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Vol. M02 Page 45844

STATE OF OREGON,

ss.

Melvin Charles Hendrickson, Trustee  
 Virginia Kay Hendrickson, Trustee  
 2679 Pacific Avenue, Redding, CA 96002  
 (Grantor's Name and Address)

California Giant, Inc.  
 PO Box 1359  
 Watsonville, CA 95077  
 (Grantee's Name and Address)

After recording, return to (Name, Address, Zip):  
 California Giant, Inc.  
 PO Box 1359  
 Watsonville, CA 95077

Until requested otherwise, send all tax statements to (Name, Address, Zip):  
 California Giant, Inc.  
 PO Box 1359  
 Watsonville, CA 95077

SPACE RESERVED  
FOR  
RECORDED'S USE

State of Oregon, County of Klamath  
 Recorded 08/14/2002 3:14 P. m.  
 Vol M02, Pg 45844-50  
 Linda Smith, County Clerk  
 Fee \$ 5.00 # of Pgs 7  
 Deputy

## WARRANTY DEED

\*\*Living Trust

KNOW ALL BY THESE PRESENTS that Melvin Charles Hendrickson and Virginia Kay Hendrickson Trustees of the Melvin Charles Hendrickson and Virginia Kay Hendrickson 1992 Revocable \*\* hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by California Giant, Inc., a California corporation

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 thereto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

see legal description consisting of 5 pages attached hereto and made a part hereof

(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):

All those items of record 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 \$1,096,162.90. ~~Not to exceed \$1,096,162.90~~ Actual/consideration consists of or includes other property or value given or promised which is  the property of the grantee which is  the property of the grantor (the deeded interest, if any, is not subject to any encumbrance, if any, applicable to the property described in this instrument).

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 on August 12, 2002; 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 REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEED TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN C.R.S 30.930.

The Melvin Charles Hendrickson and Virginia Kay Hendrickson 1992 Revocable Living Trust

by *Melvin Charles Hendrickson*, Trustee

by *Virginia Kay Hendrickson*, Trustee

California  
STATE OF OREGON, County of Tehama ss.

This instrument was acknowledged before me on August 9, 2002  
by Melvin Charles Hendrickson and Virginia Kay Hendrickson

This instrument was acknowledged before me on

by \_\_\_\_\_  
as \_\_\_\_\_  
of \_\_\_\_\_

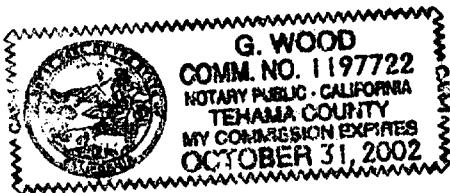
Notary Public for Oregon/ California  
My commission expires \_\_\_\_\_

## ALL-PURPOSE ACKNOWLEDGMENT

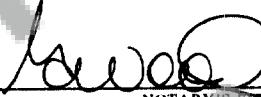
State of California  
 County of Tehama } ss.  
 On August 12, 2002 before me, G Wood (NOTARY),  
 personally appeared Melvin Charles Hendrickson & Virginia Kay Hendrickson  
 SIGNER(S)

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.

  
 G. Wood  
 NOTARY'S SIGNATURE

## OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgment to an unauthorized document.

## CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

INDIVIDUAL  
 CORPORATE OFFICER

TITLE(S)

PARTNER(S)  
 ATTORNEY-IN-FACT  
 TRUSTEE(S)  
 GUARDIAN/CONSERVATOR  
 OTHER: \_\_\_\_\_

## DESCRIPTION OF ATTACHED DOCUMENT

Warranty Deed

TITLE OR TYPE OF DOCUMENT

7

NUMBER OF PAGES

August 12, 2002

DATE OF DOCUMENT

SIGNER IS REPRESENTING:  
 NAME OF PERSON(S) OR ENTITY(IES)

OTHER

EXHIBIT "A"  
LEGAL DESCRIPTIONPARCEL 1:

Beginning at a point on the Section line 335 feet East of the Southwest corner of the Southeast quarter of Southwest quarter of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon; thence North to the South boundary line of the right of way of the Highline Canal of the Shasta View Irrigation District as now located and constructed; thence, following said South boundary line of the right of way of said Highline Canal of the Shasta View Irrigation District in a Southeasterly direction to the point where said South boundary line of said right of way intersects the South line of said Section 34, thence West on said South line of said Section 34 to the point of beginning.

