

61160

Vol. m98 Page 22931

STATE OF OREGON

UNIFORM COMMERCIAL CODE

FINANCING STATEMENT

REAL PROPERTY - Form UCC-1A

THIS FORM FOR COUNTY FILING OFFICER USE ONLY

This FINANCING STATEMENT is presented to the county filing officer pursuant to the Uniform Commercial Code.

1A. Debtor Name(s): McVay Farms, Inc. Shasta View Produce, Inc.	2A. Secured Party Name(s): The Mutual Life Insurance Company of New York	4A. Assignee of Secured Party (if any):
1B. Debtor Mailing Address(es): c/o Ronald McVay 21592 Drazil Road Malin, OR 97632	2B. Address of Secured Party from which security information is obtainable:  1740 Broadway  New York, NY 10019	4B. Address of Assignee:

3. This financing statement covers the following types (or items) of property (check if applicable): SEE SCHEDULE A ATTACHED HERETO AND  
SEE EXHIBIT "A" INCORPORATED HEREIN BY THIS REFERENCE

- ☒ The goods are to become fixtures on: ATTACHED HERETO ☐ The above timber is standing on: \_\_\_\_\_
- ☐ The above minerals or the like (including gas and oil) or accounts will be financed at the wellhead or minehead of the well or mine located on: (describe real estate)

and the financing statement is to be filed for record in the real estate records. (If the debtor does not have an interest of record) The name of a record owner is:

☐ Check box if products of collateral are also covered

Number of attached additional sheets: \_\_\_\_\_

A carbon, photographic or other reproduction of this form, financing statement or security agreement serves as a financing statement under ORS Chapter 79.

By: MC VAY FARMS, INC., an Oregon corporation SHASTA VIEW PRODUCE, INC., an Oregon corporation  
Sharon M Speak, Pres. Ronald McVay, Pres.  
Signature(s) of the Debtor required in most cases. Signature(s) of Secured Party in cases covered by ORS 79.4020

## INSTRUCTIONS

- PLEASE TYPE THIS FORM.
- If the space provided for any item(s) on this form is inadequate, the item(s) should be continued on additional sheets. Only one copy of such additional sheets need to be presented to the county filing officer. DO NOT STAPLE OR TAPE ANYTHING TO THIS FORM.
- This form (UCC-1A) should be recorded with the county filing officers who record real estate mortgages. This form cannot be filed with the Secretary of State. Send the Original to the county filing officer.
- After the recording process is completed the county filing officer will return the document to the party indicated. The printed termination statement below may be used to terminate this document.
- The RECORDING FEE must accompany the document. The fee is \$5 per page.
- Be sure that the financing statement has been properly signed. Do not sign the termination statement (below) until this document is to be terminated.

Recording Party contact name: Sharon Speak

Recording Party telephone number: 314-278-5555

Return to: (name and address)

SHARON M SPEAK  
MUTUAL OF NEW YORK  
ONE MID RIVERS DRIVE SUITE 120  
ST PETERS MO 63376

Loan NO. 12458

Please do not type outside of bracketed area.

## TERMINATION STATEMENT

This statement of termination of financing is presented for filing pursuant to the Uniform Commercial code. The Secured Party no longer claims a security interest in the the financing statement bearing the recording number shown above.

By: \_\_\_\_\_  
Signature of Secured Party(ies) or Assignee(s)

SCHEDULE A  
LOAN NO. 12458  
McVay Farms, Inc.

A security interest in and to i) all potato handling, storage, washing and processing fixtures and equipment, now or hereafter located on or used in connection with the real property described in Exhibit "A", including, but not limited to, humidifiers, fans, ventilation pipe and cooling units, together with, all replacements, substitutions, additions and accessions thereto; and (ii) all sprinklers, sprinkler heads and risers, sprinkler systems, center pivots, wheel lines, handlines, delivery systems, pumps and pumping plants, motors, mainlines, laterals, and all other irrigation equipment now or hereafter owned by Mortgagors or used in connection with the property described in Exhibit A, together with all substitutions, replacements, and accessions thereto, and any and all allied equipment, including by way of example but not by way of limitation, electrical panels, control boxes, wiring, pipes, valves, elbows, couplers, flanges, reducers, plugs, risers and sprinklers. Said potato related and equipment is hereinafter collectively referred to as the "equipment" and includes, but is not limited to the items more particularly described in Exhibit "B" attached hereto and made a part hereof by this reference.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1:**

The S1/2 NW1/4; N1/2 SW1/4, Section 9, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

