frac{1}{4}$ NW $\frac{1}{4}$; the SW $\frac{1}{4}$; the W $\frac{1}{4}$ SE $\frac{1}{4}$; and SE $\frac{1}{4}$ SE $\frac{1}{4}$; and that portion of the NE $\frac{1}{4}$ and Lot 7 lying Southerly and Westerly of the center line of the said New North Canal.

IN SECTION 18: All

All those portions of Sections 23 and 24, Township 40 S.R. 8 E.W.M., and of Section 19, Township 40 S.R. 9 E.W.M., lying Easterly of Highway #97 and Northerly and Easterly of the center line of Klamath Straits, as presently located and constructed. EXCEPTING THEREFROM the following described parcel: All that portion of the N $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Twp. 40 S.R. 8 E.W.M., lying South of the Klamath Straits (Old Channel), East of Highway #97, and Northerly of the following described line: Beginning at a point on the Easterly right-of-way line of said Highway #97 which bears S. 69°53' E. 2942.6 feet and N. 18°17' E. 150.0 feet from the Northwest corner of said Section 23, Twp. 40 S.R. 8 E.W.M.; thence leaving said highway right of way line S. 72°06' E. 900.1 feet; thence S. 36°56' E. 162.1 feet; thence S. 68°03' E. 330.0 feet to a point designated Point "D" on the South line of said N $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23; said point being S. 71°02' E. 4303.9 feet from the Northwest corner of said Section 23, Twp. 40 S.R. 8 E.W.M.

IN SECTION 34 Township 40 South, Range 8 East of the Willamette Meridian

That part of the SW $\frac{1}{4}$ of Section 34 described as follows: Beginning at a point that is distant South 89°29' East 351.66 feet from the Section corner common to sections 3 and 4, Township 41 S.R. 8 E.W.M., and Sections 33 and 34, Township 40 S.R. 8 E.W.M., said point being distant 50 feet Southeasterly measured at right angles from the center line of the Central Pacific Company's originally located main track at Engineer's Station 2640+59.67; thence North 32°17'30" East, parallel to said center line of main track, 1740.33 feet to a point distant 50 feet Southeasterly at right angles from said center line of the Central Pacific Railway Company's originally located main track at Engineer's Station 2658+00; thence South 57°42'30" East 100.0 feet to the Northwesterly right of way line of the Klamath Falls-Dorris Highway; thence South 32°17'30" West along said right of way line 1678.39 feet to the South line of said Section 34; thence North 89°29' West along said South line of Section 34 a distance of 117.63 feet to the point of beginning.

ALSO that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southeasterly of the Klamath Falls-Dorris Highway; AND the West 400 feet of Lot 5 in said Section 34.

13060

IN TOWNSHIP 41 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN

IN SECTION 6: The S $\frac{1}{2}$ SW $\frac{1}{4}$

IN SECTION 7: ALL EXCEPT the NE $\frac{1}{4}$ NE $\frac{1}{4}$

Lots 1 thru 6 in Block 2, Second Addition to Midland, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2:

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 41 South, Range 9 East of the Willamette Meridian.

Exhibit B

13061

PARCEL III - GRAIN ELEVATOR

IN SECTION 34 TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN

That part of the SW $\frac{1}{4}$ of Section 34 described as follows: Beginning at a point that is distant South 89°29' East 351.66 feet from the Section corner common to Sections 3 and 4, Township 41 South, Range 8 East of the Willamette Meridian, and Sections 33 and 34, Township 40 South, Range 8 East of the Willamette Meridian, said point being distant 50 feet Southeasterly measured at right angles from the center line of the Central Pacific Company's originally located main track at Engineer Station 2640+59.67; thence North 32°17'30" East, parallel to said center line of main track, 1740.33 feet to a point distant 50 feet Southeasterly at right angles from said center line of the Central Pacific Railway Company's originally located main track at Engineer's Station 2658+00; thence South 57°42'30" East 100.0 feet to the Northwesterly right of way line of the Klamath Falls-Dorris Highway; thence South 32°17'30" West along said right of way line 1678.39 feet to the South line of said Section 34; thence North 39°29' West along said South line of Section 34 a distance of 117.63 feet to the point of beginning.

ALSO that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southeasterly of the Klamath Falls-Dorris Highway, AND the West 400 feet of Lot 5 in said Section 34.

Exhibit C

PHONE 184-5155

KLAMATH COUNTY TITLE CO.

422 MAIN STREET

KLAMATH FALLS, OREGON 97601

13062

WHEN CONTACTING THIS OFFICE
KINDLY REFER TO

ORDER NO: A-27366

TO Samuel Henzel

SUPPLEMENTAL
PRELIMINARY REPORT FOR A POLICY
OF TITLE INSURANCE IN THE SUM OF \$3,500,000.00

PREMIUM \$

NOTE: NO LIABILITY IS ASSUMED UNDER THIS REPORT
UNTIL PREMIUM IS PAID.

