

NS

Vol. M99 Page 25544

GEORGE A. CARLETON, RICHMOND J. CARLETON
and MARGARET F. CARLETON

Grantor's Name and Address

CARLETON FARMS, a partnership

PO BOX 362

MERRILL OR 97633

Grantee's Name and Address

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

CARLETON FARMS, a partnership

PO BOX 362

MERRILL OR 97633

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

CARLETON FARMS, a partnership

PO BOX 362

MERRILL OR 97633

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of _____

} ss.

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/instru-
ment/microfilm/reception No. _____,
Record of Deeds of said County.

Witness my hand and seal of County
affixed.

NAME

TITLE

By _____, Deputy

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that GEORGE A. CARLETON, as to Parcel 1 and
RICHMOND J. CARLETON and MARGARET F. CARLETON, husband and wife, as to Parcels 2
hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by CARLETON FARMS, a partnership
consisting of JAMES A. CARLETON, GREGORY G. CARLETON and RICHMOND J. CARLETON
hereinafter called grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns,
that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining,
situated in Klamath County, State of Oregon, described as follows, to-wit:

SEE ATTACHED LEGAL DESCRIPTION ON EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS
REFERENCE.

SUBJECT TO: SEE ATTACHED EXHIBIT "B" WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized
in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state):
except as set forth in attached Exhibit "B" and those apparent upon the land,
if any, as of the date of this deed

and that
grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all
persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 325,000.00. However, the
actual consideration consists of or includes other property or value given or promised which is ☐ the whole ☐ part of the (indicate
which) consideration. (The sentence between the symbols ☐ if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be
made so that this deed shall apply equally to corporations and to individuals.

In witness whereof, the grantor has executed this instrument this 25th day of June, 1999; if grantor
is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do
so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGU-
LATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPRO-
PRIATE 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 30.330.

George A. Carleton
GEORGE A. CARLETON

Richmond J. Carleton
RICHMOND J. CARLETON

Margaret F. Carleton
MARGARET F. CARLETON

STATE OF OREGON, County of Klamath) ss.

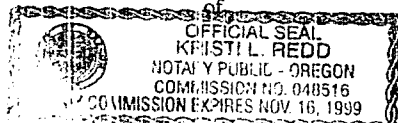
This instrument was acknowledged before me on June 25, 1999,
by GEORGE A. CARLETON, RICHMOND J. CARLETON & MARGARET F. CARLETON

This instrument was acknowledged before me on _____, 19____,

by _____

as _____

of _____



Notary Public for Oregon

My commission expires 11/16/99

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

The N 1/2 SE 1/4 and that portion of the SW 1/4 NE 1/4 lying Southerly of the Klamath Irrigation District Canal, Section 1 in Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2

The N1/2 SW1/4 of Section 1, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon. EXCEPTING THEREFROM the South 120 feet of the West 363 feet of the N 1/2 SW 1/4, Section 1 Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

EXHIBIT "B"
EXCEPTIONS

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. Financing Statements or Federal Tax Liens, if any filed with the Secretary of State.
3. City liens or assessments, if any, due to the City of Merrill. (An inquiry has been directed to the City Clerk concerning the status of said liens and a report will follow if such liens are found.)
4. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Irrigation District.
5. A Notice of Claim of Lien, subject to the terms and provisions thereof;
Recorded: May 10, 1999
Volume: M99, page 17749, Microfilm Records of Klamath County, Oregon
Amount: \$204.50
In favor of: Klamath Irrigation District
Against: Richmond J. Carleton and Margaret Carleton
6. Easement, subject to the terms and provisions thereof, given by The Klamath Development Company to United States of America;
Dated: August 18, 1913
Recorded: August 29, 1913
Volume: 39, page 577, Deed Records of Klamath County, Oregon
For: The perpetual right of an easement to enter, for the purpose of excavating, operating and maintaining the A-Drain over portion of the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter
(Affects Parcels 2 and 3)
7. Right of way and release created by instrument, including the terms and provisions thereof,
Dated: June 13, 1931
Recorded: June 13, 1931
Volume: 95, page 459, Deed Records of Klamath County, Oregon
In favor of: Great Northern Railway Company
For: Railway purposes
8. Reservations contained in Deed recorded April 7, 1942 in Volume 146, page 429, Deed Records of Klamath County, Oregon, to wit:
"Subject to right of way to Modoc Northern Railway Company and right of way for ditches and canals, and right of way to Great Northern Railway Company."
9. Easement, created by instrument, including the terms and provisions thereof,
Dated: July 3, 1942
Recorded: June 4, 1943
Volume: 155, page 575, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company
For: Transmission and distribution lines
Affects: SE1/4 of Section 1
10. Easement, created by instrument, including the terms and provisions thereof,
Dated: August 9, 1946
Recorded: August 12, 1946
Volume: 193, page 506, Deed Records of Klamath County, Oregon
In favor of: Dan O. Barry, also known as Dan Barry, and Bridget T. Barry, his wife
For: Irrigation ditches

