

BARGAIN AND SALE DEED

97 AUG -6 A 9:55

Douglas Carpa, trustee of the Juanita and Associate Trust, trustee of the Hall Holding Trust, Juniper Holding Trust, Mountain Holding Trust, Orchard Holding Trust, Park Holding Trust, River Holding Trust, Start Holding Trust, and Viewpoint Holding Trust; I. F. RODGERS and RAD R. RODGERS, beneficiaries of The Quarter Circle Ranch Management Trust; Douglas Carpa, trustee of American Common Trust, trustee of The Quarter Circle Ranch Management Trust; and Enrique Almodovar, trustee of Contract Administrators Trust, settlor of The Quarter Circle Ranch Management Trust, beneficiary of the Hall Holding Trust, Juniper Holding Trust, Mountain Holding Trust, Orchard Holding Trust, Park Holding Trust, River Holding Trust, Start Holding Trust, and Viewpoint Holding Trust; and Robert L. Talbot, trustee of the American Liberator Trust, settlor of the Hall Holding Trust, Juniper Holding Trust, Mountain Holding Trust, Orchard Holding Trust, Park Holding Trust, River Holding Trust, Start Holding Trust, and Viewpoint Holding Trust; hereinafter called GRANTORS, do hereby grant, bargain, convey and release unto I. F. RODGERS & SONS, GRANTEE, its successors and assigns, the real property described in the attached Exhibit A, together with the improvements situated thereon, and also the estate therein which the Trustees have or have power to convey or dispose of as Trustees in the aforementioned trusts, if any, to have and to hold the same unto the said GRANTEE and GRANTEE's successors and assigns forever.

This conveyance is subject to all existing encumbrances including zoning ordinances, easements, conditions, and restrictions of record and is made without any warranties or representations whatsoever.

This deed is intended as a conveyance, absolute in legal effect as well as in form, of the title to said property to GRANTEE and not as a mortgage, trust deed, or security device of any kind and that possession of said premises is hereby surrendered to GRANTEE, and that in executing this deed the GRANTORS are not acting under any misapprehension as to the effect hereof nor under any duress, undue influence or misrepresentation by the GRANTEE or its agents, partners, or attorneys.

True consideration for this conveyance is \$0.00.

It is understood by the GRANTORS and GRANTEE that this conveyance is intended to restore to GRANTEE its interest in the subject real property transferred to the trusts named above for no consideration.

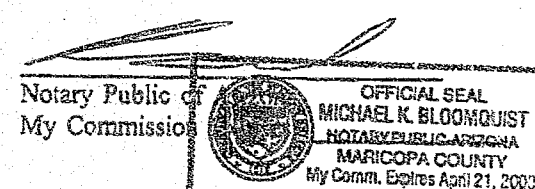
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.


DATED this 23 day of June, 1997.



Douglas Carpa, Trustee

STATE OF ARIZONA)
) ss.
County of Maricopa)

SUBSCRIBED AND SWORN TO before me this 23 day of June, 1997 by Douglas Carpa, Trustee

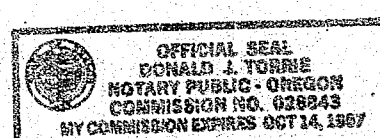


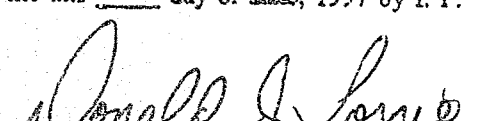

I. F. Rodgers


Rad R. Rodgers

STATE OF OREGON)
) ss.
County of Klamath)

SUBSCRIBED AND SWORN TO before me this 21 day of ^{JULY} June, 1997 by I. F. Rodgers and Rad R. Rodgers.




Notary Public of Oregon
My Commission Expires: 10-14-97

Enrique Almodovar

STATE OF ARIZONA)

) ss.

County of Maricopa)

SUBSCRIBED AND SWORN TO before me this ____ day of June, 1997 by Enrique Almodovar.

Notary Public for Arizona

My Commission Expires: _____

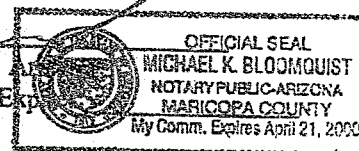
STATE OF ARIZONA)

) ss.

