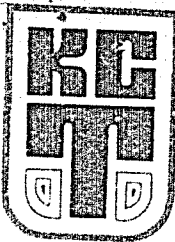


78848

04-08-94P01:29 RCVD
KLAMATH COUNTY TITLE COMPANYMTC 32064
K-46212

Vol. m94 Page 10525

STATUTORY WARRANTY DEED
(Individual or Corporation)

SHAMROCK HOLDINGS OF CALIFORNIA, INC., a California Corporation
conveys and warrants to RUNNING Y, INC., an Oregon Corporation, Grantor,
the following described real property in the County of Klamath and State of Oregon, Grantee.

SEE ATTACHED EXHIBIT "A"

This property is free of liens and encumbrances, EXCEPT:
Subject to reservations and restrictions of record, rights of way, and easements
of record and those apparent upon the land, contracts and/o liens for irrigation
and/or drainage.

*AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST
FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$ 7,010,400.00 (Here comply with the requirements of ORS 93.030*).

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 THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO
VERIFY APPROVED USES.

DATED this 7th day of April 19 94. If a corporate grantor, it has caused its name to be signed by
resolution of its board of directors.

SHAMROCK HOLDINGS OF CALIFORNIA, INC.

BY: George Buchler, Chief Financial Officer BY: W. Randall Boggan, Vice President
George Buchler, Chief Financial Officer W. Randall Boggan, Vice President

STATE OF OREGON, County of _____ ss.
The foregoing instrument was acknowledged before me
this _____ day of _____ 19 _____
by _____

CORPORATE ACKNOWLEDGEMENT
STATE OF OREGON, County of _____ ss.
The foregoing instrument was acknowledged before me
this _____ day of _____ 19 _____
by _____ and
by _____ of _____
a corporation, on behalf of the corporation.

Notary Public for Oregon
My commission expires:

Notary Public for Oregon
My commission expires:

After recording return to:
Running Y, Inc.
3250 Lakeport Blvd.
Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

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

Running Y, Inc.
3250 Lakeport Blvd.
Klamath Falls, Oregon 97601

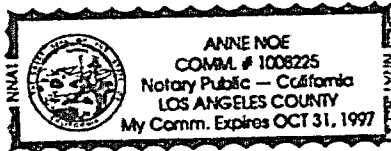
THIS SPACE RESERVED FOR RECORDER'S USE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of California
County of Los Angeles
On 4-7-94 before me, Anne Noe - Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"
personally appeared George Buchler & W. Randall Boggan
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Anne Noe
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL
☒ CORPORATE OFFICER(S)
TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

EXHIBIT "A"
AMENDED LEGAL DESCRIPTION

PARCEL 1

Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 2: N 1/2 NE 1/4 and SW 1/4 NE 1/4

Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 35: All that portion of said section lying South and West of the Orindale Draw State Highway.

Section 26: W 1/2

Section 23: SW 1/4 SW 1/4

Section 34: SE 1/4, E 1/2 SW 1/4, NW 1/4, N 1/2 NE 1/4, SW 1/4 NE 1/4

Section 27: All

Section 22: All, EXCEPT portion of NE 1/4 NE 1/4 lying North and East of the following described line:

Beginning at the Northeast corner of Lot 3 of said Section 22; thence North 1435 feet to the center of "Neck"; thence North 38 degrees 51' West 4145 feet following Neck to intersection with North-South center line of Section 15, ALSO excepting the N 1/2 SW 1/4 NE 1/4

Section 15: W 1/2, and the portion of SE 1/4 lying South and West of the following line:

Beginning at the Northeast corner of Lot 3 of Section 22 thence North 1435 feet to the center of "Neck"; thence North 38 degrees 51' West 4145 feet following Neck to intersection with North-South center line of said Section 15.

Section 10: S 1/2 SW 1/4

Section 28: SE 1/4 SE 1/4, N 1/2 SE 1/4, E 1/2 NW 1/4, and the portion of W 1/2 NW 1/4 North of Government Meander line through said Section 28; NE 1/4

Section 21: All

Section 16: All

Section 9: S 1/2 S 1/2, NW 1/4 SW 1/4

Section 29: The portion of NE 1/4 NE 1/4 North of Government Meander line through Section 29.

Section 20: The portion of SE 1/4 North of Government Meander line: portion of W 1/2 North and East of Government Meander line, and NE 1/4

Section 36: All that portion of said section lying South and West of the Orindale Draw State Highway.

