

WCL396-11005  
After recording, return to:

Christine A. Kosydar  
Stoel Rives LLP  
900 SW Fifth Avenue, Suite 2600  
Portland, OR 97204

2012-013711  
Klamath County, Oregon  
12/10/2012 03:15:37 PM  
Fee: \$57.00

### **ASSIGNMENT OF MORTGAGE AND OTHER RELATED LOAN DOCUMENTS**

FOR VALUE RECEIVED, the receipt and sufficiency of which are hereby acknowledged, DEMETER AG, LLC ("Assignor"), having a mailing address of PO Box 579, Canby, Oregon 97013, does hereby grant, bargain, sell, assign, deliver, convey, transfer and set over unto HARVEST CAPITAL COMPANY, an Oregon corporation ("Assignee"), having a mailing address of 690 NW 1st Avenue, Suite 101, Canby, Oregon 97013, all of the Assignor's right, title and interest in and to the following instruments and other loan documents executed in connection therewith, as each such instrument may have been amended and assigned:

That certain Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated as of January 8, 2010, made by MARTIN C. YACOOBIAN, JR. (individually), MARTIN C. YACOOBIAN, JR., as Trustee of the MCY III TRUST U/T/A/ dated July 11, 1996, MARTIN C. YACOOBIAN, JR. as Trustee of the MARTIN CHARLES YACOOBIAN, III TRUST U/T/A/ dated March 20, 1996, MARTIN C. YACOOBIAN, JR., as Trustee of the YACOOBIAN FAMILY TRUST U/T/A dated July 21, 2005, as amended, and YACOOBIAN RANCH, LLC, an Oregon limited liability company (collectively "Borrower"), in favor of DEMETER AG, LLC, recorded on January 11, 2010, as Instrument No. 2010-000322, in the Microfilm Records of Klamath County, Oregon, securing a certain promissory note payable by Borrower as more particularly described therein.

TOGETHER WITH all sums and other obligations described therein and in the promissory notes referred to therein.

TO HAVE AND TO HOLD the same unto the Assignee and to the successors and assigns of the Assignee forever.

The Mortgage, Assignment of Rents, Security Agreement and Fixture Filing and other loan documents assigned hereby encumber the real property legally described on Exhibit 1 attached hereto and incorporated herein by this reference.

**THIS ASSIGNMENT IS MADE WITHOUT RECOURSE AND WITHOUT  
REPRESENTATION OR WARRANTY, EXPRESS, IMPLIED OR BY OPERATION OF  
LAW, OF ANY KIND AND NATURE WHATSOEVER.**

*[SIGNATURE AND NOTARY ON NEXT PAGE]*

579m

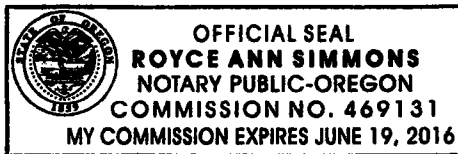
IN WITNESS WHEREOF, this Assignment has been duly executed on behalf of Assignor as of the 5<sup>th</sup> day of December, 2012.

DEMETER AG, LLC

By: Brian J. Feld  
Its: President

STATE OF OREGON                    )  
  ) ss:  
COUNTY OF Clackamas

The foregoing instrument was acknowledged before me this 5 day of December, 2012, by Brian L. Feld, as President of DEMETER AG, LLC, on behalf of such corporation; such individual is personally known to me or has produced a driver's license as identification.



Royce Ann Simmons  
NOTARY PUBLIC for the State of Oregon  
My Commission Expires: 6/19/2016

## **LEGAL DESCRIPTION**

### **Parcel 1:**

The East 120 feet of the NE1/4 NW1/4 of Section 13, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM any portion lying within the right of way of the Bonanza-Malin Highway.

### **Parcel 2:**

Township 40 South, Range 11 East of the Willamette Meridian

Section 13: The W1/2, EXCEPTING THEREFROM the East 120 feet of the NE1/4 NW1/4; also that portion of the SW1/4 NE1/4 and the W1/2 SE1/4 lying Westerly of new Poe Valley-Malin Highway.

Section 14: NE1/4 NE1/4; S1/2 NE1/4; SE1/4; S1/2 SW1/4;

Section 23: N1/2 NE1/4; N1/2 NE1/4 NW1/4, EXCEPTING THEREFROM that portion of the SW1/4 NW1/4 NE1/4 lying Southerly of the fence as it exists along the roadway through Section 23, as described by instrument recorded August 6, 1992 in Volume M92, page 17492, Microfilm records of Klamath County, Oregon.

Section 24: N1/2 NW1/4; that portion of the NW1/4 NE1/4 and North 180 feet of SW1/4 NE1/4 lying West of the West line of Harpold County Road No. 1097.

