Introduction

The property line adjustment application is to review changes in property lines when no new lots are being created. For example, property lines may be changed to account for the location of fences, driveways, gardens and buildings. A property owner may discover that a fence is located on a neighbor's property. As a solution, the property owners may agree to relocate their property lines. A property line adjustment review is needed to make sure the change is consistent with zoning standards.

In addition to filling out the application form, the applicant needs to draw a plot plan. The plot plan will show the property lines and dimensions, and the location of all buildings, wells, septic tanks and drainfield for the parcels which are being adjusted.

The applicants need to submit the application to the Planning Department. Once the application and plot plan are accepted, staff will review the proposal.

A single adjustment of one line between two abutting properties will be approved as a ministerial1 act.

Multiple adjustments between more than two abutting properties will be processed as a land use decision and may be approved as a single application on condition that each adjustment is completed prior to the next, in accordance with ORS Chapter 92.

Approval will become final after the applicant(s) complies with the approval criteria including completion of surveys when required and recording of the property line adjustment deed(s). These must be completed within one year of the approval.

This information is provided as a courtesy and is not intended to replace the provisions of Article 6.3.

If you have any questions about this application, please feel free to contact this office at 541-396-7770 or visit us at 225 North Adams Street in Owen Building in Coquille, Oregon.

\[\text{RECEIVED} \quad \text{DEC 17 2014} \]

COOS COUNTY PLANNING DEPARTMENT

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1 ministerial decisions are not land use decisions as described in ORS 197.015 and are not subject to appeal as land use decisions

Updated 7/14
Please place a check mark on the appropriate type of review that has been requested. An incomplete application will not be processed. Applicant is responsible for completing the form. Attach additional sheets to answer questions if needed.

A. Applicant/Owner:

Name: John & Barbara Fugate
Address: P.O. Box 1245
City: Bandon
State: OR
Telephone: 541-347-4309
Zip Code: 97411

B. Applicant/Owner:

Name: SAME
Address: 
City: 
State: 
Zip Code: 

C. Property Descriptions:

Property #1
Township 29 Range 15 Section 13 Tax Lot 1000, 1900, 1902
12397.04
Tax Account 12396.00, 12396.96 Lot Size 37.52 AC Zoning District EFU
12396.05, 12396.95

Property #2
Township 29 Range 15 Section 24 Tax Lot 102
1240392, 12403.02 Lot Size 5.64AC Zoning District EFU

D.: Criteria from Article 6.3

ARTICLE 6.3 PROPERTY LINE ADJUSTMENTS
SECTION 6.3.100 PROPERTY LINE ADJUSTMENTS:
As set forth in ORS 92.190(3), the common boundary line between lots or parcels may be adjusted in accordance with this section without the replatting procedures in ORS 92.180 and 92.185 or the vacation procedures in ORS Ch. 368. Once a lot or parcel line has been adjusted, the adjusted line shall be the boundary or property line, not the original line. The Director has authority to approve a line adjustment as a Ministerial Action.

SECTION 6.3.125 PROCEDURE:
1. An application for a line adjustment or elimination shall be filed by the owners of all lots or parcels affected. The application shall be accompanied by an appropriate fee and contain the following information:
   a. Reason for the line adjustment;
   b. Vicinity map locating the proposed line adjustment or elimination in relation to adjacent subdivisions, partitions, other units of land and roadways;
   c. A plot plan showing the existing boundary lines of the lots or parcels affected by the line adjustment and the approximate location for the proposed adjustment line. The plot plan shall also show the approximate location of all structures within ten (10) feet of the proposed adjusted line;
   d. A current property report (less than 6 months old) indicating any taxes, assessment or other liens against the property, easements, restrictive covenants and rights-of-way, and ownerships of the property of the proposed development.
A title report is acceptable.

2. A line adjustment is permitted only where an additional unit of land is not created and where the lot or parcel reduced in size by the adjustment complies with the requirements of the applicable zone except that a line adjustment for the purpose of exchange or transfer of land between resource land owners shall be allowed so long as:
   a. No parcel is reduced in size contrary to a condition under which it was formed;
   b. The resulting parcel sizes do not change the existing land use pattern (e.g. two conforming parcels must remain conforming; and
   c. Two non-conforming parcels may remain non-conforming; and, two parcels, one conforming and one non-conforming, may remain as such regardless of which parcel is non-conforming after the exchange or transfer).