County of Maricopa)

SUBSCRIBED AND SWORN TO before me this 22nd day of June, 1997 by Douglas Carpa, Trustee

Notary Public for Arizona
My Commission Expires: _____



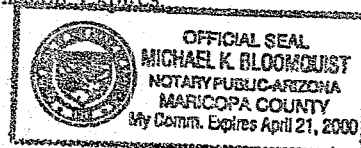
STATE OF ARIZONA)

) ss.

County of Maricopa)

SUBSCRIBED AND SWORN TO before me this 15th day of July, 1997 by Robert L. Talbot Williams

Notary Public for Arizona
My Commission Expires: _____



PARCEL 2: NE $\frac{1}{4}$ of Section 33, Township 39 South, Range 11 $\frac{1}{2}$ East, W.M., SAVING AND EXCEPTING those portions thereof conveyed to the United States by deeds recorded in Volume 39 at page 306 as follows: All that portion of the NE $\frac{1}{4}$ of Section 33, Township 39 South, Range 11 $\frac{1}{2}$ East, W.M., lying between two lines drawn parallel to, on each side of, and 15 feet distant from the center line of the "H" sub-lateral, Second Unit Distribution System, Klamath Project, Oregon-California, said center line being described as follows: Beginning at a point approximately 30 feet East and 2625 feet

South of the North quarter corner of said section and running thence South 89°34' East

1032.1 feet; thence North 37°45' East 1554.6 feet; thence North 60°45' East 752.7 feet to a point in the East line of Section 33, 1031.2 feet South of Northeast corner of said Section 33,

and in Volume 43 at page 170, Deed Records of Klamath County, Oregon, as follows:

All that portion of the NE $\frac{1}{4}$ of Section 33, Township 39 South, Range 11 $\frac{1}{2}$ East, W.M., lying between two lines drawn parallel to, on each side of, and 35 feet on the left or right side and 15 feet on the right or Westerly side of the center line of the

15 feet East of quarter corner common to Sections 28 and 33, Township 39 South, Range 11 $\frac{1}{2}$ East, W.M.; and running thence South 1400 feet; thence continuing 25 feet on each side of the center line North 88°20' East 900 feet; thence along the arc of a curve to the left whose radius is 400 feet, 184.8 feet; thence North 65°50' East 1062 feet; thence along the arc of a curve to the left whose radius is 200 feet, 183.2 feet; thence North 8°50' East 896 feet to a point 650 feet West of corner common to Sections 27, 28, 33 and 34, Township 39 South, Range 11 $\frac{1}{2}$ East, W.M.

Subject to the perpetual right or easement of the United States, recorded in Volume 61, page 290, Deed Records, to enter at all times and excavate for, maintain and operate a lateral upon the following described land in Klamath County, Oregon:

All that portion of NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 39 South, Range 11 $\frac{1}{2}$ East, W.M., described as follows: A strip of land extending 10 feet on the Southerly side and 10 feet on the Northerly side measured at right angles to the center line of the F-3-A lateral for part 2 of the main division of the F-3 lateral from which the Northeast corner of Section 33 of aforesaid Township and Range bears North 49°24' East 1000 feet; thence running North 89°41' East 734.3 feet to a point on East boundary of said Section 33 from which Northeast corner of Section 33, Township and Range aforesaid, bears North 655.0 feet distant; the above described strip of land containing an area of 0.3 acres, more or less. The above described strip of land is 20 feet in width and included between 2 lines parallel to center line of said F-3-A lateral and which extends from approximately the center to the East boundary of NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 39 South, Range 11 $\frac{1}{2}$ East, W.M.

Triangle

Beginning at the Northwest corner of the Southeast one quarter (SE 1/4) Sec. 33, Twp. 39 S., R. 11 1/2 E.W.M. which point is on the center line of the Poe Valley Market road; thence North 89° 54' East along the North line of the Southeast one quarter of said Section 33, a distance of 1258.3 feet more or less to the center line of the U.S.R.S. No. 21A drain; thence South 57° 57' West along the center line of said drain and along the center line of said drain extended, to the West line of the Southeast one-quarter of said Sec. 33, which point is on the center line of said Poe Valley Market road at a distance of 791 feet more or less from the point of beginning; thence North 791 feet along the center line of said Market Road to the point of beginning, being a portion of the NW 1/4 SE 1/4 of Sec. 33, Twp. 39 S., R. 11 1/2 E.W.M.