KLAMATH COUNTY TITLE CO., A CORPORATION, HEREBY REPORTS THAT TITLE TO THE LAND HEREINAFTER
DESCRIBED IS ON November 15 1976 AT 8:00 A.M., VESTED IN:

PARCEL 1: TULANA FARMS, an Oregon corporation, an estate in fee simple

PARCEL 2: DICK HENZEL, an estate in fee simple

OUR POLICY WILL NOT INSURE AGAINST:

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS; PENDING PROCEEDINGS FOR VACATING, OPENING OR CHANGING OF STREETS OR HIGHWAYS PRECEDING ENTRY OF THE ORDINANCE OR ORDER THEREFOR.
2. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF SAID LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSIONS THEREOF.
3. EASEMENTS, CLAIMS OF EASEMENT OR ENCUMBRANCES WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS; UNPATENTED MINING CLAIMS, RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; WATER RIGHTS, CLAIMS OR TITLE TO WATER.
4. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCRUACHMENTS OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE.
5. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied for the years since October 5, 1968, in which the land was subject to the special land use assessment.
6. Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder.
7. Liens and assessments of Klamath Project and Klamath Drainage District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
8. Reservations and conditions imposed by statutes, governmental rules and regulations and all contracts with the United States of America and/or the Klamath Drainage District and Excess Land Trust Deeds to, and Stock Subscriptions and contracts with, the Klamath Water Users' Association and the following: All proceedings, taxes and assessments for the drainage, irrigation and/or reclamation of said lands; also all rights of way for roads, ditches, canals and conduits; and all water rights. (Small portions of these lands may not be within the said drainage district.) (This exception does not apply to delinquent taxes and assessments collectable by the Klamath County Tax Collector.
9. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways.

10. Waiver of Riparian Rights, including the terms and provisions thereof, executed by Daniel L. Gordon et ux., to United States of America dated July 5, 1905, recorded July 16, 1905, Vol. 18, page 352, Deed Records of Klamath County, Oregon.
11. Waiver of Riparian Rights, including the terms and provisions thereof, executed by William C. Smith et ux., to The United States of America dated June 30, 1905, recorded September 16, 1905, Vol. 18, page 369, Deed Records of Klamath County, Oregon.
12. Waiver of Riparian Rights, including the terms and provisions thereof, executed by Abel Ady et ux., to United States of America dated July 5, 1905, recorded September 16, 1905, Vol. 18, page 380 Deed Records of Klamath County, Oregon.
13. Waiver of Riparian Rights, including the terms and provisions thereof, executed by Everding and Farrell to United States of America dated July 3, 1905, recorded September 16, 1905, Vol. 18, page 382, Deed Records of Klamath County, Oregon.
14. Waiver of Claim for Damages, including the terms and provisions thereof, given by Josephine Robinson to The United States and Klamath Drainage District recorded January 24, 1918, Vol. 47, page 571, Deed Records of Klamath County, Oregon.
15. Waiver of Claim for Damages, including the terms and provisions thereof, given by L. Jacobs to Klamath Drainage District and United States of America recorded January 24, 1918, Vol. 47, page 576 Deed Records of Klamath County, Oregon.
16. Right of Way for irrigation canal, including the terms and provisions thereof, given by L. Jacobs et ux., to Klamath Drainage District dated October 14, 1922, recorded October 23, 1922, Vol. 59, page 245, Deed Records of Klamath County, Oregon.
17. Right of Way for ingress and egress, including the terms and provisions thereof, given by L. Jacobs et ux., to Klamath Drainage District dated October 14, 1922, recorded October 23, 1922, Vol. 59, page 246, Deed Records of Klamath County, Oregon.
18. Right of Way for canal, including the terms and provisions thereof, given by E. M. Weyl et ux., et al., to Klamath Drainage District dated September 29, 1922, recorded November 9, 1922, Vol. 59, page 301, Deed Records of Klamath County, Oregon.
19. Right of Way for various irrigation purposes, including the terms and provisions thereof, given by Chin Lung et ux., to Klamath Drainage District dated December 4, 1922, recorded January 11, 1923, Vol. 59, page 459, Deed Records of Klamath County, Oregon.
20. Right of Way for drainage canal, and road and ditch purposes, including the terms and provisions thereof, given by C. M. Tetherow et ux., to Klamath Drainage District dated February 8, 1923, recorded February 13, 1923, Vo. 59, page 539, Deed Records of Klamath County, Oregon.
21. Right of Way for irrigation canal, including the terms and provisions thereof, given by The San Jauquin Valley Realty Co., a corporation, to Klamath Drainage District, dated November 13, 1923, recorded November 17, 1923, Vol. 63, page 163, Deed Records of Klamath County, Oregon.