ALSO beginning at the Southwest corner of the Southeast quarter of the Southwest quarter of Section 34, Township 40 South of Range 12 East of the Willamette Meridian, Klamath County, Oregon; running thence East 335 feet, thence North 30 feet, thence West 335 feet, thence South 30 feet to the place of beginning.

SUBJECT TO that certain Boundary Line Agreement dated August 29, 1991 and recorded September 11, 1991 in Volume M91, page 18236, Microfilm Records of Klamath County, Oregon.

PARCEL 2:

The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 3, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 3:

The S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM the following:

Beginning at a 5/8 inch iron rod on the East right of way line of County Road No. 1133 from which the 1/4 corner common to Section 27 and 34 bears South 06 degrees 44' 09" East a distance of 499.10 feet; thence South 73 degrees 46' 00" East a distance of 912.18 feet to a 5/8" iron rod; thence North 12 degrees 43' 30" East 248.89 feet to a 5/8" iron rod; thence North 07 degrees 29' 00" West a distance of 183.03 feet to a 5/8" iron rod; thence South 89 degrees 45' 13" West a distance of 765.39 feet to a 5/8" iron rod on the East right of way line of County Road No. 1133; thence along the East right of way line of said road, South 44 degrees 47' 30" West a distance of 188.02 feet to a 5/8" iron rod; thence South 15 degrees 23' 00" West a distance of 33.73 feet to the point of beginning, all lying in Section 27, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 4:

Beginning at the Southeast corner of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 27, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, thence West along the South line of said SE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 2.4 chains more or less, to the center line of the old county road running Northerly from Malin to the McFall Ranch; thence North along said road a distance of 7.5 chains; thence approximately North 43 degrees 30' East along said road a distance of 3.47 chains to the Northwest corner of the S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 27; thence South along the West line of said S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 10

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54999

-Parcel 4 continued-

chains, more or less, to the point of beginning; being that portion of the SE1/4 SW1/4 of Section 27, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, lying East of said road, EXCEPTING THEREFROM the following:

Beginning at a 5/8" iron rod on the East right of way line of County Road No. 1133 from which the 1/4 corner common to Sections 27 and 34 bears South 06 degrees 44' 09" East a distance of 499.10 feet; thence South 73 degrees 46' 0" East a distance of 912.18 feet to a 5/8" iron rod; thence North 12 degrees 43' 30" East 248.89 feet to a 5/8" iron rod; thence North 07 degrees 29' 00" West a distance of 183.03 feet to a 5/8" iron rod; thence South 89 degrees 45' 13" West a distance of 765.39 feet to a 5/8" iron rod on the East right of way line of County Road No. 1133; thence along the East right of way line of said road, South 44 degrees 47' 30" West a distance of 188.02 feet to a 5/8" iron rod; thence South 15 degrees 23' 00" West a distance of 33.73 feet to the point of beginning, all lying in Section 27, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 5:

The W1/2 NE1/4, the SE1/4 NE1/4, and the NW1/4 SE1/4 of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 6:

Beginning at the Northwest corner of the NE1/4 NE1/4 of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon; thence South along the West line of said NE1/4 NE1/4 a distance of 20 chains, more or less to the Southwest corner of said NE1/4 NE1/4; thence East along the South line of said NE1/4 NE1/4 a distance of 20 chains, more or less, to the Southeast corner of said NE1/4 NE1/4; thence approximately North 45 degrees West a distance of 28.28 chains more or less to the point of beginning; being the Southwest one-half of the NE1/4 NE1/4 of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 7:

Beginning at the Northwest corner of the SW1/4 SE1/4 of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, thence East along the North line of said SW1/4 SE1/4, a distance of 20 chains, more or less to the Northeast corner of said SW1/4 SE1/4; thence South along the East line of said SW1/4 SE1/4 a distance of 20 chains, more or less, to the Southeast corner of said SW1/4 SE1/4; thence West, along the South line of said SW1/4 SE1/4 a distance of 8.5 chains, more or less, to the Northeasterly right of way line of the high line canal of the Shasta View Irrigation District; thence Northwesterly along said right of way line, to the West line of said SW1/4 SE1/4; thence North a distance of 6.5 chains, more or less, to the point of beginning; being that portion of the SW1/4 SE1/4 of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, lying Northeasterly from the said high line canal.