3. An encroachment of existing or planned structures will not be created within required setbacks as a result of the line adjustment.

4. A line adjustment for a lot or parcel that is less than the minimum lot size before the adjustment and further reduced as a result of the adjustment is permissible provided the applicant submits either:
   a. Proof that, for the lot or parcel reduced in size, sewage disposal is provided by either a publicly owned sewage disposal system, or a privately owned sewage disposal system regulated by the Public Utility Commission of Oregon; or
   b. Written evidence, for the lot or parcel reduced in size, that an on-site septic system that is intended to remain in use after final approval was authorized by an approving authority, or if written evidence is not available, provide a septic system evaluation (prepared by a professional qualified under ORS 700) that certifies the existing system to be properly functioning, and that the existing septic system is either located entirely on the same lot or parcel containing an existing dwelling, or that a proper easement is provided to allow the continued use and maintenance of the system; or
   c. Documentation, for a vacant lot or parcel reduced to less than one (1) acre, that the Department of Environmental Quality has approved the method of sewage disposal. Unless circumstances warrant otherwise (public services), parcels that are greater than one (1) acre shall not be subject to a septic system evaluation in the line adjustment process.

5. In resource lands, a unit of land containing a dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling.
   a. A resource unit of land less than 160 acres and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;
   b. A resource unit of land 160 acres or greater and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted below 160 acres with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;
   c. A resource unit of land 160 acres or greater and containing a dwelling approved as a 160-acre dwelling, or approved for construction of a 160-acre dwelling, cannot be reduced below 160 acres for the purpose of qualifying the vacant unit for a 160-acre dwelling.

6. Same Designation: A line adjustment shall only be permitted where the sale or transfer of ownership is made between abutting owners of like designated lands, residential lands, commercial lands, industrial lands, and resource lands, unless an existing structure encroaches over an existing property boundary or the boundary line adjustment is required to comply with requirements of the State Department of Environmental Quality for a subsurface sewage system.

Updated 7/14
SECTION 6.3.150 EASEMENTS AND ACCESS:
A line adjustment shall have no affect on existing easements or access. Access shall not be
eliminated through a property line adjustment process. If an access is potentially affected
then an easement may be created for access to comply with this criterion.

SECTION 6.3.175 MAPPING AND FILING REQUIREMENTS:
1. Map and Monuments Required:
   a. For any resulting lot or parcel ten acres or less, a survey map that complies with
      ORS 209.250 shall be prepared;
   b. The survey map shall show all structures within ten (10) feet of the adjusted line;
   c. The survey shall establish monuments to mark the adjusted line.

2. Approval and Filing Requirements:
   a. Upon determination that the requirements of this section have been met, the
      Director shall advise the applicant in writing that the line adjustment is
      tentatively approved;
   b. Within one year from the date of tentative approval, the applicant shall prepare
      and submit to the Director any map required by Section 6.2.800(4) and Section
      6.2.800(5) if a survey is required. If no map is required, the applicant shall
      submit proof that the requirements of the tentative approval have been met. The
      Director shall indicate final approval by endorsement upon the map, if any, or if
      no map is required the Director shall advise the applicant in writing that final
      approval has been granted;
   c. Once endorsed by the Director, the map shall then be submitted to the County
      Surveyor. When the map is filed, the County Surveyor shall indicate the filing
      information on the map;
   d. A line adjustment shall be effective when the map is filed by the County Surveyor
      and an instrument (e.g. deed or covenant) is recorded with the County Clerk. If
      no map is required, then the line adjustment shall be effective when final
      approval is granted by the Director and an instrument is recorded with the
      County Clerk;
   e. If a survey is required, the Deed shall be recorded and the Survey Map shall be
      filed simultaneously. The survey map, with the signature of the Coos County
      Planning Director shall be submitted to the County Surveyor along with the
      required filing fee. The survey map will be given a filing number which will be
      added to the Property Line Adjustment deed. The deed will then be recorded
      whereupon the recording number for said deed will be added to the face of the
      survey map. Said map will then be filed with the County Surveyor, completing
      the process.

E. Authorization:
All areas must be initialed by all applicant(s) prior to the Planning Department accepting
any application.