**EXCEPTING THEREFROM** that portion lying within public roads and that portion lying within the USBR "D" Canal.

**PARCEL 2:**

Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Section 32: SW1/4 SW1/4; the following described portion of the NW1/4 SW1/4; beginning at the Southeast corner of the NW1/4 of the SW1/4 of said Section 32; thence North, along the East boundary of the NW1/4 of the SW1/4 of said Section to a point 245.00 feet North of the High Line Canal of the Shasta View Irrigation District; thence West, parallel with the North boundary of the NW1/4 of the SW1/4 of said Section to the West boundary of said Section 32; thence South, along said Section boundary to the Southwest corner of the NW1/4 of the SW1/4 of said Section 32; thence East, along the South boundary of the NW1/4 of the SW1/4 of said Section to the point of beginning.

**PARCEL 3:**

Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Section 32: SE1/4 SW1/4; SW1/4 SE1/4, less 12 acres off the North side of said SW1/4 SE1/4 being a strip of land 396 feet wide.

**PARCEL 4:**

The SE1/4 NE1/4 lying Southwest of the Low Line Canal, and the SW1/4 NE1/4 and N1/2 SE1/4.

**EXCEPTING THEREFROM** the following described portion thereof: Beginning at the Southwest corner of the NW1/4 SE1/4 of said Section 14 and running thence North 200 feet; thence East 180 feet; thence South 200 feet; thence West 180 feet to the point of beginning, all in Section 14, Township 41 South, Range 12 East of the Willamette Meridian.

**ALSO EXCEPTING THEREFROM:** Beginning at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 14; thence Northerly along the West line of the Northwest Quarter of the Southeast Quarter of said Section 14, to a point that is 640.00 feet, measured perpendicular to the South line of the Northwest Quarter of the Southeast Quarter of said Section 14; thence Easterly, parallel to the South line of the Northwest quarter of the Southeast Quarter of said Section 14, to a point that is 395.00 feet, measured perpendicular to the West line of the Northwest Quarter of the Southeast Quarter of said Section 14; thence Southerly, parallel with the West line of the Northwest Quarter of the Southeast Quarter of said Section 14, 640.00 feet, measured perpendicular to the South line of the Northwest Quarter of the Southeast Quarter of said Section 14; thence Westerly along the South line of the Northwest Quarter of the Southeast Quarter of said Section 14, 395.00 feet, measured perpendicular to the West line of the Northwest Quarter of the Southeast Quarter of said Section 14, to the point of beginning.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION (continued)**

**PARCEL 5:**

The NE1/4 NW1/4 of Section 9, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM that portion for road as described in Klamath County Deeds, Volume 153 page 588, located in Section 9, Township 41 south, Range 12 East of the Willamette Meridian.

**PARCEL 6:**

Beginning at the Southwest corner of the SW1/4 NE1/4 of Section 10, Township 41 South, Range 12 East of the Willamette Meridian; thence North along the West line of said SW1/4 NE1/4 a distance of 468 feet; more or less, to the Southerly right of way line of the low Line Canal of the Malin Irrigation District, as now constructed across said SW1/4 NE1/4, thence Southeasterly along the Southerly boundary line of said Canal to the intersection with the South line of said SW1/4 NE1/4; thence West along the South line of said SW1/4 NE1/4 a distance of 712 feet, more or less, to the point of beginning.

**PARCEL 7:**

The NW1/4 NW1/4 of Section 9 and the NE1/4 NE1/4 of Section 8, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM that portion lying within the boundaries of Micka County Road #1078.

**PARCEL 8:**

The South 1/2 of the Northwest 1/4 of Section 14, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, less that portion conveyed to Klamath County for roads.

## EXHIBIT "B"

**POTATO STORAGE BUILDING**

Class S Average. 112' x 145' or 16,240 s.f. 20 ft. base height. Estimated capacity 100,000 tons. 2 bays. Machine room in north end of plenum. Concrete foundation, dirt floor (concrete floor in machine room area and down plenum). Metal I-beam construction, metal exterior cover roof and sides. 4 overhead entry doors (front and 2 back), double metal wall construction w/blown insulation, metal stairs to double walkway, single lighting, drains in plenum. Equipment: Gellert computer controls, Galaxy, Square D panel, 2 - 15 hp fan motors. Air control louvers in control house and on north end of bays.