TOGETHER WITH that portion of deed Volume M67 at page 5190, Microfilm Records of Klamath County, Oregon, lying North and East of the following described boundary line created by instrument recorded in Volume M91 page 18236, Microfilm Records of Klamath County, Oregon, to wit:

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*-Parcel 7 continued-*

An existing fence line situated in the Northwest quarter of the Northeast quarter of Section 3, Township 41 South, Range 12 East, of the Willamette Meridian, Klamath County, Oregon, and the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section 34, Township 40 South, Range 1½ East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the East line of said Northwest quarter of the Northeast quarter, and an existing fence line from which the Easterly 1/16th corner common to said Sections 3 and 34 bears North 00 degrees 24' 17" West, 8.67 feet (fence corner bears North 89 degrees 39' 51" East, 1.7 feet); thence along said fence line South 89 degrees 39' 51" 89 degrees 39' 51" East, 1.7 feet); thence along said fence line South 89 degrees 39' 51" West, 802.26 feet; thence North 00 degrees 10' 19" East, 811.39 feet, thence North 72 degrees 12' 01" West, 943.95 feet, thence South 00 degrees 33' 24" West, 134.21 feet; thence South 87 degrees 33' 44" West, 420.12 feet; thence North 00 degrees 08' 32" East, 203.46 feet; thence North 47 degrees 49' 55" West, 219 feet, more or less, to a point on the East line of that tract of land described as Parcel 2 in Deed Volume M89, page 19, Microfilm Records of Klamath County, Oregon, with bearings based on recorded Survey No. 2600.

EXCEPTING THEREFROM that portion of Volume M90, at page 24550, Microfilm Records of Klamath County, Oregon, lying South and West of that certain boundary line created by instrument recorded in Volume M91, page 18236, Microfilm Records of Klamath County, Oregon, to wit:

An existing fence line situated in the Northwest quarter of the Northeast quarter of Section 3, Township 41 South, Range 12 East, of the Willamette Meridian, Klamath County, Oregon, and the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the East line of said Northwest quarter of the Northeast quarter, and an existing fence line from which the Easterly 1/16th corner common to said Sections 3 and 34 bears North 00 degrees 24' 17" West, 8.67 feet (fence corner bears North 89 degrees 39' 51" East, 1.7 feet); thence along said fence line South 89 degrees 39' 51" West, 802.26 feet; thence North 00 degrees 10' 19" East, 811.39 feet, thence North 72 degrees 12' 01" West, 943.95 feet, thence South 00 degrees 33' 24" West, 134.21 feet; thence South 87 degrees 33' 44" West, 420.12 feet; thence North 00 degrees 08' 32" East, 203.46 feet; thence North 47 degrees 49' 55" West, 219 feet, more or less, to a point on the East line of that tract of land described as Parcel 2 in Deed Volume M89, page 19, Microfilm Records of Klamath County, Oregon, with bearings based on recorded Survey No. 2600.

PARCEL 8:

That portion of the W1/2 of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, lying East of the East right of way line of the county road as now located and North of the Northerly right of way line of the high line canal of the Shasta View Irrigation District.

