

03 JUN 30 PM 3:49

MTC - 57990

Vol M03 Page 45214

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

State of Oregon, County of Klamath
Recorded 06/30/2003 3:49 p m.
Vol M03 Pg 45214-2b
Linda Smith, County Clerk
Fee \$ 51.00 # of Pgs 7

A NAME & PHONE OF CONTACT AT FILER [optional]

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Joseph W. West
Bullivant Houser Bailey PC
300 Pioneer Tower
888 SW Fifth Ave.
Portland, OR 97204-2089

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1 DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a ORGANIZATION'S NAME

Peterson Machinery Co.

OR

1b INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

1c MAILING ADDRESS

955 Marina Boulevard

CITY

San Leandro

STATE

CA

POSTAL CODE

94577

COUNTRY

USA

1d

ADD'L INFO RE
ORGANIZATION
DEBTOR

1e TYPE OF ORGANIZATION
Corporation

1f JURISDICTION OF ORGANIZATION
Oregon

1g ORGANIZATIONAL ID #, if any
128075-90

☐ NONE

2 ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a ORGANIZATION'S NAME

OR

2b INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

2c MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

2d

ADD'L INFO RE
ORGANIZATION
DEBTOR

2e TYPE OF ORGANIZATION

2f JURISDICTION OF ORGANIZATION

2g ORGANIZATIONAL ID #, if any

☐ NONE

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE OF ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

3a ORGANIZATION'S NAME

Caterpillar Financial Services Corporation

OR

3b INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

3c MAILING ADDRESS

2120 West End Ave., PO Box 340001

CITY

Nashville

STATE

TN

POSTAL CODE

37203

COUNTRY

USA

4 This FINANCING STATEMENT covers the following collateral

The property described on the attached Schedule 1, which property is located and/or used in connection with the real property described on the attached Exhibit A. Schedule 1 and Exhibit A are attached hereto and by this reference incorporated herein.

5 ALTERNATIVE DESIGNATION [if applicable]



LESSEE/LESSOR



CONSIGNEE/CONSIGNOR



BAILEE/BAILOR



SELLER/BUYER



AG LIEN



NON-UCC FILING

6



This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS
Attach Addendum [if applicable]

7

See Instruction Debtor(s)

8 OPTIONAL FILER REFERENCE DATA

OR - Klamath Falls County

5/7

Please type or laser-print this form. Be sure it is completely legible. Read all Instructions, especially Instruction 1, correct Debtor name is crucial. **Follow Instructions completely.** Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. Filing office cannot give legal advice.

Do not insert anything in the open space in the upper portion of this form, it is reserved for filing office use.

When properly completed, send Filing Office Copy, with required \$10.00 fee. **Rejected filings are subject to the non-refundable processing fee.**

If you need to use attachments, you are encouraged to use either Addendum (Form UCC1 Ad) or Additional Party (Form UCC1AP).

A. To assist filing offices that might wish to communicate with filer, filer may provide information in item A. This item is optional.

B. Complete item B if you want an acknowledgment sent to you. If filing in a filing office that returns an acknowledgment copy furnished by filer, present simultaneously with this form a carbon or other copy of this form for use as an acknowledgment copy.

