

SPECIAL WARRANTY DEED

2020-007657

Klamath County, Oregon

06/23/2020 11:38:47 AM

Fee: \$107.00

Grantors Name: Gregory J. Tsiatsos and Doris Jean Tsiatsos, as tenants by the entirety

Grantees Name: Elk Creek, LLC, an Oregon Limited Liability Company

After recording return to:
Monahan, Grove & Tucker
105 North Main
Milton-Freewater, OR 97862

Until a change is requested, all tax statements shall be sent to the following address:
Elk Creek, LLC
C/O Gary Jellum, Registered Agent
101 S.E. 3rd
Pendleton, OR 97801

Gregory J. Tsiatsos and Doris Jean Tsiatsos, as tenants by the entirety, Grantors, convey and specially warrant to Elk Creek, LLC, an Oregon Limited Liability Company, Grantees, the following described real property free of encumbrances created or suffered by the Grantors except as specifically set forth herein:

See Exhibit A attached which is hereby referred to and made a part hereof.

The true consideration for this conveyance is \$1,080,000.00.

"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 2010."

Dated this 27 day of June, 2014.

Gregory J. Tsiatsos
Gregory J. Tsiatsos, Grantor

Doris Jean Tsiatsos
Doris Jean Tsiatsos, Grantor

STATE OF OREGON,)
)ss.
County of Umatilla.)

June 27, 2014.

Personally appeared the above named Gregory J. Tsiatsos and Doris Jean Tsiatsos and acknowledged the foregoing instrument to be their voluntary act and deed. Before me.

Johnna J. Clark
NOTARY PUBLIC FOR OREGON
My Commission Expires: 7/29/16

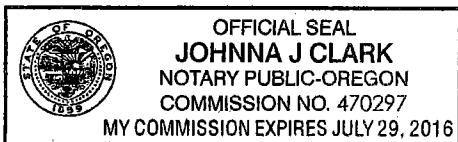


EXHIBIT "A"

TRACT I:

Township 4 North, Range 37, EWM:

All that portion of the following described land, lying Westerly of the following described line:

Beginning at the South quarter corner of Section 8, Township 4 North, Range 37, EWM; thence North 01°15'20" West a distance of 2062.16 feet to a 5/8" rebar on the Northerly right of way of Linton Mountain Road (County Road No. 431) and the true point of beginning for this line description, said true point of beginning also bears South 40°13'11" East a distance of 4050.29 feet from the Northeast corner of said Section 8; thence from said true point of beginning North 30°35'42" East a distance of 765.99 feet to a 5/8" rebar on the top of the ridge that separates the East and West forks of Timber Canyon; thence along the top of said ridge by the following courses: North 30°45'02" East a distance of 467.75 feet to a 5/8" rebar; thence North 46°52'21" East a distance of 532.82 feet to a blazed 10 inch diameter Ponderosa Pine; thence North 32°49'43" East a distance of 138.52 feet to a 5/8" rebar; thence North 35°20'13" East for a distance of 298.01 feet to a 5/8" rebar; thence North 17°09'06" East a distance of 431.07 feet to a 5/8" rebar; thence North 10°42'39" East a distance of 138.01 feet to a 5/8" rebar; thence North 15°39'17" East a distance of 193.16 feet to a blazed 4 inch diameter Douglas Fir; thence North 20°34'17" East a distance of 318.96 feet to a 5/8" rebar; thence North 15°40'16" East for a distance of 209.53 feet to a blazed 27 inch diameter Ponderosa Pine; thence North 11°33'06" East for a distance of 174.49 feet to a 5/8" rebar; thence North 30°13'53" East a distance of 332.06 feet to a blazed 6 inch diameter Ponderosa Pine; thence North 11°25'40" East a distance of 161.70 feet to a blazed 21 inch diameter Ponderosa Pine; thence North 37°30'05" East a distance of 434.47 feet to a 5/8" rebar; thence North 48°05'01" East a distance of 433.69 feet to the toe of said ridge and the point of convergency of the East and West forks of Timber Canyon; thence Northeasterly along the bottom of Timber Canyon a distance of 1200 feet, more or less, to a 5/8" inch rebar on the Southerly bank of the South Fork of the Walla Walla River and the Easterly bank of the channel of Timber Canyon, said rebar bears North 33°04'53" East a distance of 1079.77 feet from said point of convergency of the East and West forks of Timber Canyon; thence North 19°02'45" East a distance of 191.00 feet to a point on the Southerly right of way of the South Fork of the Walla Walla River Road (County Road No. 600) and the terminus point of this dividing line; said terminus point being North 68°26'46" East a distance of 6157.98 feet from the Northwest corner of said Section 8;