Section 17: E 1/2, NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4 and Lot 2

Section 8: SE 1/4, S 1/2 SW 1/4 and the following portions of N 1/2 SW 1/4: First: All that portion of the N 1/2 SW 1/4 of said Section 8 lying South of the following line: Starting at center of Section 8; thence West 660 feet; thence South to the Northerly line of the Klamath Lake Highway; thence Westerly and Northerly along the Northerly line of Klamath Lake Highway to intersection of said line with the East line of W 1/2 SW 1/4 of Section 8, thence South along said East line of W 1/2 SW 1/4 to Northerly boundary of Old State Highway #421; thence Northwesterly along said Northerly boundary of Old Highway #421 to West line of said Section 8;

EXCEPTING THEREFROM a tract of land situated in the E1/2 of Government Lot 4 of Section 8 Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

That portion of said E1/2 of Government Lot 4 lying between the Northerly right of way line of State Highway 140 and the following described line. Beginning at a point on the Northerly right of way line of said Highway 140 from which the N1/4 corner of said Section 8 bears North 02 degrees 03' 29" East 3694.89 feet; thence North 42 degrees 44' West along an existing fence line and its extension, 713 feet, more or less, to a point on the North-South center line of the NE1/4 SW1/4, with bearings based on the center line of said Highway 140 being North 83 degrees 37' 13" West, as shown on record of survey no. 4035.

TOGETHER WITH an easement as reserved in deed recorded July 12, 1993 in Volume M93 at page 16794, Microfilm Records of Klamath County, Oregon, for ingress and egress, across the following described portion. Beginning at the point of beginning of said tract; thence North 42 degrees 44' West 147.00 feet; thence South 47 degrees 16' West 83.94 feet; thence South 32 degrees 08' East 41.87 feet, more or less, to a point on the Northerly right of way line of said Highway 140; thence South 83 degrees 37' 22" East 140.00 feet to the point of beginning.

Second: A portion of SW 1/4 NW 1/4 Section 8 bounded as follows: Starting at the quarter corner common to Sections 7 and 8; thence East along the center line of Section 8 (Caledonia-Wocus Division line) to intersection of said center line with Southerly boundary of Klamath Lake Highway; thence Northwesterly along Southerly boundary of Klamath lake Highway to intersection of said Southerly boundary with section line common to Sections 7 and 8; thence South to the point of beginning; Reserving in said Section 8 right of way over present roadway to R. M. Smith homesite.

Section 18: SE 1/4 SE 1/4; N 1/2 NE 1/4, SE 1/4 NE 1/4 all those portions of the N 1/2 SE 1/4, SW 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4 lying North and East of Government Meander line.

Sections 6 & 7: Those portions of Sections 6 and 7, Township 38 South Range 8 East of the Willamette Meridian, within the following described boundaries:

Beginning at the section corner common to Sections 7, 8, 17 and 18; thence North along the section line common to Sections 7 and 8 to the Northerly boundary of the Old State Highway #421; thence West along said boundary to a point 300 feet distant from Section line common to Sections 7 and 8; thence North 780 feet, more or less to the center line running East and West through Section 7; thence East on said center line 300 feet; thence North on the section line common to Sections 7 and 8 to the intersection of said section line with the Southerly boundary of the Klamath Lake Highway; thence Northwesterly along the Southerly boundary of the Klamath Lake Highway to its intersection with a line parallel to the East-West center line of Section 7 and North 658 feet of said line (said line being the division line between the Caledonia and Wocus Tracts); thence following said Caledonia-Wocus division line Westerly to a point on the Easterly end of the Crossdike between the Caledonia and Wocus Tracts, which point is 2621 feet West of the Section line common to Sections 7 and 8; thence South 24 degrees West 100 feet; thence North 66 degrees East 200 feet; thence North 66 degrees West 50 feet to the center of the Caledonia Canal in the SE 1/4 NW 1/4 of Section 7; thence Northerly along the center line of said Caledonia Canal to intersection of said center line with the West boundary of Lot 3, Section 6, Township 38 South, Range 8 East of the Willamette Meridian; thence South along the West boundary of Lot 3, continuing South along the West boundary of Lot 4 in said Section 6; thence continuing South along the West boundaries of Lots 4 and 5 in Section 7, Township 38 South, Range 8 East of the Willamette Meridian, to the intersection of the West boundary of Lot 5 with the Easterly boundary of the Old State Highway #421 in S 1/2 NW 1/4 of Section 7; thence Southwesterly along said Easterly boundary of the Old State Highway #421 to its intersection in Lot 6 with the East line of the W 1/2 NW 1/4 SW 1/4 of Section 7; thence South 0 degrees 16' West 973 feet, more or less, to the South line of NW 1/4 SW 1/4 of Section 7, which point is 660 feet East of the Southwest corner of Lot 6; thence South 14 degrees 58' East 403.9 feet to a meander point in Lot 7, Section 7; thence following the Government Meander line Southerly and Easterly to the intersection of said Meander Line with the South line of Section 7; thence East along the South line of Section 7 to the point of beginning.