**TRACT 1****IRRIGATION EQUIPMENT**

2 1/4 mile wheelines. (North field)  
 Approximately 50 - 40' joints of 3" handline. (North field)  
 Approximately 1 mile of 6" to 8" mainline is used to deliver water. (North field)  
 160 - 40' joints of 3" handline. (South field)  
 Approximately 3/8th mile of 6" to 8" mainline is used to deliver water. (South field)  
 50 hp, 3545 rpm Cornell electric motor with rainflow pump (#10215), and Cultter Hammer panel. (South field)  
 30 hp, 3540 rpm General Electric motor with a Cornell pump (#31853), and an AB panel. (South field)

**POTATO STORAGE BUILDING**

Class S. 220' x 75' or 16,500 s.f. 18.5 ft. base height. 2 bay with center plenum. 14' x 24' machine room. Concrete foundation, dirt floor (concrete floor in machine room). Metal I-beam construction, metal exterior cover roof and sides. 4 overhead entry doors (2 front and 2 back), double wall construction (wood interior), wooden walkway and stairs, single lighting. Gellert computer controls, Galaxy, Square D panel. Humidcell, 2-10 hp fan motors. Air louvers all in control house.

**TRACT 2****IRRIGATION EQUIPMENT**

3 1/4 mile wheelines. (North field)  
 Approximately 3/4 miles of 6" to 8" mainline is used to deliver water.  
 60 hp motor with turbine pump (Irrigation Well)

**POTATO STORAGE BUILDING**

Class S Average. 58' x 165 or 9,570 s.f. 18 ft. base height. Estimated capacity 57,000 tons for seed potatoes. 3 bays. 12' x 16' machine room. concrete foundation, dirt floor (concrete floor in machine room). Metal I-beam construction, metal exterior cover roof and sides. 4 over head entry doors (3 front and 2 back), double wall construction (wood interior), slatted partitions. wood walkway and stairs, single lighting. Equipment: Gellert computer controls, Galaxy, Square D panel, 2 - 10 hp fan motors. Air louvers in control house.

PROCESSING EQUIPMENT

	Description	Date Acquired
1	20 hp Toshiba circulation pump and motor w/6" discharge	84'
2	4'x24" Wash conveyor with washer unit	84'
3	4'x16" conveyor back end, 2 hp gear head	84'
4	4'x10' Conveyor	84'
5	Roller shear, 1 hp gear head motor	84'
6	1 - 30" x 16" B eliminator conveyor; 2 - 24" x 17" roller grading table trash picking; 2 hp gear head w/variable speed	84'
7	54" x 5' sponge roller table	84'
8	48" x 9' Shear conveyor for strippers	84'
9	48" x 12' Shear conveyor, 9 - 14 oz. count carton	84'
10	48" x 42' Conveyor, 5 hp gear head variable speed	84'
11	12" x 16' Undersized conveyor, 2 hp gear head	84'
12	48" x 8' Discharge conveyor, 2 hp variable speed	84'
13	54" x 10' Flite elevator conveyor, 2 hp gear head	84'
14	18" x 100' conveyor, 3 - 3 hp gear head, 17" x 40' retractable truck loading conveyor; 1 automatic poly bag hanger	84'
15	2 - 20" x 16' roller grading table, 2 hp gearhead	84'
16	2 - 20" x 8' elevator flite conveyor	84'
17	1 - 7.5' x 1'6" x 24' Evenflow tank; 18" x 28' tilt conveyor w/2hp gearhead; 118" x 16' discharge conveyor, 2 hp gear head	84'
18	24" x 10' conveyor, 2 hp gear head	84'
19	24" x 18' flite conveyor, 2 hp gear head	84'
20	18" x 16' sacking table feed conveyor	84'
21	4 line carton filler	84'
22	12" x 43' conveyor oversize baker bypass Hagen sizer, 2 hp gear head	84'
23	48" x 24' shear conveyor w/2 hp gear head	84'
24	12" x 15' off grade return conveyor	84'
25	12" x 14' conveyor off grade return from box filler w/2 hp gearhead	84'
26	24" x 10' hole sacking table w/2 hp gearhead	84'
27	18" x 9' flite conveyor	84'
28	Elliott case sealer, serial #76-9-29- model #76-10	84'
29	100# x 2 oz. scale, model # BP15-100T	84'
30	14" x 6' vibrator conveyor, 2 hp gear head	84'
31	14" x 3.5' roller track	84'
32	14" x 5' Curve wheel roller track	84'
33	14" x 24' discharge conveyor carton filler	84'
34	14" x 136' sack conveyor w/2 hp gearhead	84'
35	12" x 75' return conveyor	84'
36	2hp gear head	84'
37	36" x 26' conveyor w/2 hp gearhead	84'
38	12" x 8' 2's cull conveyor	84'
39	30" x 12' conveyor	84'
40	24" x 12' picking conveyor	84'
41	18" x 19' cull conveyor w/2 hp gearhead	84'
42	24" x 17' jigger table, 4 hole w/2 hp gear head	84'
43	Northwest Equipment 20# bagger - serial # 1275, model # ABH-2	84'
44	15" x 48' carton conveyor w/2 hp gearhead	84'
45	15" x 23' roller track	84'
46	16" x 26' wheel roller track	84'
47	30" x 16' flite conveyor w/2 hp gear head	84'
48	18" x 6' flite conveyor	84'
49	24" x 16' elevator spike flite conveyor	84'
50	30" x 12' crossover conveyor	84'
51	2 - 18" x 24' tilt conveyor w/2 hp gear head; 2 holding tanks for B's and processor, 1- 8" x 5' and 1 -7" x 20'	84'
52	24" x 24' conveyor discharge w/5 hp gear head variable speed	84'
53	24" x 9' conveyor discharge for B's and processors	84'
54	24" x 33' Discharge for B's and processor grades	84'
55	4" pipe frame, 24" x 12' conveyor discharge, 2 hp hydraulic pump	84'
56	2 hp variable speed 24" conveyor, 24" x 26.5' discharge conveyor w/2 hp gear head.	84'