Township 4 North, Range 37, EWM:

Section 4: Beginning at a point on North line of Pacific Power & Light Company's right of way for flume where it crosses Section line between Sections 4 and 5; thence Southeasterly along line of said right of way a distance of 12 rods; thence Northerly to County Road 27 rods, more or less; thence Northwesterly along the line of said County Road 23 rods to Section line between said Sections 4 and 5; thence South along Section line to right of way of Pacific Power & Light Company's flume, to the place of beginning;

All that portion of Lots 6 and 7, and the Southeast Quarter of Southwest Quarter, lying South and West of right of way for the flume of Pacific Power & Light Company;

Section 5: A strip of land about 330 feet in length between pipeline and County Road, which said strip is in said Section 5, on South Fork of Walla Walla River said strip extends from Easterly line of L.W. Roberts Tract down the river to two large cottonwood trees on bank of said river; Westerly end being a line run through said trees and parallel with Easterly boundary line of said tract, it being the intention of grantors to convey all property between said pipeline and said County Road and between said parallel lines;

SUBJECT TO right of way for a road 20 feet wide, extending North from said tract to the County Road a distance of 8 rods, more or less;

Exhibit "A"
Continued

ALSO that portion of North Half of Southeast Quarter, Southwest Quarter of Northeast Quarter, Southeast Quarter of Northwest Quarter and Lot 3, lying South and West of right of way flume of Pacific Power & Light Company;

Southwest Quarter of Northwest Quarter,
Southwest Quarter;
Southwest Quarter of Southeast Quarter;
Southeast Quarter of Southeast Quarter, lying West of Timber Canyon;

Section 6: All, lying Northerly of Northerly right of way line of County Road No. 431, aka Linton Mountain Road;

Section 7: All, lying Northerly of Northerly right of way line of County Road No. 431, aka Linton Mountain Road;

Section 8: All, lying Northerly of right of way of County Road No. 431, aka, Linton Mountain Road;

End of Lands being described as lying Westerly of above described line.

TRACT II:

Township 4 North, Range 36, EWM:

Section 1: All that portion of East Half of said Section 1, lying North and East of Easterly right of way line of County Road No. 431, aka Linton Mountain Road;

TRACT III:

Township 5 North, Range 37, EWM:

Section 31: All that portion of West Half and of West Half of Southeast quarter of said Section 31, lying South and West of Pacific Power and Light Company's flume.

TRACT IV:

Township 5 North, Range 36, EWM:

Section 25: All that portion of South Half of Southeast Quarter of Southwest Quarter, lying South of Pacific Power & Light Company's Pipeline right of way;

Section 36: South Half;

EXCEPTING THEREFROM the following described tract of land:

Beginning at Southwest Corner of said Section 36; thence East 80 rods; thence North 10 rods and 4 feet to County Road; thence Northwesterly along said County Road to West line of said Section 36; thence South 45 rods, more or less, to the point of beginning;

ALSO the following described tract of land located in Sections 25, 26, 35, and 36, Township 5 North, Range 36 and described as follows:

Exhibit "A"
Continued

Beginning at a point in South line of Northwest Quarter of Northeast Quarter of said Section 35, said point being 469 feet, measured along said South line from Southwest corner of said Northwest Quarter of Northwest Quarter; thence North 30°56' East 180 feet; thence North 40°30' East 242 feet; thence North 44°47' East 1113 feet; thence North 50°41' East 130 feet; thence North 68°32' East 200 feet; thence North 70°29' East

172 feet; thence North 6°02' East 195 feet; thence North 4°24' East 495 feet; thence North 35°40' East 307 feet; thence North 71°47' East 303 feet; thence North 48°30' East