- 1 **Debtor name:** Enter only one Debtor name in item 1, an organization's name (1a) or an individual's name (1b). Enter Debtor's exact full legal name. Don't abbreviate.
- 1a **Organization Debtor** "Organization" means an entity having a legal identity separate from its owner. A partnership is an organization; a sole proprietorship is not an organization, even if it does business under a trade name. If Debtor is a partnership, enter exact full legal name of partnership, you need not enter names of partners as additional Debtors. If Debtor is a registered organization (e.g., corporation, limited partnership, limited liability company), it is advisable to examine Debtor's current filed charter documents to determine Debtor's correct name, organization type, and jurisdiction of organization.
- 1b **Individual Debtor** "Individual" means a natural person, this includes a sole proprietorship, whether or not operating under a trade name. Don't use prefixes (Mr., Mrs., Ms.) Use suffix box only for titles of lineage (Jr., Sr., III) and not for other suffixes or titles (e.g., M.D.). Use married woman's personal name (Mary Smith, not Mrs. John Smith). Enter individual Debtor's family name (surname) in Last Name box, first given name in First Name box, and all additional given names in Middle Name box.
For both organization and individual Debtors, Don't use Debtor's trade name, DBA, AKA, FKA, Division name, etc. in place of or combined with Debtor's legal name, you may add such other names as additional Debtors if you wish (but this is neither required nor recommended).
- 1c. An address is always required for the Debtor named in 1a or 1b.
- 1e,f,g Additional information reorganization Debtor is always required. Type of organization and jurisdiction of organization as well as Debtor's exact legal name can be determined from Debtor's current filed charter document. Organizational ID #, if any, is assigned by the agency where the charter document was filed; this is different from tax ID #; this should be entered preceded by the 2-character U.S. Postal identification of state of organization if one of the United States (e.g., CA12345, for a California corporation whose organizational ID # is 12345); if agency does not assign organizational ID #, check box in item 1g indicating "none."
- Note: If Debtor is a trust or a trustee acting with respect to property held in trust, enter Debtor's name in item 1 and attach Addendum (Form UCC1Ad) and check appropriate box in item 17. If Debtor is a decedent's estate, enter name of deceased individual in item 1b and attach Addendum (Form UCC1Ad) and check appropriate box in item 17. If Debtor is a transmitting utility or this Financing Statement is filed in connection with a Manufactured-Home Transaction or a Public-Finance Transaction as defined in applicable Commercial Code, attach Addendum (Form UCC1 Ad) and check appropriate box in item 18.
- 2 If an additional Debtor is included, complete item 2, determined and formatted per Instruction 1. To include further additional Debtors, attach either Addendum (Form UCC1 Ad) or other Additional Party (Form UCC1AP) and follow Instruction 1 for determining and formatting additional names.
- 3 Enter information for Secured Party or Total Assignee, determined and formatted per Instruction 1. To include further additional Secured Parties, attach either Addendum (Form UCC1 Ad) or other Additional Party (Form UCC1AP) and follow Instruction 1 for determining and formatting additional names. If there has been a total assignment of the Secured Party's interest prior to filing this form, you may either (1) enter Assignor S/P's name and address in item 3 and file an Amendment (Form UCC3) [see item 5 of that form], or (2) enter Total Assignee's name and address in item 3 and, if you wish, also attaching Addendum (Form UCC1Ad) giving Assignor S/P's name and address in item 12.
- 4 Use item 4 to indicate the collateral covered by this Financing Statement. If space in item 4 is insufficient, put the entire collateral description or continuation of the collateral description on either Addendum (Form UCC1 Ad) another attached additional page(s).
- 5 If filer desires (at filer's option) to use titles of lessee and lessor, or consignee and consignor, or seller and buyer (in the case of accounts or chattel paper), or bailee and bailor instead of Debtor and Secured Party, check the appropriate box in item 5. If this is an agricultural lien (as defined in applicable Commercial Code) filing or is otherwise not a UCC security interest filing (e.g., a tax lien, judgment lien, etc.), check the appropriate box in item 5, complete items 1-7 as applicable and attach any other items required under other law.
- 6 If this Financing Statement is filed as a fixture filing or if the collateral consists of timber to be cut or as-extracted collateral, complete items 1-5, check the box in item 6, and complete the required information (items 13, 14 and/or 15) on Addendum (Form UCC1Ad).
- 7 Search request option on this form is not available in Oregon.
- 8 This item is optional and is for filer's use only. For filer's convenience of reference, filer may enter in item 8 any identifying information (e.g., Secured Party's loan number, law firm file number, Debtor's name or other identification, state in which form is being filed, etc.) that filer may find useful.

UCC FINANCING STATEMENT ADDENDUM**FOLLOW INSTRUCTIONS (front and back) CAREFULLY****9 NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT**

9a ORGANIZATION'S NAME

Peterson Machinery Corporation

OR

9b INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME, SUFFIX

10 MISCELLANEOUS**THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY****11 ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one name (11a or 11b) - do not abbreviate or combine names**

11a ORGANIZATION'S NAME

OR

11b INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

11c MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

11d

ADD'L INFO RE
ORGANIZATION
DEBTOR11e TYPE OF ORGANIZATION
Corporation11f JURISDICTION OF ORGANIZATION
Oregon

11g ORGANIZATIONAL ID#, if any

☐ NONE**12 ☐ ADDITIONAL SECURED PARTY'S or ☐ ASSIGNOR S/P'S NAME - insert only one name (12a or 12b)**

12a ORGANIZATION'S NAME

OR

12b INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

12c MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

13 This FINANCING STATEMENT covers ☐ timber to be cut or ☐ as-extracted collateral, or is filed as a ☒ fixture filing**14 Description of real estate**

See Exhibit A attached hereto and by this reference incorporated herein.

15 Name and address of a RECORD OWNER of above-described real estate
(if Debtor does not have a record interest)

Peterson Machinery Co.