EXHIBIT "B"
EXCEPTIONS - CONTINUED

11. Subject to the terms and provisions thereof, including the power of assessment, East Merrill Improvement District, Inc., as disclosed by instrument recorded January 23, 1974 in Volume M74, page 756, Microfilm Records of Klamath County, Oregon.
12. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;
Dated: May 6, 1976
Recorded: July 13, 1976
Volume: M76, page 10584, Microfilm Records of Klamath County, Oregon
Amount: \$24,000.00
Mortgagor: Richmond James Carleton and Margaret F. Carleton, husband and wife
Mortgagee: The Federal Land Bank of Spokane, a corporation in Spokane, Washington
(Affects Parcels 2 and 3)
- Partial Release of Real Estate Mortgage, including the terms and provisions thereof;
Dated: July 31, 1984
Recorded: August 6, 1984
Volume: M84, page 13492, Microfilm Records of Klamath County, Oregon
- Mortgage Reamortization Agreement, subject to the terms and provisions thereof,
Dated: May 1, 1986
Recorded: June 6, 1986
Volume: M36, page 9791, Microfilm Records of Klamath County, Oregon
- The beneficial interest under said Mortgage was assigned by instrument;
Recorded: April 17, 1997
Volume: M97, page 11568, Microfilm Records of Klamath County, Oregon
To: Northwest Farm Credit Services, ACA
13. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;
Dated: July 6, 1976
Recorded: July 13, 1976
Volume: M76, page 10587, Microfilm Records of Klamath County, Oregon
Amount: \$38,100.00
Mortgagor: Richmond James Carleton and Margaret F. Carleton, husband and wife
Mortgagee: United States of America, acting through the Farmers Home Administration,
United States Department of Agriculture
(Affects Parcels 2 and 3)
- The terms of said Mortgage were modified by instrument;
Dated: April 6, 1992
Recorded: April 15, 1992
Volume: M92, page 7895, Microfilm Records of Klamath County, Oregon
14. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;
Dated: May 6, 1976
Recorded: July 13, 1976
Volume: M76, page 10592, Microfilm Records of Klamath County, Oregon
Amount: \$32,000.00
Mortgagor: George A. Carleton and Elizabeth J. Carleton, husband and wife
Mortgagee: The Federal Land Bank of Spokane, a corporation in Spokane, Washington
(Affects Parcel 1)

EXHIBIT "B"
EXCEPTIONS - CONTINUED

- No. 14 Continued -

Mortgage Reamortization Agreement, subject to the terms and provisions thereof,
Dated: May 1, 1986
Recorded: June 6, 1986
Volume: M86, page 9793, Microfilm Records of Klamath County, Oregon

The beneficial interest under said Mortgage was assigned by instrument;
Recorded: April 17, 1997
Volume: M97, page 11567, Microfilm Records of Klamath County, Oregon
To: Northwest Farm Credit Services, ACA

15. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;

Dated: July 6, 1976

Recorded: July 13, 1976

Volume: M76, page 10595, Microfilm Records of Klamath County, Oregon

Rerecorded: July 26, 1976

Volume: M76, page 11315, Microfilm Records of Klamath County, Oregon

Amount: \$56,000.00

Mortgagor: George A. Carleton and Elizabeth J. Carleton, husband and wife

Mortgagee: United States of America, acting through the Farmers Home Administration
(Affects Parcel 1)

The terms of said Mortgage were modified by instrument;

Dated: April 6, 1992

Recorded: April 15, 1992

Volume: M92, page 7895, Microfilm Records of Klamath County, Oregon

16. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;

Dated: April 10, 1979

Recorded: April 10, 1979

Volume: M79, page 7912, Microfilm Records of Klamath County, Oregon

Amount: \$171,610.00

Mortgagor: Carleton Brothers

Mortgagee: United States of America, acting through the Farmers Home Administration
(Affects Parcels 1, 2 and 3 and other property)

Subordination by the Government, subject to the terms and provisions thereof, wherein the United States of America acting through the Administrator of the Farmers Home Administration subordinated the above Mortgage to the loan of First Interstate Bank made to James L. Eckhardt and Nellie R. Eckhardt.