- continued from the reverse side of this deed -

SUBJECT TO:

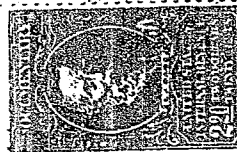
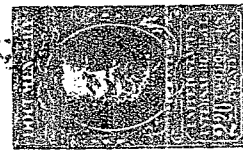
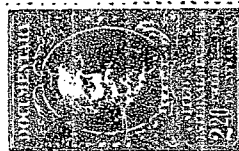
1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
2. Regulations, including levies, assessment, water, and irrigation rights and easements for ditches and canals of Klamath Irrigation District.
3. Regulations, including levies, assessment, water, and irrigation rights and easements for ditches and canals of Klamath Basin Improvement District.
4. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads, or highways.
5. Contract with the U. S. Reclamation Service for irrigation, as disclosed by Deed from John G. Patterson and wife to John Deegan, recorded February 8, 1921, in Volume 54, page 578, Deed Records of Klamath County, Oregon, recites: "The above premises are part of the Patterson Irrigation District and are subject to incumbrances which may arise thereto, and is subject to a certain contract with the United States Reclamation Service for irrigation." (Affects the E 1/2 SE 1/4 of Section 33 and W 1/2 SE 1/4 of Section 34, Township 40 South, Range 11 E.W.M.)

10-W11.

All of the east half of the southeast quarter of Section 33, Twp. 39 S., R. 11 $\frac{1}{2}$ E.W.M., excepting the parcel of land described as follows:

Beginning at the southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section; running thence east 125 feet along the section line, thence north parallel to the section line 1575 feet; thence west to the 16th section line 125 feet; thence south along the east line of W $\frac{1}{2}$ SE $\frac{1}{4}$ of said section 1575 feet to the point of beginning

subject to contract and/or lien for irrigation and/or easements and rights of way of record and those apparent on the mortgage to The Federal Land Bank of Spokane, dated November 9 recorded December 5, 1949 in Vol. 130, p. 139 Klamath County Mort. one-half of which said mortgage grantees assume



TITLE CO.

First Federal Savings & Loan

19 January 1966

10:00 A.M.

M-66 Leeds

543

by [unclear] Clerk

Fee \$1.50

Ref. to LAMAIN
S. J. Rodgers
Rt 2 Box 752
H. J. Drug



TITLE CO.

EG

9

by [unclear] Clerk

herein called grantees, their heirs and assigns forever, the following described premises, situated in Klamath County, State of Oregon:

A tract or parcel of land 125 feet wide and 1575 feet long described as follows: Beginning at the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 39 S., R. 11 $\frac{1}{2}$ East; running thence East 125 feet along the section line; thence North parallel to the section line 1575 feet; thence West to the 16th section line 125 feet; thence South along the East line of the West Half of the Southeast Quarter of said Section 33, 1575 feet to the place of beginning; AND ALSO the W $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 33, all subject to rights by reant, easements or usage; SAVING AND EXCEPTING therefrom that portion of the Northwest Quarter of Southeast Quarter of said Section 33 conveyed to Howard P. Bearss et ux by deed dated November 14, 1945, recorded January 7, 1956, Deed Book 184, page 9, Records of Klamath County, Oregon, more particularly described as follows, to-wit: Beginning at the Northwest corner of the Southeast Quarter of said Section 33, which point is on the center line of the Poe Valley Market Road; thence North 89°54' East along the North line of the Southeast Quarter of said Section 33, a distance of 1258.3 feet, more or less, to the center line of the USRS #21A drain; thence South 57°57' West along the center line of said drain and along the center line of said drain extended to the West line of the Southeast Quarter of said Section 33, which point is on the center line of said Poe Valley Market Road at a distance of 791 feet, more or less, from the point of beginning; thence North 791 feet along the center line of said market road to point of beginning. SUBJECT TO: Acreage and use limitations; contracts, easements, water and irrigation rights pertaining to Klamath Irrigation District. Reservations in United States Patent and any servitudes appearing on said lands,

Return: I. Rodgers & Sons
20909 S. Poe Valley Rd
Klamath Falls, OR 97603

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of I. Rodgers & Sons the 6th day
of August A.D., 1997 at 9:55 o'clock A.M., and duly recorded in Vol. M97
of Deeds on Page 25569.

FEE \$60.00

By Bernetha G. Letsch, County Clerk
Keshlin Ross