TOGETHER WITH that portion of deed Volume M67 at page 5190, Microfilm Records of Klamath County, Oregon, lying North and East of the following described boundary line created by instrument recorded in Volume M91 page 18236, Microfilm Records of Klamath County, Oregon, to wit:

*(continued)*

*-Parcel 8 continued-*

An existing fence line situated in the Northwest quarter of the Northeast quarter of Section 3, Township 41 South, Range 12 East, of the Willamette Meridian, Klamath County, Oregon, and the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: *-continued-*

Beginning at the intersection of the East line of said Northwest quarter of the Northeast quarter, and an existing fence line from which the Easterly 1/16th corner common to said Sections 3 and 34 bears North 00 degrees 24' 17" West, 8.67 feet (fence corner bears North 89 degrees 39' 51" East, 1.7 feet); thence along said fence line South 89 degrees 39' 51" West, 802.26 feet; thence North 00 degrees 10' 19" East, 811.39 feet, thence North 72 degrees 12' 01" West, 943.95 feet, thence South 00 degrees 33' 24" West, 134.21 feet; thence South 87 degrees 33' 44" West, 420.12 feet; thence North 00 degrees 08' 32" East, 203.46 feet; thence North 47 degrees 49' 55" West, 219 feet, more or less, to a point on the East line of that tract of land described as Parcel 2 in Deed Volume M89, page 19, Microfilm Records of Klamath County, Oregon, with bearings based on recorded Survey No. 2600.

EXCEPTING THEREFROM that portion of Volume M90, at page 24850, Microfilm Records of Klamath County, Oregon, lying South and West of that certain boundary line created by instrument recorded in Volume M91, page 18236, Microfilm Records of Klamath County, Oregon, to wit:

An existing fence line situated in the Northwest quarter of the Northeast quarter of Section 3, Township 41 South, Range 12 East, of the Willamette Meridian, Klamath County, Oregon, and the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the East line of said Northwest quarter of the Northeast quarter, and an existing fence line from which the Easterly 1/16th corner common to said Sections 3 and 34 bears North 00 degrees 24' 17" West, 8.67 feet (fence corner bears North 89 degrees 39' 51" East, 1.7 feet); thence along said fence line South 89 degrees 39' 51" West, 802.26 feet; thence North 00 degrees 10' 19" East, 811.39 feet, thence North 72 degrees 12' 01" West, 943.95 feet, thence South 00 degrees 33' 24" West, 134.21 feet; thence South 87 degrees 33' 44" West, 420.12 feet; thence North 00 degrees 08' 32" East, 203.46 feet; thence North 47 degrees 49' 55" West, 219 feet, more or less, to a point on the East line of that tract of land described as Parcel 2 in Deed Volume M89, page 19, Microfilm Records of Klamath County, Oregon, with bearing based on recorded Survey No. 2600.

PARCEL 9:

Beginning at an iron pin on the South line of Section 27, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, which lies West along the South line of Section 27, a distance of 143.5 feet from the quarter corner common to Sections 27 and 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, and running thence; continuing West along the South line of Section 27, a distance of 52 feet to a point; thence North 15 degrees 17' East along the East line of the relocated county road, a distance of 206.5 feet to a point on the Westerly right of way line of the Old County Road; thence South 0 degrees 42' West a distance of 199.21 feet, more or less to the point of beginning, said tract being in the SE1/4 SW1/4 of Section 27, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

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PARCEL 10:

That the portion of the NE1/4 NE1/4 of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Commencing at the Northwest corner of the NE1/4 NE1/4; thence East along the North line to the Northeast corner of said quarter section; thence South along the East line of said quarter section to the Southeast corner of the NE1/4 NE1/4; thence in a straight line Northwesterly to the Northwest corner of the NE1/4 NE1/4, the true point of beginning.

PARCEL 11:

A tract of land situated in the SE1/4 SE1/4 of Section 27, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of the SE1/4 SE1/4; thence North along the West line of said SE1/4 SE1/4 a distance of 208.71 feet; thence East parallel to the South line of said SE1/4 SE1/4 a distance of 417.42 feet; thence South parallel to the West line of said SE1/4 SE1/4 a distance of 208.71 feet; thence West along the South line of said SE1/4 SE1/4 a distance of 417.42 feet to the point of beginning.

TOGETHER WITH an easement for the joint use with Grantors for roadway purposes over and across the South 20 feet of the excepted portion of Parcel 2 above; provided that such easement shall not include 10 feet on each side of the existing well.

PARCEL 12:

The SW1/4 SW1/4 of Section 26, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 13:

The NE1/4 NW1/4 of Section 3, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.