SAVING AND EXCEPTING from any of the above described real property any portions lying within the boundaries of the State Highway.

ALSO SAVING AND EXCEPTING that portion conveyed to State of Oregon, by and thru its State Highway Commission by Deed recorded September 12, 1967 in Volume M-67 at page 7067, Microfilm Records of Klamath County, Oregon.

PARCEL 2

Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.
Section 22: N 1/2 N 1/2 SW 1/4 NE 1/4

PARCEL 3

Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.
Section 22: S 1/2 N 1/2 SW 1/4 NE 1/4

PARCEL 4

Beginning at a point on the West shore of Big Klamath Lake, which is South 632.28 feet, and East 1,467.18 feet more or less from the most Northerly corner of Lot 3, Section 10, Township 38 South, Range 8 East of the Willamette Meridian; thence West 1,467.18 feet more or less to the West line of said Lot 3 which course is the North line of the property deeded to F. L. and Nellie Felter as recorded in the County Clerk's Records, in Deed Book 31 at page 177; thence North 207.24 feet, more or less along the West line of said Lot 3; thence East 935.38 feet more or less to the West shore of Klamath Lake, which course is the South boundary of the property deeded to P. J. O'Gara as recorded in the County Clerk's Office in Deed Book 51 at page 87; thence Southeasterly along the shore of Klamath Lake to the point of beginning.

PARCEL 5

Beginning at a point opposite an iron pipe driven on the North bank of the drainage canal, from which said iron pipe the quarter corner common to Sections 5 and 8; Township 38 South, Range 8 East of the Willamette Meridian, bears South 17 degrees 34' East 1616.6 feet distant; thence running North 32 degrees 41' West to intersection with open water of Upper Klamath Lake, said intersection being marked by a 2" galvanized iron pipe 6 feet long driven into top of dike; thence along the shore of Upper Klamath Lake, Northeasterly to the most Northerly point of the ridge known as "Skillet Handle"; thence Southeasterly along the shore of Upper Klamath Lake to the point where the West line of Lot 3 of Section 10, Township 38 South, Range 8 East of the Willamette Meridian, intersects said lake; thence South along said West line of said lot to the Southwest corner of said Lot 3; thence West one-quarter mile; thence South one-quarter mile; thence West one-quarter mile to the Southeast corner of the NE 1/4 SE 1/4 of Section 9; thence North 42 degrees 15' West to an iron pipe; which point is North 49 degrees 30' East 2150 feet from a point which bears North 30 degrees 0' East 1100 feet from the quarter section corner between Sections 5 and 8; thence South 49 degrees 30' West 250 feet to bend in Canal at Upland; thence continuing South 49 degrees 30' West 1900 feet along centerline of canal across marsh, to a point from which the quarter section corner between Section 5 and 8 bears South 30 degrees 0' West 1100 feet; thence Northwesterly along said drainage canal to the point of beginning.

PARCEL 6

Beginning at the Southwest corner of Lot 2 of Section 9, Township 38 South, Range 8 East of the Willamette Meridian; thence running North 634 feet, more or less, to the point of intersection of said line with the shore line of marsh; thence in a Northwesterly direction along shore line of marsh to the end of the existing drainage canal; thence along center line of said drainage canal to the intersection of said canal with main canal; from which said intersection of canals the quarter corner common to Sections 5 and 8, Township 38 South, Range 8 East of the Willamette Meridian, bears South 30 degrees 0' West 1100 feet distant; thence running North 49 degrees 30' East 1900 feet along center line of canal across marsh to bend in canal at Upland; thence continuing North 49 degrees 30' East 250 feet from bank of canal to an iron pipe driven in the ground; thence running South 42 degrees 15' East to the Southeast corner of the NE 1/4 SE 1/4 of Section 9; thence running West three-quarters of a mile; thence North one-quarter mile to the point of beginning; being Lots 2, 8, 9, 10, NE 1/4 SW 1/4 and NW 1/4 SE 1/4, and a portion of Lot 1 and the NW 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4 and NE 1/4 SE 1/4 of Section 9; Lot 15 and portions of Lots 6, 7 and 8 of Section 4; and portions of N 1/2 SE 1/4 and Lot 3 of Section 5; and Lot 12 of Section 8, Township 38 South, Range 8 East of the Willamette Meridian.