57	1 8' x 46" x 16' evenflow tank; 1-18" x 19' conveyor; 1 - 18" x 18' Tilt conveyor w/2hp gearhead	84'
58	18" x 19' cuil conveyor feed baker weight mate w/2 hp gear head	84'
59	20" x 6.5' conveyor feed weight mate	84'
60	20" x 8' flite conveyor w/2hp gear head	84'
61	24" x 10' conveyor	84'
62	24" x 10' jigger table, 4 hole w/1.5 hp gear head	84'
63	14' x 11' flite conveyor, 10 - 5 baler filler w/2hp gearhead, 8 hole bale bag holder	84'
64	Fischbin sewing machine, series 10, serial #2951	84'
65	Ideal sticher, model # 1C-1240, serial # A-15840	84'
66	3' x 6' conveyor, 2 hp gearhead	84'
67	12" x 8' 5 bag conveyor, 1 hp gearhead	84'
68	8' curve wheel roller track	84'
69	4 - 120 lb. bag scales	84'
70	4 - Wire stitching machines, Serial # 17013R, 15580 AZ, 13947 AL, 17480 AZ	84'
71	16 head weight O-Matic	84'
72	5 - empty carton slides	84'
73	16" x 25' roller track	84'
74	Platforms and Catwalks	84'
75	Sizer	94'
76	Spang & Brand - Bag Machine	92'
77	1 60" x 10' finger roll sizer w/2 hp gear head	95'
78	2 - 30' D water inclines w/chains	95'
79	5 line carton filler	94'
80	10' x 50' all steel mezzanine	94'
81	Even Flow tub w/1.5 hp motor	94'
82	Hankson refrigerated air dryer	98'
83	Higgins rock trap(before incline)	97'
84	Dump plium	96'
85	Other Misc.	
86	Electric Paneling and Wiring (17% line cost)	
87	Delivery and installation	

**TRACT 3****IRRIGATION EQUIPMENT**

2 1/4 mile wheellines. (West field)

Approximately 40 acres of solid set irrigation lined places at 60" intervals. (Center Field)

Approximately 70 sections of 40" - 3" handline with risers. (East Field)

Approximately 4,300 ft. of 10" to 6" mainline is used to distribute waster. (Entire Tract)

Unknown motor and pump. (Ground Well used for irrigation)

**TRACT 4****IRRIGATION EQUIPMENT**

7 tower pivot, serial # CM9907 REV, Valley Pro Panel.

Approximately 3/8 miles of 6" mainline is used to deliver water.

60 hp U.S. Electric motor (model 5RB-60-3-4, serial # 9854713.00 SC9583A-HEF).

Cornell Pump Co. pump (ID# 678584/7072/50R057R-5), and a Cuttler Hammer panel.

Mainline and handline suitable for irrigating approximately 15 acres of corners.

Mcvey Farms

Equipment and Water Right List

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Ameri title the 29th day  
of June A.D., 1998 at 3:49 o'clock P. M., and duly recorded in Vol. M98  
of Mortgages on Page 22931.

FEE \$35.00

By Kathleen Ross Bernetha G. Letsch, County Clerk