217.8 feet, more or less, to a point in East line of said Section 26, said point being 1442.7 feet South of East Quarter corner of said Section 26; thence North along said East line 37.7 feet, more or less, to a point which is 85 feet South of Northeast corner of Southwest Quarter of Southeast Quarter of said Section 26; thence

Southeasterly parallel with and 2 rods distant from base of bluff about 400 feet to a point opposite West side of the canyon which there makes an opening in the bluff; thence continuing in an Easterly direction about 50 feet to the base of the bluff at East side of the Canyon; thence continuing in an Easterly direction along base of bluff to East line of Southwest Quarter of Southwest Quarter of said Section 25; thence South along said East line to Southeast corner of said Southwest Quarter of Southwest Quarter; thence West along South line of said Section 25 to Southwest Corner thereof; thence South along East line of said Section 35, to Southeast corner of Southeast Quarter of northeast Quarter of said Section 35; thence West to Southwest Corner of said Southeast Quarter of Northeast Quarter; thence North to Northwest Corner thereof; thence West along South line of Northwest Quarter of Northeast Quarter of said Section 35, a distance of 851 feet, more or less, to the point of beginning;

ALSO Northwest Quarter, South Half of Northeast Quarter and that portion of Northwest quarter of Northeast quarter, lying South of Pacific Power & Light Company's flume in said Section 36;

ALSO beginning at Southwest corner of Northeast Quarter of Northeast quarter of said Section 36; thence North 36 rods; thence in a Southeasterly direction along Pacific Power & Light Company's flume 60 rods to a point 48 rods East of center of Northeast quarter of said Section 36; thence West 48 rods to the point of beginning;

An easement for road purposes over East 20 feet of the following:

Commencing at center of said Section 26; thence East along East-West centerline of said Section 26, a distance of 1286.3 feet to Northeast Corner of that tract of land described in Paragraph 35 of Deed recorded in Book 68, Page 293, Deed Records, to Pacific Power and Light Company, said corner being the point of beginning for this description; thence South along East line of said Pacific Power & Light Company's Tract, 539 feet to Southeast corner of thereof; thence Southeasterly on a straight line 1486 feet, more or less, to a point on East line of said Section 26, said point being 1442.7 feet South from East Quarter corner of said Section 26; thence North along said East line to intersection with centerline of the channel of South Fork of Walla Walla River as the same existed on February 5, 1900; thence Northwesterly along said centerline to its intersection with East-West centerline of said Section 26; thence Westerly along said East-West centerline to the point of beginning;

ALSO all that portion of Southwest Quarter of Northeast Quarter and Southeast Quarter of said Section 35, lying North of County Road No. 59 and 156, known as Linton Mountain Road and East of the following described line:

Beginning at Southeast Corner of said Section 35; thence North 23°37' West a distance of 4528.8 feet to the true point of beginning for this description; thence South 1°40'30" West 501.2 feet; thence South 30°12' West 769.6 feet; thence South 6°35' West 307 feet; thence South 8°34' East 97.9 feet; thence South 12°21' East 122.5 feet; thence South 42°40' East 182.1 feet; thence South 51°40'30" East 42.7 feet; thence South 61°00'30" East 106.3 feet; thence South 24°14' East 79.7 feet; thence South 8°19' East 61 feet; thence South 5°26' West 71.7 feet; thence South 31°43'30" West 558.1 feet, more or less, to a point on Northerly line of said Linton Mountain Road;

EXCEPTING THEREFROM any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

Exhibit "A"
Continued

Subject to:

1. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
2. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Washington Water Power Company
Recorded: September 6, 1904
In: Book 45, Page 51, Umatilla County Deed Records.
3. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Pacific Power and Light Company
Recorded: May 28, 1943
In: Book 160, Page 123, Umatilla County Deed Records.
4. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Pacific Power and Light Company
Recorded: October 8, 1967
In: Book 291, Page 387, Umatilla County Deed Records.
5. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Pacific Power and Light Company
Recorded: October 8, 1967
In: Book 291, Page 392, Umatilla County Deed Records.
6. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Michael L. Murphy and Shelly M. Murphy, husband and wife
Recorded: September 3, 1996
In: Reel 296, Page 1062, Umatilla County Microfilm Records.