EXCEPTING THEREFROM the following described tract:

A parcel of land situated in the N 1/2 SW 1/4 and the N 1/2 SE 1/4 all in Section 9, Township 38 South, Range 8 East of the Willamette Meridian, being more particularly described as follows:

Beginning at a point on the South line of the N 1/2 SW 1/4 of said Section 9, from which the Southeast corner SW 1/4 of said Section 9 bears South 17 degrees 35' 04" East a distance of 1396.15 feet said point of beginning being 43.1 feet East of the center of cattle guard on an access road; thence leaving said South line N 1/2 SW 1/4 and running parallel to but 40.00 feet Easterly of the centerline of said access road the following courses: North 21 degrees 41' 37" West, 423.19 feet; North 26 degrees 01' 59" West, 457.03 feet; along the arc of a 180.49 feet radius curve to the right (delta = 84 degrees 52' 49" long chord = North 16 degrees 24' 30" East, 243.60 feet) 267.39 feet; thence leaving said curve and leaving said line that is 40.00 feet Easterly but parallel to the centerline of said access road and running in a Southeasterly direction parallel to but 20.00 feet Southerly of the Southerly edge of an irrigation ditch the following courses: South 54 degrees 50' 34" East 192.80 feet; North 88 degrees 44' 20" East, 146.79 feet; South 69 degrees 10' 58" East, 212.02 feet South 72 degrees 02' 21" East, 163.54 feet; South 67 degrees 50' 04" East, 357.97 feet; South 72 degrees 10' 33" East, 300.76 feet; South 71 degrees 46' 33" East, 365.42 feet; South 63 degrees 55' 27" East 281.19 feet; South 77 degrees 42' 49" East, 322.56 feet; South 65 degrees 41' 24" East, 335.73 feet; South 75 degrees 12' 25" East, 192.22 feet; South 60 degrees 28' 43" East, 208.02 feet more or less to a point on the South line N 1/2 SE 1/4 of said Section 9; thence leaving the line parallel to but 20.00 feet Southerly of the Southerly line of said irrigation ditch and running North 89 degrees 34' 01" West along the South line N 1/2 SE 1/4; thence along the South line N 1/2 SW 1/4 all in said Section 9 a distance of 2575.46 feet more or less to the point of beginning.

PARCEL 7

NE 1/4 SW 1/4 of Section 10, Township 38 South, Range 8 East of The Willamette Meridian.

PARCEL 8

A parcel of land located in Section 7, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the quarter section corner on the East line of Section 7, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence North 658 feet; thence West 2621 feet to a stone marked with a cross which stone is the place of beginning; thence South 24 degrees West 100 feet; thence North 66 degrees West 1000 feet; thence North 24 degrees East 200 feet; thence South 66 degrees East 1000 feet; thence South 24 degrees West 100 feet to the place of beginning.

PARCEL 9

A portion of the NE1/4 SE1/4 of Section 7 and the NW1/4 SW1/4 of Section 8, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, described as follows: Beginning at a point where the Northerly right of way line of the old State highway #421 intersects the section line common the Sections 7 and 8; thence West along the Northerly boundary of the old State highway #421 a distance of 300 feet to a point; thence North 780 feet, more or less, on a line parallel with the section line common to Sections 7 and 8 to the East-West center line of Section 7; thence East on said center line to the Southerly boundary of the Klamath Lake Highway in Section 8, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence Southeasterly along said Southerly boundary of the Klamath Lake Highway to a point where said boundary intersects the 40 line running North and South through the SW1/4; (Note: The division line extended, between fields 4A and 5A); thence South along said 40 line 250 feet, more or less, to its intersection the with the Northerly right of way line of old State Highway #421; thence Westerly along the Northerly right of way line of Old Highway #421 to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co the 8th day of April A.D., 19 94 at 1:29 o'clock P. M., and duly recorded in Vol. M94 of Deeds on Page 10525.

FEE \$60.00

Evelyn Biehn - County Clerk

By Pauline Nielsen