I hereby attest that I am authorized to make the application for a conditional use and
the statements within this application are true and correct to the best of my
knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land.
I understand that I have the right to an attorney for verification as to the creation of
the subject property. I understand that any action authorized by Coos County may be
revoked if it is determined that the action was issued based upon false statements or
misrepresentation.
ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service. The Coos County Board of Commissioners adopt a schedule of fees which reflect the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are response to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may chose to revoke this permit or send this debt to a collection agency at your expense.

I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bare the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.

As applicant(s) I/we acknowledge that is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

As the applicant(s) I/we acknowledge pursuant to Section 3.3.151(5), the property line adjustment deed must be recorded with the County Clerk within one year from the date of final approval from the Planning Department.

[Signatures]

Applicant(s) Original Signature

Date 11-19-14

Date 11-19-14

Updated 7/14
FUGATE PROPERTY LINE ADJUSTMENT

ARTICLE 6.3 PROPERTY LINE ADJUSTMENTS

SECTION 6.3.100 PROPERTY LINE ADJUSTMENTS:

As set forth in ORS 92.190(3), the common boundary line between lots or parcels may be adjusted in accordance with this section without the replatting procedures in ORS 92.180 and 92.185 or the vacation procedures in ORS Ch. 368. Once a lot or parcel line has been adjusted, the adjusted line shall be the boundary or property line, not the original line. The Director has authority to approve a line adjustment as a Ministerial Action.

SECTION 6.3.125 PROCEDURE:

1. An application for a line adjustment or elimination shall be filed by the owners of all lots or parcels affected. The application shall be accompanied by an appropriate fee and contain the following information:

a. Reason for the line adjustment;

   RESPONSE: The reason for the adjustment is to reconfigure discrete parcels within the applicant’s ownership for the purpose of establishing an independent parcel upon which the non-farm dwelling (subject to the submitted reauthorization) will exist.

b. Vicinity map locating the proposed line adjustment or elimination in relation to adjacent subdivisions, partitions, other units of land and roadways;

c. A plot plan showing the existing boundary lines of the lots or parcels affected by the line adjustment and the approximate location for the proposed adjustment line. The plot plan shall also show the approximate location of all structures within ten (10) feet of the proposed adjusted line;

d. A current property report (less than 6 months old) indicating any taxes, assessment or other liens against the property, easements, restrictive covenants and rights-of-way, and ownerships of the property of the proposed development. A title report is acceptable.

   RESPONSE: A vicinity map, plot plan and property report have been submitted with the appropriate application and fee.

2. A line adjustment is permitted only where an additional unit of land is not created and where the lot or parcel reduced in size by the adjustment complies with the requirements of the applicable zone except that a line adjustment for the purpose of exchange or transfer of land between resource land owners shall be allowed so long as:

a. No parcel is reduced in size contrary to a condition under which it was formed;

b. The resulting parcel sizes do not change the existing land use pattern (e.g. two conforming parcels must remain conforming; and

c. Two non-conforming parcels may remain non-conforming; and, two parcels, one conforming and one non-conforming, may remain as such regardless of which parcel is non-conforming after the exchange or transfer).
RESPONSE: Prior to the adjustment, both parcels are below the minimum lot size of the applicable EFU zone district. Following the adjustment, both parcels will remain below the minimum lot size.

3. An encroachment of existing or planned structures will not be created within required setbacks as a result of the line adjustment.

    RESPONSE: All structures are located within and are adjacent to an exclusive farm use zone district and therefore, there is no setback requirement.

4. A line adjustment for a lot or parcel that is less than the minimum lot size before the adjustment and further reduced as a result of the adjustment is permissible provided the applicant submits either:

a. Proof that, for the lot or parcel reduced in size, sewage disposal is provided by either a publicly owned sewage disposal system, or a privately owned sewage disposal system regulated by the Public Utility Commission of Oregon; or

b. Written evidence, for the lot or parcel reduced in size, that an on-site septic system that is intended to remain in use after final approval was authorized by an approving authority, or if written evidence is not available, provide a septic system evaluation (prepared by a professional qualified under ORS 700) that certifies the existing system to be properly functioning, and that the existing septic system is either located entirely on the same lot or parcel containing an existing dwelling, or that a proper easement is provided to allow the continued use and maintenance of the system; or

c. Documentation, for a vacant lot or parcel reduced to less than one (1) acre, that the Department of Environmental Quality has approved the method of sewage disposal. Unless circumstances warrant otherwise (public services), parcels that are greater than one (1) acre shall not be subject to a septic system evaluation in the line adjustment process.