22. Right of Way for irrigation purposes, including the terms and provisions thereof, given by Victor St. Rayner et al., to Klamath Drainage District, dated December 13, 1923, recorded January 9, 1924, Vol. 63, page 304, Deed Records of Klamath County, Oregon.

23. Waiver and Release of Damages, including the terms and provisions thereof, given by Lela R. Bonham et vir., to California Oregon Power Company, dated August 27, 1930, recorded January 15, 1932, Vol. 96, page 585, Deed Records of Klamath County, Oregon.

24. Easement, including the terms and provisions thereof, given by Lela R. Bonham et vir., to The California Oregon Power Company, dated August 27, 1930, recorded January 15, 1932, Vol. 96, page 585, Deed Records of Klamath County, Oregon.

25. Right of Way for transmission line, including the terms and provisions thereof, given by Gordon Lacy et ux., to The California Oregon Power Company, a California corporation, dated November 25, 1938, recorded December 17, 1938, Vol. 119, page 257, Deed Records of Klamath County, Oregon.

26. Easement for transmission line, including the terms and provisions thereof, given by M. Zuckerman, Inc., to The California Oregon Power Company, a California corporation, dated January 31, 1939, recorded March 10, 1939, Vol. 131, page 9, Deed Records of Klamath County, Oregon.

27. Right of Way for transmission line, including the terms and provisions thereof, given by Louie Stewart et al., to The California Oregon Power Company, a California corporation, dated January 26, 1939, recorded March 10, 1939, Vol. 121, page 11, Deed Records of Klamath County, Oregon.

28. Right of Way for transmission line, including the terms and provisions thereof, given by James H. Phipps et al., to The California Oregon Power Company, a California corporation, dated February 1, 1939, recorded May 25, 1939, Vol. 122, page 307, Deed Records of Klamath County, Oregon.

29. Right of Way for transmission line, including the terms and provisions thereof, given by Daniel L. Gordon et al., to The California Oregon Power Company, a corporation, dated November 9, 1939, recorded December 26, 1939, Vol. 126, page 193, Deed Records of Klamath County, Oregon.

30. Right of Way for transmission line, including the terms and provisions thereof, given by E. J. Hoover, et ux., to The California Oregon Power Company, a corporation, dated December 22, 1939, recorded February 23, 1940, Vol. 127, page 261, Deed Records of Klamath County, Oregon.

31. Right of Way for transmission line, including the terms and provisions thereof, given by M. Zuckerman, Inc. to The California Oregon Power Company dated Augjst 12, 1940, recorded November 23, 1940, Vol. 133, page 415, Deed Records of Klamath County, Oregon.

32. Reservations and restrictions contained in deed from Klamath Drainage District, a corporation, to Max Hooper dated December 4, 1940, recorded December 5, 1940, Vol. 133, page 555, Deed records of Klamath County, Oregon.
33. Right of Way, including the terms and provisions thereof, given by Klamath Drainage District, a corporation, to The California Oregon Power Company, dated June 8, 1940, recorded December 26, 1940, Vol. 134, page 225, Deed Records of Klamath County, Oregon.
34. Right of Way for transmission line, including the terms and provisions thereof, given by Klamath Drainage District et al., to The California Oregon Power Company dated August 1, 1941, recorded December 5, 1941, Vol. 143, page 83, Deed records of Klamath County, Oregon.
35. Right of Way for transmission line, including the terms and provisions thereof, given by Dave Liskey et al., to The California Oregon Power Company, a California corporation, dated August 1, 1941, recorded December 5, 1941, Vol. 143, page 86, Deed Records of Klamath County, Oregon.
36. Reservation of necessary rights of way for construction and maintenance of roads, telephone and electric transmission lines, canals, ditches, drains, and other works now constructed or which may be necessary in the future for the reclamation and development of the lands within the Klamath Drainage District as disclosed by deed from Klamath Drainage District to C. A. Dunn and Anita M. Dunn dated April 10, 1944, recorded April 13, 1944, Vol. 164, page 63, Deed Records of Klamath County, Oregon.
37. Right of Way, including the terms and provisions thereof, given by C. A. Dunn et ux., to The California Oregon Power Company dated December 12, 1944, recorded January 16, 1945, Vol. 172, page 251, Deed Records of Klamath County, Oregon.
38. Right of Way, including the terms and provisions thereof, conveyed by Stockton Savings and Loan Bank, a corporation, to United States of America by deed dated November 13, 1944, recorded January 20, 1945, Vol. 172, page 354, Deed Records of Klamath County, Oregon.
39. Right of Way, including the terms and provisions thereof, conveyed by J. Paul Matthews et ux., to United States of America dated February 14, 1945, recorded March 14, 1945, Vol. 174, page 188, Deed Records of Klamath County, Oregon.
40. Right of Way and Easement, including the terms and provisions thereof, given by Clarrissa A. Bickford to United States of America by deed dated January 4, 1945, recorded March 14, 1945, Vol. 174, page 192, Deed Records of Klamath County, Oregon.
41. Right of Way for transmission line, including the terms and provisions thereof, given by Dave Liskey et al., to The California Oregon Power Company dated May 24, 1945, recorded July 24, 1945, Vol. 178, page 231, Deed Records of Klamath County, Oregon.
42. Right of Way, including the terms and provisions thereof, given by A. H. Patterson et ux., to The California Oregon Power Company dated February 19, 1947, recorded April 15, 1947, Vol. 205, page 47, Deed Records of Klamath County, Oregon.

