

## WARRANTY DEED

D C INTERMEDIARIES, LTD., an Oregon corporation, as Grantor, conveys and warrants to James Gardner, as Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Deschutes County, Oregon, to-wit:

See Exhibit "A" attached hereto and buildings and personal effects as listed on Exhibit "B" attached hereto.

And all homes and structures and irrigation equipment which is part of the real estate except all portable panels, squeeze chutes, fuel tanks, shop equipment, farm equipment, molasses tank and Lamplighter mobile home.

All gated pipe used for irrigation must stay in place and be used for a period of ten years from the date of this Deed, or Grantee or his assigns, heirs or successors must assume the liability under the long term agreement concerning the payment therefore between the Grantor and ASCS (U.S. Department of Agriculture).

The said property is free from encumbrances except:

1. The premises have been zoned for farm use and there will be additional taxes and interest if there is a disqualification for such use;
2. The rules and regulations of the Central Oregon Irrigation District.
3. Existing telephone, telegraph, power lines, roads, railroads, highways, ditches, canals and pipelines
4. Rights of the public and governmental bodies in and to any portion of the said property lying below the high water line of the Crooked River.
5. A strip of land a width of 50 feet, that is to say 25 feet on each side of the center line of the Wagon Road known as the Willamette Valley and Cascade Mountain Wagon Road to be used for right of way and other road purposes with the right to use said area as a wagon road.
6. Easement to operate and maintain a road granted to the United States of America recorded on May 10, 1941 in Book 60 at Page 55 of Deed Records.
7. Easement granted to Central Electric Cooperative, Inc., as disclosed in Instrument recorded August 22, 1960 in Book 125 at Page 556 of Deed Records.

PAGE 1 WARRANTY DEED

DESCHUTES COUNTY TITLE CO.  
P. O. BOX 323  
BEND, OREGON 97701

69-051211  
55610321  
55610321

213-1730

8. Governmental Rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Crooked River.

THIS INSTRUMENT WILL 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 APPROVED USES.

The true consideration for this conveyance is \$1,100,000.00.

Dated this 9<sup>th</sup> day of July, 1990.

D C INTERMEDIARIES, LTD.,  
an Oregon corporation

By: Douglas S. Chiapuzio  
Douglas S. Chiapuzio  
President

STATE OF OREGON )  
County of Multnomah )

ss. July 9, 1990

Personally appeared Douglas S. Chiapuzio, who being duly sworn, did say that he is the President of D C Intermediaries, Ltd., an Oregon corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed.



Lois A. Chiunare  
Notary Public for Oregon  
My Commission Expires: 12/1/91

After Recording Return to:  
Deschutes County Title Company  
Redmond Branch  
RE01955 dg

All Tax Statements Shall Be  
Sent to: 17600 Vandevent  
Bend, Oregon 97707

## EXHIBIT "A"

## LEGAL DESCRIPTION

PARCEL I: The East Half (E 1/2) of Section Three (3), TOWNSHIP FOURTEEN (14) SOUTH, RANGE THIRTEEN (13) EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, excepting and reserving the South Twenty (20) feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section Three (3). EXCEPTING THEREFROM that portion conveyed to the United States of America by Donation deed recorded May 10, 1941 in Book 60 at page 56 of Deed Records.

PARCEL II: The West Half (W 1/2) of Section Three (3), TOWNSHIP FOURTEEN (14) SOUTH, RANGE THIRTEEN (13) EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon. EXCEPTING THEREFROM that portion conveyed to Everett Thornburgh and Eva Thornburgh by Warranty Deed recorded January 25, 1983 in Book 3 at page 41 of Deschutes County Official Records.

Tax a/c #14-13-00-00-00600 2-3  
Tax a/c #14-13-00-00-00600 2-4  
Tax a/c #14-13-00-00-00700 2-4

EXHIBIT "B"

213 - 1732

IRRIGATION EQUIPMENT

- 12 Valley Gates
- 5 Blue Gates 4'
- 1 Silver Gate
- 4 Powder River Gates

All gates are installed on permanent fencing.

- 1 Water trough at corral
- 2 Mobile Homes (No Papers)
- 27 pieces 3" x 18' hand line

All main lines  
 All gated pipe (see inventory attached)

BUILDINGS INCLUDED IN SALE

- 27 x 45 shop - concrete floor
- 11 x 15 storage shed
- Dog Kennel
- Barn - 30 x 40
- 3 Stalls
- Tack Room
- Hay Storage

1972 Camelot Mobile Home 14' x 60', License X68273 Serial #2237

Rex Mobile Home 8' x 34' Manufactures Plate X108348, that has no known Certificate of Title

*art Voss*  
*Sam Foss*  
*Joe Jean*

STATE OF OREGON )  
 COUNTY OF DESCHUTES ) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND  
 RECORDER OF CONVEYANCES, IN AND FOR SAID  
 COUNTY, DO HEREBY CERTIFY THAT THE WITHIN  
 INSTRUMENT WAS RECORDED THIS DAY:

90 JUL 13 PM 2:40

MARY SUE PENHOLLOW  
 COUNTY CLERK

BY: *M. Egan* DEPUTY  
 NO. 90-20374 FEE 45-  
 DESCHUTES COUNTY OFFICIAL RECORDS