    RESPONSE: The subject dwelling was approved through a Coos County Conditional Use process in 2003. A subsequent Zoning Compliance Letter was issues by the Planning Department for construction of the dwelling and at that time, site evaluation by the Oregon Department of Environmental Quality was required. The septic system installed in conjunction with the dwelling will remain on the adjusted dwelling parcel and will continue to serve the subject dwelling.

5. In resource lands, a unit of land containing a dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling.

a. A resource unit of land less than 160 acres and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;

b. A resource unit of land 160 acres or greater and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted below 160 acres with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;

c. A resource unit of land 160 acres or greater and containing a dwelling approved as a 160-acre dwelling, or approved for construction of a 160-acre dwelling, cannot be reduced below 160 acres for the purpose of qualifying the vacant unit for a 160-acre dwelling.

    RESPONSE: Both reaming parcels subject to this property line adjustment will contain dwellings and will therefore not be eligible for a large tract (160 acre) dwelling.
6. Same Designation: A line adjustment shall only be permitted where the sale or transfer of ownership is made between abutting owners of like designated lands, residential lands, commercial lands, industrial lands, and resource lands, unless an existing structure encroaches over an existing property boundary or the boundary line adjustment is required to comply with requirements of the State Department of Environmental Quality for a subsurface sewage system.

**RESPONSE:** Both parcels are currently zoned Exclusive Farm Use (EFU).

**SECTION 6.3.150 EASEMENTS AND ACCESS:**

A line adjustment shall have no affect on existing easements or access. Access shall not be eliminated through a property line adjustment process. If an access is potentially affected then an easement may be created for access to comply with this criterion.

**RESPONSE:** Both parcels will are currently owned by the same party and therefore no easement is necessary. Provided that either parcel is sold in the future, access in compliance with the Coos County transportation standards will be established.

**SECTION 6.3.175 MAPPING AND FILING REQUIREMENTS:**

1. Map and Monuments Required:

   a. For any resulting lot or parcel ten acres or less, a survey map that complies with ORS 209.250 shall be prepared;

   b. The survey map shall show all structures within ten (10) feet of the adjusted line;

   c. The survey shall establish monuments to mark the adjusted line.

2. Approval and Filing Requirements:

   a. Upon determination that the requirements of this section have been met, the Director shall advise the applicant in writing that the line adjustment is tentatively approved;

   b. Within one year from the date of tentative approval, the applicant shall prepare and submit to the Director any map required by Section 6.2.800(4) and Section 6.2.800(5) if a survey is required. If no map is required, the applicant shall submit proof that the requirements of the tentative approval have been met. The Director shall indicate final approval by endorsement upon the map, if any, or if no map is required the Director shall advise the applicant in writing that final approval has been granted;

   c. Once endorsed by the Director, the map shall then be submitted to the County Surveyor. When the map is filed, the County Surveyor shall indicate the filing information on the map;

   d. A line adjustment shall be effective when the map is filed by the County Surveyor and an instrument (e.g. deed or covenant) is recorded with the County Clerk. If no map is required, then the line adjustment shall be effective when final approval is granted by the Director and an instrument is recorded with the County Clerk;

   e. If a survey is required, the Deed shall be recorded and the Survey Map shall be filed simultaneously. The survey map, with the signature of the Coos County Planning Director shall be submitted to the County Surveyor along with the required filing fee. The survey map will be given a filing number which will be added to the Property Line Adjustment deed. The deed will then be recorded whereupon the recording
number for said deed will be added to the face of the survey map. Said map will then be filed with the County Surveyor, completing the vacation procedures in ORS Ch. 368. Once a lot or parcel line has been adjusted, the adjusted line shall be the boundary or property line, not the original line. The Director has authority to approve a line adjustment as a Ministerial Action.

