

**2017-014467**

**Klamath County, Oregon**

**12/20/2017 03:46:01 PM**

**Fee: \$62.00**

After recording, return to:  
Miller Nash Graham & Dunn LLP  
Attn: David A. Foraker  
111 SW Fifth Avenue, Suite 3400  
Portland, OR 97201

Until a change is requested, all  
tax statements shall be sent to:  
Rabo AgriFinance LLC  
14767 N Outer 40 Road, Suite 400  
Chesterfield, MO 63017

**STATUTORY SPECIAL WARRANTY DEED AND SELLER'S ASSIGNMENT OF  
CONTRACT OF SALE**

ZUPAN FARM, an Oregon general partnership consisting of Paula Z. Coulter, Beth Z. Conyers, Thomas G. Zupan, Amy A. Montgomery, Kay L. Bomber, Delores W. Zupan, Michael Knight, and Mary Ann Marciel, as Grantor, (a) conveys and specially warrants to RABO AGRIFINANCE LLC, a Delaware limited liability company, as Grantee, the real property legally described on the attached Exhibit A, free of encumbrances created or suffered by Grantor except those indicated on the attached Exhibit B, and (b) sells, transfers, and assigns to Grantee all of its rights, title, and interest in, to, and under the Contract of Sale dated April 1, 2005, between Grantor, as seller, and Michael E. Noonan and Karin M. Noonan, as purchasers, of the real property legally described on the attached Exhibit A, a memorandum of which was recorded in the official records of Klamath County, Oregon, on April 1, 2005, at volume M05, page 22586.

The true consideration for this conveyance is \$102,425.49 (representing the amount presently due under the Contract of Sale) and other good and valuable consideration the receipt of which is hereby acknowledged.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS,

IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2

Dated: December 15, 2017.


ZUPAN FARM, an Oregon general partnership

By:   
Thomas G. Zupan, Authorized Partner

STATE OF OREGON                     )  
   ) ss.  
County of Multnomah )

The foregoing instrument was acknowledged before me on December 14, 2017, by Thomas G. Zupan, as an authorized partner of Zupan Farm, an Oregon general partnership, on behalf of said partnership.



  
Notary Public for Oregon  
My Commission Expires: 6/29/20

## **EXHIBIT A**

### Property Legal Description

Real property in the County of Klamath, State of Oregon, described as follows:

Township 39 South, Range 9 East of the Willamette Meridian:

Section 29: SW 1/4 SW 1/4

Section 30: SE 1/4 SE 1/4; Except that portion conveyed to Klamath County on January 31, 1958 in Volume 297, page 256, Deed records of Klamath County, Oregon.

Section 31: E 1/2 NE 1/4, LESS the following described property:  
Beginning at the Southwest corner of the SE 1/4 NE 1/4 of Section 31, thence East 150 feet; thence North 150 feet; thence West 150 feet; thence South 150 feet to the place of beginning.

Section 32: NW 1/4 NW 1/4

Tax Parcel Numbers: R585469, R585897, R585940, and R586351

## EXHIBIT B

### Exceptions to Title

The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.

Liens and assessments of Klamath Project and Klamath Basin Improvement District, and regulations, contracts, easements, water and irrigation rights in connection therewith.

Easement, including terms and provisions contained therein:

Recording Information:	December 31, 1942 in Volume 152, page 147, Deed records of Klamath County, Oregon
In Favor of:	The California Oregon Power Company, a California corporation
For:	10' wide pole and wire line
Affects:	SE4 SE4 Sec. 30

Agreement, including the terms and provisions thereof;

Recorded:	August 29, 1944 in Volume 168, page 287, Deed records of Klamath County, Oregon
Between:	Mike J. Zupan and Anna Zupan
And:	A. B. Moore
As follows:	"First parties do hereby give and grant unto Second party, his heirs and assigns, the perpetual easement and rights of way for irrigation ditch of sufficient size for adequate irrigation of the lands herein described."
Affects:	"along the Westerly of NE 1/4 SE 1/4 and Southerly portion of SE 1/4 NE 1/4 of Section 31, Township 39 South, Range 9 E.W.M."

Change or Alteration Agreement, including the terms and provisions thereof;

Recorded:	February 12, 1981 in Volume M81, page 2316, records of Klamath County, Oregon
Between:	Mary A. Knight, George Zupan and Peter D. Zupan
And:	Klamath Irrigation District
For:	fill in and level portion of the C-4-p Lateral
Affects:	lying in Sec. 31

Contract of Sale dated April 1, 2005, between Zupan Farm, as seller, and Michael E. Noonan and Karin M. Noonan, as purchasers.