Dated: January 21, 1985

Recorded: February 19, 1985

Volume: M85, page 2410, Microfilm Records of Klamath County, Oregon

The lien of the above Mortgage was subordinated to the lien of the Mortgage shown as Exception No. 15, by instrument.

Dated: July 30, 1985

Recorded: October 9, 1985

Volume: M85, page 16368, Microfilm Records of Klamath County, Oregon

The terms of said Mortgage were modified by instrument;

Dated: April 6, 1992

Recorded: April 15, 1992

Volume: M92, page 7895, Microfilm Records of Klamath County, Oregon

- Continued -

EXHIBIT "B"
EXCEPTIONS - CONTINUED

17. Financing Statement, subject to the terms and provisions thereof;
Filed: July 11, 1983
Volume: M83, page 10917, Microfilm Records of Klamath County, Oregon
Debtor: George A. Carleton and Elizabeth J. Carleton
Secured Party: United States of America, acting through the Farmers Home Administration
(Affects Parcel 1 and other Property)

A notice of continuation of said Financing Statement was,
Recorded: April 12, 1988
Volume: M88, page 5507, Microfilm Records of Klamath County, Oregon

A notice of continuation of said Financing Statement was,
Recorded: March 3, 1993
Volume: M93, page 4446, Microfilm Records of Klamath County, Oregon

A notice of continuation and Amendment of said Financing Statement was;
Recorded: March 12, 1998
Volume: M98, page 8044, Microfilm Records of Klamath County, Oregon

18. Financing Statement on file in the office of the Secretary of State,
Filed: July 11, 1983
Volume: M83, page 10919, Microfilm Records of Klamath County, Oregon
Debtor: Richmond J. Carleton and Margaret F. Carleton, husband and wife
Secured Party: United States of America, acting through the Farmers Home Administration
(Affects Parcel 2)

A notice of continuation of said Financing Statement was,
Recorded: April 12, 1988
Volume: M88, page 5506, Microfilm Records of Klamath County, Oregon

A notice of continuation of said Financing Statement was,
Recorded: March 3, 1993
Volume: M93, page 4447, Microfilm Records of Klamath County, Oregon

A notice of continuation and Amendment of said Financing Statement was;
Recorded: March 12, 1998
Volume: M98, page 8045, Microfilm Records of Klamath County, Oregon

19. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;

Dated: May 21, 1986

Recorded: May 23, 1986

Volume: M86, page 8965, Microfilm Records of Klamath County, Oregon

Amount: \$81,167.26

Mortgagor: George A. Carleton and Elizabeth J. Carleton also dba Carleton Brothers
Mortgagee: United States of America, acting through the Farmers Home Administration
(Affects Parcel 1 and other property)

The terms of said Mortgage were modified by instrument;

Dated: April 6, 1992

Recorded: April 15, 1992

Volume: M92, page 7895, Microfilm Records of Klamath County, Oregon

EXHIBIT "B"
EXCEPTIONS - CONTINUED

20. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;

Dated: May 21, 1986

Recorded: May 23, 1986

Volume: M86, page 8969, Microfilm Records of Klamath County, Oregon

Amount: \$81,167.26

Mortgagor: Richmond J. Carleton and Margaret F. Carleton also dba Carleton Brothers

Mortgagee: United States of America, acting through the Farmers Home Administration
(Affects Parcels 2 and 3)

The terms of said Mortgage were modified by instrument;

Dated: April 6, 1992

Recorded: April 15, 1992

Volume: M92, page 7895, Microfilm Records of Klamath County, Oregon

State of Oregon, County of Klamath
Recorded 6/28/99, at 11:55 a. m.

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Linda Smith,

County Clerk Fee \$ 60- KR