RESPONSE: The proposed dwelling parcel will be surveyed and mapped in accordance with State Statute and County Code. A Property Line Adjustment Deed will be prepared and recorded in accordance with State Statute and County Code.
Fugate Farms Proposed Home Site
By: John & Barbara Fugate
Date: Aug 20, 2003
Tax Lots 102, 100, 1900, 1902, 1009
Approx. 293 Acres

PASTURE

NORTH
Scale: 1" = 100'

PROPERTY LINE

TAX LOT 102  T29S R15W Sec 24
TAX LOT 1900  T29S R15W Sec 13
TAX LOT R16W Sec 13
Fugate Farms LLC

To Hwy 101

Exist Road

Pond

Drainfield Area

Housing Site

Pond

Drainage ditch

Dike

Shape

Water

200'

100'

Proposed driveway

220'

230'

Existing Road

To Hwy 101
KNOW ALL MEN BY THESE PRESENTS, that I, Christian H. Polk, widower, Grantor, for a valuable consideration to me paid by Victor Tholix and Elsie Tholix, husband and wife, Grantees, hereby grant, bargain, sell and convey unto the said Grantees, as tenants by the entirety, all the following described premises:

A parcel of land in the West half of the Southwest quarter of Section 13, Township 29 South, Range 13 West of the Willamette Meridian, described as follows:

Beginning at a point 900 feet South of the center of said Section 13 on the quarter section line, said point of beginning the Southwest corner of the Stanley Rose and Martha Book Property as described by deed recorded in Book 293, Page 171, Record of Deeds of Lane County, Oregon; thence proceeding South along the quarter section line a distance of 420 feet; thence East to the west boundary of the Rural Electrification Administration right of way; thence North along said west boundary to the Southeast corner of the Book property; thence West along the South boundary of the Book property a distance of 1120 feet more or less to the point of beginning.

I, the Grantor, covenant to and with the Grantee, as lawfully seized in fee simple of the above granted premises, free from all encumbrance, without exception, that I, my heirs, executors and administrators shall warrant and defend the same against the lawful claims and demands of persons whatsoever.

Witness my hand and seal this 17th day of September, 1927.

[Signature]

[Seal]
November 3, 2014

Stuntzner Engineering
Chris Hood
PO Box 118
Coos Bay, OR 97420

LIEN AND ENCUMBRANCE REPORT

Report No.: 360614011772
Fee: $300.00

We have searched our Tract Indices as to the following described real property:

PARCEL 1 (29-15-24 Tax Lot 102):

The NW 1/4 of the NE 1/4 of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

SAVE AND EXCEPT that portion conveyed by Property Line Adjustment deed recorded September 11, 2007, as Instrument No. 2007-11974 and re-recorded June 1, 2010 as Instrument No. 2010-4803, Records of Coos County, Oregon.

PARCEL 2 (29-15-13 Tax Lot 1000):

A parcel of land in the West 1/2 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, described as follows:

Beginning at a point 900 feet South of the Center of said Section 13 on the quarter section line, said point being the Southwest corner of the Stanley Boak and Martha Boak property as described by deed recorded in Book 242, Page 171, Deed Records of Coos County, Oregon; thence South along the quarter section line 420 feet; thence East to the West boundary of the Rural Electrification Administration right of way; thence North along said West boundary to the Southeast corner of the Boak property; thence West along the South boundary of the Boak property 1125 feet, more or less, to the point of beginning.

ALSO: All that portion of the North 1/2 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, lying South of the property conveyed to Victor Tholix, et ux, recorded in Book 267, Page 411, Deed Records of Coos County, Oregon, and West of the West boundary of the Coos Curry Power Line Easement.

PARCEL 3 (29-15-13 Tax Lot 1900):

The SE 1/4 of the SW 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, EXCEPT the West 175 feet conveyed in Book 246, Page 71, Deed Records of Coos County, Oregon.
ALSO: The SW 1/4 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon. EXCEPT that small triangular tract in the Northwest corner conveyed to Victor Tholix recorded in Book 267, Page 411, Deeds Records of Coos County, Oregon. ALSO EXCEPT that portion conveyed to Melvin E. Boak, et ux, in instrument bearing Microfilm Reel No. 81-02-0779, Records of Coos County, Oregon.