16 Additional collateral description17 Check only if applicable and check only one boxDebtor is a ☐ Trust or ☐ Trustee acting with respect to property held in trust or ☐ Decedent's Estate18 Check only if applicable and check only one box☐ Debtor is a TRANSMITTING UTILITY☐ Filed in connection with a Manufactured-Home Transaction — effective 30 years☐ Filed in connection with a Public-Finance Transaction — effective 30 years

Instructions for National UCC Financing Statement Addendum (Form UCC1Ad)

- 9 Insert name of first Debtor shown on Financing Statement to which this Addendum is related, exactly as shown in item 1 of Financing Statement
- 10 Miscellaneous: Under certain circumstances, additional information not provided on Financing Statement may be required. Also, some states have non-uniform requirements. Use this space to provide such additional information or to comply with such requirements; otherwise, leave blank.
- 11 If this Addendum adds an additional Debtor, complete item 11 in accordance with Instruction 1 on Financing Statement. To include further additional Debtor, attach either an additional Addendum (Form UCC1Ad) or Additional Party (Form UCC1AP) and follow Instruction 1 of Financing Statement for determining and formatting additional names.
- 12 If this Addendum adds an additional Secured Party, complete item 12 in accordance with Instruction 3 on Financing Statement. To include further additional Secured Parties, attach either an additional Addendum (Form UCC1Ad) or Additional Party (Form UCC1AP) and follow Instruction 1 of Financing Statement for determining and formatting additional names. In the case of a total assignment of the Secured Party's interest before the filing of this Financing Statement, if filer has given the name and address of the Total Assignee in item 3 of the Financing Statement, filer may give the Assignor S/P's name and address in item 12.
- 13-15. If collateral is timber to be cut or as-extracted collateral, or if this Financing Statement is filed as a fixture filing, check appropriate box in item 13, provide description of real estate in item 14; and, if Debtor is not a record owner of the described real estate, also provide, in item 15, the name and address of a record owner. Also provide collateral description in item 4 of Financing Statement. Also check box 6 on Financing Statement. Description of real estate must be sufficient under the applicable law of the jurisdiction where the real estate is located.
- 16 Use this space to provide continued description of collateral, if you cannot complete description in item 4 of Financing Statement.
- 17 If Debtor is a trust or a trustee acting with respect to property held in trust or is a decedent's estate, check the appropriate box.
- 18 If Debtor is a transmitting utility or if the Financing Statement relates to a Manufactured-Home Transaction or a Public-Finance Transaction as defined in the applicable Commercial Code, check the appropriate box.

SCHEDULE 1 TO UCC FINANCING STATEMENT

This financing statement covers the following described property (which property is hereinafter sometimes collectively referred to as the "**Property**");

- A. The real estate described on Exhibit A attached hereto and by this reference incorporated herein (the "**Land**");
- B. All of the following (collectively, the "**Improvements**"): all buildings, improvements and fixtures now or in the future located or to be constructed on the Land; to the extent not owned by tenants of the Property, all machinery, appliances, equipment, furniture, fixtures and all other personal property of every kind or nature attached to the Land, buildings, improvements or fixtures; all building materials and goods procured for use or in connection with the foregoing; and all additions, substitutions and replacements to any of the foregoing;
- C. To the extent assignable, all plans, specifications, architectural renderings, drawings, soil test reports, other reports of examination or analysis of the Land or the Improvements;
- D. All easements, rights-of-way, water courses, mineral rights, water rights, air rights and appurtenances in any way belonging, relating or appertaining to any of the Land or Improvements, or which hereafter shall in any way belong, relate or be appurtenant thereto ("**Appurtenances**");
- E. All leases, licenses and other agreements with regard to the occupancy of the Land and/or Improvements, including without limitation, patient and resident care agreements and service agreements which include an occupancy agreement, now or hereafter entered into (the "**Leases**") and all rents, prepayments, security deposits, termination payments, royalties, profits, issues and revenues from the Land and/or Improvements from time to time accruing under the Leases (the "**Rents**");
- F. All claims, demands, judgments, insurance proceeds, refunds, reserves, deposits, rights of action, awards of damages, compensation, settlements and other rights to the payment of money hereafter made resulting from or relating to (i) the taking of the Land or the Improvements or any part thereof under the power of eminent domain, (ii) any damage (whether caused by such taking, by casualty or otherwise) to the Land, Improvements or Appurtenances or any part thereof, or (iii) the ownership or operation of the Property;
- G. To the extent assignable, all management contracts, permits, certificates, licenses, approvals, contracts, purchase and sale agreements, purchase options, entitlements, development rights and authorizations, however characterized, issued or in any way furnished for the acquisition, construction, development, operation and use of the Land, Improvements and/or Leases, including building permits, environmental certificates, licenses, certificates of operation, warranties and guaranties;
- H. All proceeds, products, replacements, additions, substitutions, renewals and accessions of and to the Land, Improvements, Appurtenances or any other property of the types described in the preceding clauses; and
- I. Any and all after-acquired right, title or interest of Debtor in and to any property of the types described in the preceding clauses.