### **Parcel 3:**

A parcel of land situate in Section 23, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

That portion of the SE1/4 NE1/4 NW1/4 of said section which lies Northerly of the fence as it exists along the roadway.

### **Parcel 4:**

Government Lots 15, 16, 17 and 18 of Section 3, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, EXCEPT that portion conveyed to the United States of America by Deed dated July 2, 1912, recorded July 6, 1912 in Volume 37, page 416, Deed Records of Klamath County, Oregon.

The SW1/4 and the SE1/4 of Section 3, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

A portion of Government Lots 19 and 20, Section 3, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the South line of Government Lot 19, Section 3, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, which is 505 feet West, more or less, from the Southeast corner of said Government Lot 19 and in the center of the irrigation ditch which intersects said South line of said Government Lot 19; thence continuing West along the South line of said Government Lot 19 a distance of 1492

(Parcel 4 Continued)

feet; thence North parallel to the East line of said Government Lot 19 to the center of irrigation ditch; thence in a Northeasterly and Southerly direction to the point of beginning.

The NE1/4 of the SE1/4 of Section 4, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

The E1/2 of the NE1/4 and the NW1/4 of NE1/4 and the NE1/4 of the NW1/4 of Section 10, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

NW1/4 of the NW1/4 of Section 10, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

A tract of land situated in the SW1/4 of Section 2 and in the NW1/4 of Section 11, both in Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon and being more particularly described as follows:

Beginning at the NW corner of said Section 11; thence South 00°07'33" West on the West line of the NW1/4 of the NW1/4 of said Section 11, 1320.29 feet to the SW corner thereof; thence South 89°05'14" East on the South line of said NW1/4 of the NW1/4, 886.53 feet; thence North 24°55'46" East 1089.42 feet to a point on the South line of Schaupp Road; thence Northwesterly on the South line of said Schaupp Road, 1974.61 feet to its intersection with the West line of the SW1/4 of said Section 2; thence South 00°00'30" West on last said West line 1101.21 feet, more or less, to the point of beginning.

**Parcel 5:**

Lots 19 and 20 and N1/2 of SW1/4 in Section 2, Township 40 South, Range 11 East of the Willamette Meridian, LESS portions deeded to United States of America in Deed 37, page 628, and in Deed 38, page 512, Deed Records of Klamath County, Oregon, and further EXCEPTING that portion deeded to Wood River Investment Co., in Volume 84, page 216, Deed Records of Klamath County, Oregon.

Government Lot 14 and the S1/2 of Government Lot 11, in Section 2, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

ALSO, a parcel of land situated in Government Lots 5, 12 and 13 in Section 2 and Government Lots 8 and 9 in Section 3, Township 40 South, Range 11 East of the Willamette Meridian, more particularly described as follows:

Beginning at the North 1/16 corner common to said Section 2 and 3; thence North 1365.49 feet to a half inch pipe described in Volume 2, page 183, Klamath County Road Records; thence North 1350.00 feet to the TRUE POINT OF BEGINNING of this description; thence West 1367 feet, more or less, to the West line of said Government Lot 8; thence Southerly along the Westerly lines of said Government Lots 8 and 9, 1359.01 feet to a point in the centerline of Schaupp Road; thence North 89°37'20" East 1360.07 feet to said half inch pipe; thence South 1365.49 feet to said North 1/16 corner; thence South 89°04'32" East along the centerline of Bedfield Road as constructed, 1297.4 feet, more or less to the East line of Government Lot 13; thence Northerly along the East line of said Government Lots 13, 12 and 5, 2736.50 feet to a point; thence West 1279.40 feet to the TRUE POINT OF BEGINNING.

SAVING AND EXCEPTING any portion in Volume M77, page 3655, Microfilm Records of Klamath County, Oregon.

(Parcel 5 Continued)

ALSO, beginning at the NW corner of the SW1/4 of the SE1/4 of Section 2, Township 40 South, Range 11 East of the Willamette Meridian; thence Southwesterly along the West line of an old farm road to the County Road or Highway 2027 feet to an iron pin; thence Northwesterly along the North line of said Highway 2300 feet, more or less, to the Southwest corner of the NW1/4 of the SW1/4 of said Section 2; thence Easterly along the South line of the N1/2 of the SW1/4 of said Section 2, to the point of beginning.

A portion of the SW1/4 of the SE1/4 of Section 15, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of said SW1/4 of SE1/4 and running thence North 360 feet; thence West 800 feet; thence South 350 feet, more or less to the South line of said SW1/4 of the SE1/4; thence Easterly 800 feet, more or less to the point of beginning.

The E1/2 of the SE1/4 of Section 10 and the W1/2 of the SW1/4 of Section 11, and the NW1/4 of the NW1/4 of Section 14 and the E1/2 of the E1/2 of Section 15, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.