ALSO: A parcel of land located in the NE 1/4 of the SW 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, lying South of the 30 foot wide private access roadway running westward from State Highway 101 to the Boak Parcels, said parcel is described as follows:

Beginning at a point on the North-South quarter line through the center of said Section 13, said point being a 1/2 inch rod set in 1962 which lies 15 feet Southeast and at right angle to the center line of the said private access roadway and located South 00°34' West 961.07 feet from the existing center of said Section 13 along the said quarter line thence running along the said South edge of the roadway, on a curve to the left, said curve is described as follows: Delta Angle= 15°32' Radius= 867.85 feet; Arc Length= 235.28 feet; and the Chord= South 58°07' West, 234.56 feet to the point of tangency of said curve; thence continue along the said South edge of roadway, South 50°21' West 225.98 feet; thence leaving said South edge of roadway, South 39°39' East 91.35 feet to a point located on the 1/16th line running East-West through the center of the SW 1/4 of Section 13; thence South 88°12' East 311.59 feet along the said 1/16th line, to the C-S 1/16th-C corner located on the said Quarter line; thence North 00°34' East 348.23, along the said quarter line, to the point of beginning.


The SE 1/4 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon. EXCEPT a parcel conveyed in Book 73, Page 403, Deed Records of Coos County, Oregon, described as follows: Starting at the Northeast corner of the SE 1/4 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon; thence West 294 feet; thence South 330 feet; thence East 294 feet; thence North 330 feet to the place of beginning.

ALSO the NE 1/4 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, lying East of the Rural Electrification Administration Power right of way line, EXCEPT the North 575 feet as conveyed in Book 242, Page 169, Deed Records of Coos County, Oregon.

SAVE AND EXCEPT from the above parcels any portion lying or being within the public road right of way.

ALSO: That portion of the following described property lying South of a line which is 576 feet South of and parallel to the North line of the SE 1/4; A parcel of land in the North 1/2 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said parcel being a portion of the Rural Electrification Administration right of way, said parcel also being described as follows: Beginning at a point where the Easterly line of said right of way intersects the Northernly line of the North 1/2 of the SE 1/4, said point of beginning being North 88°17' East 91.1 feet from the SE 1/16th corner as shown on CS 3989 on file of the Surveyor's Office of Coos County; thence South 8°53' East along the Easterly right of way line to the Southerly line of the said North 1/2 of the SE 1/4; thence Westerly along said Southerly line 101.2 feet, more or less, to the Rural Electrification Administration Western right of way line; thence North 8°53' West to the North eary line of said North 1/2 of the SE 1/4; thence South 88°17' East 101.2 feet, more or less, to the point of beginning.


and as of October 30, 2014 at 08:00-AM we find the the last deed of record runs to:

Fugate Farms, LLC
We also find the following monetary encumbrances of record:

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.

SPECIFIC ITEMS AND EXCEPTIONS:

6. Unpaid Property Taxes are as follows:

   Fiscal Year: 2014-2015
   Amount: $38.20, plus interest, if any
   Levy Code: 5401
   Account No.: 1239704
   Map No.: 29-15-13 TL#1000

   Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

7. Unpaid Property Taxes are as follows:

   Fiscal Year: 2014-2015
   Amount: $1,324.84, plus interest, if any
   Levy Code: 5403
   Account No.: 1239600
   Map No.: 29-15-13 TL#1900

   Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

6. Unpaid Property Taxes are as follows:

   Fiscal Year: 2014-2015
   Amount: $2,820.83, plus interest, if any
   Levy Code: 5403
   Account No.: 1239605
   Map No.: 29-15-13 TL#1902

   Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.
9. Unpaid Property Taxes are as follows:

   Fiscal Year: 2014-2015
   Amount: $7,280.28, plus interest, if any
   Levy Code: 5403
   Account No.: 1240302
   Map No.: 29-15-24 TL#102

   Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

10. The Land has been classified as Farm, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

11. The Land has been classified as Forest, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

12. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

END OF EXCEPTIONS

The above information is the result of a limited search requested by the addressee and does not represent a commitment to issue any policy of title insurance. Ticor Title Company shall have no liability for any errors or omissions in this limited search which is utilized for monetary lien information only. No third party shall have any right to rely upon this information for any purpose. Liability in connection with this search is expressly limited to the fee paid.

Ticor Title Company

Ellen Breiter
This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for the variations, if any, in dimensions and locations ascertained by actual survey.