EXHIBIT A

KLAMATH FALLS LEGAL DESCRIPTION

A tract of land in Section 33, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of Parcel 1 and 2 as described in and conveyed by Ewauna Box Company to Weyerhaeuser Timber Company by a deed dated November 30, 1948, and recorded in Volume 227 at page 47, Deed Records of Klamath County, Oregon. The said tract is more particularly described as follows; to wit:

Beginning at a point on the Southwesterly line of South Sixth Street, in the City of Klamath Falls, Oregon, which bears North 55 degrees 22' West, a distance of 1028.22 feet along said Southwesterly line from an iron pin which marks the intersection of the Southwesterly line of South Sixth Street and the Westerly line of the Central Pacific Railway Company, which point lies North 74 degrees 07' West, a distance of 186.73 feet and South 55 degrees 22' East, a distance of 390.32 feet from the intersection of the Easterly line of Broad Street and the Northeasterly line of South Sixth Street, and being the Northwestern corner of said above mentioned Parcel 1; thence Southwesterly along the arc of a curve to the right having a radius of 487.68 feet; a distance of 60.71 feet to the true point of beginning; thence South 27 degrees 17' 50" East (State Highway deed bearing South 27 degrees 42' 20" East) a distance of 122.44 feet; thence South 3 degrees 52' 00" East (State Highway deed bearing South 4 degrees 16' 30" East) a distance of 252.00 feet; thence South 34 degrees 38' West, a distance of 565.19 feet more or less to a point on the Southerly boundary of above mentioned Parcel 2; thence Northwesterly along the arc of a curve to the right having a radius of 467.68 feet, a distance of 55.58 feet through an angle of 6 degrees 48' 33" (the long chord of this curve being 55.55 feet and bears North 15 degrees 09' 46" West); thence Northerly along the arc of a curve to the right, having a radius of 686.05 feet, a distance of 519.76 feet through an angle of 43 degrees 24' 30" (the long chord of this curve being 507.43 feet long and bears North 9 degrees 56' 45" East) to the Northwestern corner of the above mentioned Parcel 2; thence continuing along the arc of said curve to the right having a radius of 686.05 feet, a distance of 33.93 feet through an angle of 2 degrees 50' (the long chord of this curve being 33.93 feet long and bears North 33 degrees 13' East); thence North 34 degrees 38' East a distance of 211.60 feet; thence along the arc of a curve to the left, having a radius of 487.68 feet, a distance of 77.22 feet through an angle of 8 degrees 56' 32" (the long chord of this curve being 76.32 feet long and bears North 30 degrees 08' 44" East) to true point of beginning, excepting any part taken for street.

ALSO, a tract of land in Section 33, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of Parcel 1 and 2 as described in and conveyed by Ewauna Box Company to Weyerhaeuser Timber Company by a deed dated November 30, 1948, and recorded in Volume 227 at page 47, Deed Records of Klamath County, Oregon. The said tract is more particularly described as follows, to wit:

Beginning at a point on the Southwesterly line of South Sixth Street, in the City of Klamath Falls, Oregon, which bears North 55 degrees 22' West, a distance of 1028.22 feet along said

Southwesterly line from an iron pin which marks the intersection of the Southwesterly line of South Sixth Street and the Westerly line of the Central Pacific Railroad Company, which point lies North 74 degrees 07' West, a distance of 186.73 feet and South 55 degrees 22' East, a distance of 390.32 feet from the intersection of the Easterly line of Broad Street and the Northeasterly line of South Sixth Street, and being the Northwesterly corner of said above mentioned Parcel 1; thence Southwesterly along the arc of a curve to the right having a radius of 487.68 feet; a distance of 60.71 feet; thence South 27 degrees 17' 50" East (State Highway deed bearing South 27 degrees 42' 20" East) a distance of 122.44 feet; thence South 30 degrees 52' 00" East (State Highway deed bearing South 4 degrees 16' 30" East, a distance of 252.00 feet; thence South 34 degrees 38' West 15.00 feet to the true point of beginning; thence South 55 degrees 22' East (State Highway deed bearing South 55 degrees 46' 30" East) a distance of 150.00 feet; thence South 34 degrees 28' West a distance of 640.36 feet, more or less to a point on the Southerly boundary of the above mentioned Parcel 2; thence Northwesterly along the arc of a curve to the right whose radius is 467.68 feet, a distance of 168.68 feet (the long chord of this curve being 167.77 feet long and bears North 28 degrees 45' 02" West); thence North 34 degrees 38" East a distance of 565.19 feet, more or less, to point of beginning, excepting any part taken for street.