43. Reservations and restrictions contained in deed from Klamath Drainage District to Anita M. Dunn dated January 7, 1948, recorded January 8, 1948, Vol. 215, page 357, Deed Records of Klamath County, Oregon.
44. Reservations and restrictions contained in deed from Klamath Drainage District to Anita M. Dunn dated January 7, 1948, recorded January 8, 1948, Vol. 215, page 359, Deed Records of Klamath County, Oregon.
45. Easement, including the terms and provisions thereof, given by Clifford A. Dunn et ux., to Harold L. Patterson et ux., dated May 15, 1950, recorded July 11, 1950, Vol. 10, page 427, Miscellaneous Records of Klamath County, Oregon.
46. ~~Mortgage, including the terms and provisions thereof, executed by Tulana Farms, an Oregon corporation, Dick Henzel and Elizabeth Henzel, husband and wife, and Mabel E. Henzel, a widow, to The Federal Land Bank of Spokane, a corporation, dated June 30, 1972, recorded July 6, 1972, in Mortgage Volume M72, page 7301, Microfilm records of Klamath County, Oregon, to secure the payment of \$5,107,000.00.~~
47. ~~Financing Statement filed July 6, 1972, in the office of the County Clerk of Klamath County as File No. 65874, indicating a security agreement given by Tulana Farms, as debtors, to The Federal Land Bank of Spokane, as secured party, and relating to pumps, motors, and buried mainline.~~
48. Lease and agreement, including the terms and provisions thereof, between Tulana Farms, an Oregon Corporation, as Lessor, and Gulf Oil Corporation, a Pennsylvania Corporation, as Lessee, dated January 19, 1972, recorded February 28, 1975, Vol. M75, page 2393, Deed Records of Klamath County, Oregon.
49. ~~Financing Statement filed March 3, 1975, in the office of the County Clerk of Klamath County as File No. 98504, indicating a security agreement given by Tulana Farms as debtors and Crocker National Bank as secured party, and relating to crops, farm equipment, etc.~~
50. Right of Way Option, including the terms and provisions thereof, given by Tulana Farms, Inc., to Pacific Power & Light Company, a corporation, dated September 15, 1975, recorded September 18, 1975, Vol. M75, page 11179, Deed Records of Klamath County, Oregon. Said option was extended until September 15, 1977, by instrument dated August 5, 1976, recorded August 9, 1976, Vol. M76, page 12197, Deed Records of Klamath County, Oregon.
51. Terms and provisions contained in Land Purchase Contract between The United States of America and Tulana Farms, an Oregon corporation, dated December 2, 1975, recorded April 2, 1976, Vol. M76, page 4636, Deed Records of Klamath County, Oregon.
52. Easements and Rights, including the terms and provisions thereof, contained in deed from Tulana Farms, an Oregon corporation, to The United States of America dated December 2, 1975, recorded April 5, 1976, Vol. M76, page 4718, Deed Records of Klamath County, Oregon.

13067

NOTE: Taxes for 1976-77 are paid in full.

NOTE: We find no unsatisfied judgments of record against Samuel Henzel.

This report covers the property situated in Klamath County, Oregon, shown on the attached sheets.

KLAMATH COUNTY TITLE COMPANY

By:

Ret:
Henzel Properties, Inc.
P.O. Box 84
Midland, OR 97634

Exhibit "D" Page 6

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of July A.D. 19 86 at 3:03 o'clock P M., and duly recorded in Vol. M86
of Deeds on Page 13056.

FEE \$54.00

Evelyn Biehn, County Clerk
By *[Signature]*