TICOR TITLE COMPANY
CONSIDERATION: NONE

After recording, return to:

GUNDY & WELSH
MERSNER, HUNTER, MULLEN,
ANDREWS & NEILL
180 East 11th Avenue P.O. Box 1475
Eugene, Oregon 97401

Until a change is requested,
will all tax statements go:

Fugate Farms, L.L.C.
G/B John R. Fugate
Route 1, Box 968
Bandon, OR 97411

WARRANTY DEED

John R. Fugate, Barbara Fugate, Len R. Fugate and Sheri L. Fugate, Grantees, convey and warrant to Fugate Farms, L.L.C., Grantors, the real property situated in Coos County, Oregon, described on the attached Exhibit A, free of all encumbrances except as listed on Exhibit A.

The liability and obligations of Grantors to Grantees and Grantees' successors and assigns under the warranties and covenants contained herein or provided by law shall be limited to the amount, nature, and terms of any title insurance coverage available to Grantees under any title insurance policy, and Grantors shall have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Grantees under any title insurance policy. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT authorize construction or siting of a residence and which limit lawsuits against farming or forest practices as defined in ORS 30.930 in all zones. 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 and existence of fire protection structures.

DATED this 15th day of November, 1995.

John R. Fugate
Barbara Fugate
Len R. Fugate
Sheri L. Fugate

Page 1—WARRANTY DEED

1146
STATE OF OREGON } ss.
COUNTY OF COOS } ss.

This instrument was acknowledged before me this 15th day of November, 1995, by John R. Fugate and Barbara Fugate.

[Signature]
Notary Public for Oregon
My commission expires: 01/01/99

STATE OF OREGON } ss.
COUNTY OF COOS } ss.

This instrument was acknowledged before me this 15th day of November, 1995, by Len R. Fugate and Sheri L. Fugate.

[Signature]
Notary Public for Oregon
My commission expires: 01/01/99
EXHIBIT A

PARCEL A

A parcel of land in the NW 1/4 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, described as follows:

Beginning at a point 900 feet South of the center of said Section 13 on the quarter section line, said point of beginning the Southwest corner of the Stanley Rock and Martha Rock property as described by deed recorded in Book 242, Page 211, Deed Records of Coos County, Oregon; thence South along the quarter section line 420 feet; thence East to the West boundary of the Rural Electrification Administration right of way; thence North along said West boundary to the Southeast corner of the Rock property; thence West along the South boundary of the Rock property 1125 feet, more or less, to the point of beginning.

ALSO: The SE 1/4 of the SW 1/4, Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, EXCEPT the West 175 feet conveyed in Book 246, Page 71, Deed Records of Coos County, Oregon, ALSO EXCEPT: That portion conveyed to Melvin E. Rock, at U.S. in instrument bearing Microfilm Reel No. 81-2-7779, Records of Coos County, Oregon.

ALSO: The SW 1/4 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, EXCEPT that small triangular tract in the Northeast corner conveyed to Victor Tholix recorded in Book 267, Page 411, Deed Records of Coos County, Oregon.

ALSO: The SE 1/4 of the SE 1/4, Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, EXCEPT a parcel conveyed in Book 73, Page 493, Deed Records of Coos County, Oregon, described as follows: Starting at the Northeast corner of the SW 1/4 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon; thence West 294 feet; thence South 330 feet; thence East 294 feet; thence North 330 feet to the place of beginning.

ALSO: The NE 1/4 of the NE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, lying East of the Rural Electrification Administration right of way line, EXCEPT the North 575 feet as conveyed in Book 242, Page 189, Deed Records of Coos County, Oregon.

ALSO: All that portion of the NE 1/4 of the SE 1/4 of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, lying South of the property conveyed to Victor

Page 1—EXHIBIT A
Tholly, et ux., recorded in Book 267, Page 411, Deed Records of Coos County, Oregon, and West of the West boundary of the Coos Curry Power Line Passant.

ALSO: A parcel of land located in the NE\(^2\) of the SE\(^2\) of Section 11, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, lying South of the 30 foot wide private access roadway running westward from State Highway 101 to the Boak Parcels, said parcel is described as follows:

Beginning at a point on the North-South quarter line through the center of said Section 11, said point being a one-half inch rod set in 1952 which lines 15 feet Southeast at an angle to the center line of the said private access roadway and located South 90' 34' West 961.07 feet from the existing center of said Section 11 along the said quarter line thence running along the said South edge of the roadway, on a curve to the left, said curve is described as follows: Delta Angle = 15° 22' Radius = 367.85 feet; Arc Length = 235.21 feet; and the Chord = South 58° 07' West, 234.86 feet to the point of tangency of said curve; thence continue along the said South edge of roadway, South 50° 21' West 225.28 feet; thence leaving said South edge of roadway, South 39° 39' East 91.35 feet to a point located on the 1/16th line running East-West through the center of the NE\(^1\) of Section 11; thence South 88° 12' East 211.59 feet along the said 1/16th line, to the C-8 1/16th corner located on the said quarter line; thence North 00° 34' East 348.23 feet, along the said quarter line, to the point of Beginning.

