



**2021-000362**

**Klamath County, Oregon**

01/11/2021 09:18:01 AM

Fee: \$117.00

*After recording return to:*

Great Western Farm & Ranches LLC  
Attn: Scott E. Balin  
13600 Homedale Road  
Klamath Falls, OR 97603

*Until a change is requested, all tax statements  
shall be sent to the following address:*

Great Western Farm & Ranches LLC  
Attn: Scott E. Balin  
13600 Homedale Road  
Klamath Falls, OR 97603

### **SPECIAL WARRANTY DEED**

**Rabo AgriFinance LLC**, a Delaware limited liability (“Grantor”) hereby conveys and specially warrants to **Great Western Farm & Ranches LLC**, an Oregon limited liability company (“Grantee”), the real property located in Klamath County, Oregon, more particularly described on the attached Exhibit A (the “Property”), free of liens and encumbrances created or suffered by Grantor, except those described on the attached Exhibit B and any lien or encumbrance created or suffered by Grantee.

The true consideration for this conveyance is \$950,000.00.

This deed fulfills Grantor’s obligation to convey fee title upon payment of the contract purchase price for the Property pursuant to a Land Sale Contract between Grantor and Grantee, a memorandum of which was recorded on April 17, 2020, as Document No. 2020-004940, in the official records of Klamath County, Oregon.

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, AND 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

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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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 7<sup>th</sup> day of January, 202~~0~~<sup>1</sup>.

GRANTOR:

Rabo AgriFinance LLC

By: [Signature]  
Stephen A. Tornio, Vice President

STATE OF Wisconsin

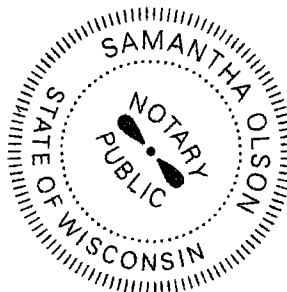
County of St. Croix

This instrument was acknowledged before me on January 7, 202~~0~~<sup>1</sup>, by Stephen A. Tornio, as Vice President of Rabo AgriFinance LLC.

[Signature]

Notary Public for the State of Wisconsin

My Commission Expires: 04.08.2022



## **EXHIBIT A**

### **Legal Description of the Property**

#### **Parcel 1:**

A tract of land situated in Section 1, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the Southeast corner of the SE1/4 SW1/4 of Section 1; thence North along the North-South centerline of said section to the Southerly right of way line of the Southern Pacific railroad company right of way; thence Northwest along said right of way line to the West line of the SE1/4 NW1/4 of said section; thence South to the Northeasterly right of way line of the South branch of the "C" Canal as now located; thence Southeasterly along said right of way to the South line of said section; thence East to the point of beginning. Excepting therefrom, that portion lying within the boundaries of the Lower Lake Road.

#### **Parcel 2:**

Parcel A: The E1/2 SE1/4 of Section 2, Township 40 South, Range 9 East of the Willamette Meridian. Saving and excepting therefrom 5 acres forming a square in the Southwest corner of the SE1/4 SE1/4 conveyed for cemetery

Parcel B: All that portion of the NE1/4 of the NE1/4 of Section 2, Township 40 South, Range 9 East of the Willamette Meridian, lying Southwesterly right of way line on the C4 (formerly E) Canal;

Also the SE1/4 of the NE1/4 of Section 2, Township 40 South, Range 9 East of the Willamette Meridian lying Southwesterly right of way line of the C4 (formerly E) Canal.

#### **Parcel 3:**

The SW1/4 of the NW1/4 and the W1/2 of the SW1/4, in Section 1, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; EXCEPT 2.34 acres in the SW1/4 of the NW1/4 conveyed to Modoc Northern Railway Company in Volume 30, page 479, deed records of Klamath County, Oregon; and except those portions lying within Homedale Road and in the Souther Pacific Railroad right-of way

ALSO Excepting that portion thereof conveyed to the California Oregon Power Company by deed recorded September 21, 1946 in Volume 196, page 72, deed records of Klamath County, Oregon being a strip of land of undisclosed width for a power line right of way, the centerline of which is described as follows:

Beginning at a point on the Northeasterly right of way boundary of the U.S.R.S. South Branch Canal and 1-B drain, said point being South 63° 42' East 1463.0 feet from the Westerly quarter corner of Section 1, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence from said point of beginning North 0° 32' West 989.0 feet; thence North 71° 32' West 125.0 feet to the end of said power line.

AND ALSO Excepting that portion of the S1/2 NW1/4 lying Northeasterly of the Union Pacific Railroad and Northwesterly of the USBR "C" Canal

## **EXHIBIT B**

### **Permitted Encumbrances**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject Land onto adjoining Land or of existing improvements located on adjoining Land onto the subject Land) encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental, or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

(The following exceptions applying to Parcel 1 only)

6. 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.
7. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Irrigation District.
8. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
9. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: The California Oregon Power Company  
Recorded: January 12, 1931  
Volume: 93, page 403

10. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: A.J. Manning  
Recorded: May 28, 1937  
Volume: 109, page 582

11. Agreement by and between United States Department of the Interior Bureau of Reclamation regarding water use, including the terms and provisions thereof,

Recorded: August 25, 1937  
Volume: 111, page 407

12. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Pacific Power & Light Company  
Recorded: August 27, 1979  
Volume: M79, page 20285

(The following exceptions applying to Parcel 2 only)

13. Mobile home (manufactured housing unit):

ID Number X162691 (11520 Homedale)  
Assessed to: Rebecca Lynn Brown.

14. 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.

15. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Irrigation District.

16. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Basin Improvement District.

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

18. Acceptance of Terms and Conditions of Reclamation Extension Act, including the terms and provisions thereof,

Recorded: December 11, 1914  
Volume: 43, page 174

19. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: The California Oregon Power Company  
Recorded: May 22, 1934  
Volume: 103, page 115

20. Agreement and the terms and conditions contained therein

Between: L.D. Jackson  
And: L.L Morris  
Recorded: October 27, 1934  
Instrument No.: 103, page 618

21. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: L.L Morris  
Recorded: July 24, 1936  
Volume: 106, page 501

22. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: The California Oregon Power Company  
Recorded: October 15, 1948  
Volume: 226, page 23

23. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Klamath County  
Recorded: April 8, 1959  
Volume: 311, page 347

24. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Haines McNoise and Eleanor McNoise  
Recorded: June 30, 1966  
Volume: M66, page 6639

25. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Pacific Power & Light Company

Recorded: September 4, 1979

Volume: M79, page 21101

26. Irrigation Contract for Change or Alteration, including the terms and provisions thereof,

Recorded: May 19, 2005

Volume: M05, page 36386

(The following exceptions applying to Parcel 3 only)

27. 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.

28. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Irrigation District.

29. The property lies within the boundaries of Klamath Basin Improvement District and is subject to any charges or assessments levied by said District and pipeline easements in connection therewith.

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

31. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: The California Oregon Power Company, a California corporation

Recorded: January 12, 1934

Volume: 93, page 403

32. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: The California Oregon Power Company, a California corporation

Recorded: May 22, 1934

Volume: 103, page 116

33. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

By and Between: A.J. Manning and George D. Grizzle and Minnie Grizzle

Recorded: May 26, 1937

Volume: 109, page 582

34. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: The California Oregon Power Corporation, a California company

Recorded: January 2, 1942

Volume: 143, page 573

35. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Klamath County

Recorded: April 8, 1959

Instrument No.: 311, page 347

36. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Pacific Power & Light Company

Recorded: July 27, 1979

Volume: M79, page 17879

37. Subject to the life estate created by instrument, including the terms and provisions thereof,

Recorded: April 10, 2007

Instrument No.: 2007-006682

In favor of: Howard W. Manning and Evelyn Faye Manning

38. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Pacific Connector Gas Pipeline, LP, a Delaware Limited Partnership

Recorded: June 19, 2019

Instrument No.: 2019-006913

39. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Pacific Connector Gas Pipeline, LP, a Delaware Limited Partnership

Recorded: June 19, 2019

Instrument No.: 2019-006914