PARCEL B

The NE\(^2\) of the NE\(^1\) of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

PARCEL C

Parcel 1: The NE\(^1\) of the NE\(^2\) and the NE\(^2\) of the NE\(^1\) of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon. EXCEPTING therefrom that portion of the NE\(^1\) of the NE\(^2\) conveyed to the State of Oregon bearing Microfilm Reel No. 62-25587, Records of Coos County, Oregon. ALSO EXCEPTING therefrom that portion conveyed to Norman L. Spielhaug and Virginia Spielhaug, in instrument recorded July 7, 1981, bearing Microfilm Reel No. 81-13429, Records of Coos County, Oregon.

Parcel 2: A tract of land located in the NE\(^2\) of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, and more particularly described as follows:

Page 2——EXHIBIT A
Beginning at the East quarter corner of said Section 24; thence North 83° 19' 00" West a distance of 382.00 feet; thence North 3° 05' 15" West a distance of 881.91 feet; thence South 63° 17' 22" East a distance of 144.00 feet; thence South 21° 36' 43" East a distance of 774.80 feet to the East line of said Section 24; thence South 0° 41' 00" West a distance of 29.71 feet to the point of beginning.

Subject to and excepting:

1. As disclosed by the tax rolls, 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. As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest land. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS Chapter 321.

3. Rights of the public in and to that portion lying within streets, roads and highways.

4. Rights of the public in and to that portion of said premises, now or at any time, lying below the ordinary high water line of creek.

5. Any adverse claim based upon the assertion that said land or any portion thereof is now, or at any time has been below high water mark of the creek.

6. Any improvement located upon the insured property, which is described or defined as a mobile home under the provisions of Chapters 603 and 620, Oregon Revised Statutes, and is subject to registration as provided therein.

7. Power line right of way for Rural Electrification Administration as disclosed on the assessor's map.

8. Easement, including the terms and provisions thereof, to Kelvin E. Beek and Margaret C. Beek and H. E. Beek and Catherine Beek, recorded in Book 141, Page 19, Records of Coos County, Oregon, for roadway right of way and pipeline and pumping system right of way.

9. Access restrictions, including the terms and provisions thereof, contained in Deed, to State of Oregon, by and through its State Highway Commission, recorded as Microfilm Reel No. 66-01-6397, Records of Coos County, Oregon.
10. Easement, including the terms and provisions thereof, to U.S. Coast Guard, recorded May 28, 1945, in Book 156, Page 256, Records of Coos County, Oregon, for telephone lines.

11. Easement, including the terms and provisions thereof, from Evelyn R. Blake and Danny K. Blake, recorded December 20, 1966, as Microfilm reel No. 66-12-14885, Records of Coos County, Oregon.

13. Access restrictions, including the terms and provisions thereof, contained in Deed, to State of Oregon, by and through its State Highway Commission, recorded February 24, 1966, as microfilm reel No. 66-01-5857, Records of Coos County, Oregon.

13. Liens and encumbrances arising after June 22, 1993 unless created by the act or omission of Grantor.
COVER SHEET FOR RECORDING ATTACHED DOCUMENT

NAME OF TRANSACTION: Property Line Adjustment Deed

NAMES OF PARTIES:

        Grantor: Fugate Farms, LLC
                   48500 Highway 101
                   Bandon, OR 97411

        Grantee: John R. Fugate & Barbara Fugate
                   87230 Boak Lane
                   Bandon, OR 97411

DOCUMENT TO BE RETURNED TO:

        John R. Fugate & Barbara Fugate
                   87230 Boak Lane
                   Bandon, OR 97411

TRUE AND ACTUAL CONSIDERATION:

        NONE

SEND TAX STATEMENTS TO:

        John R. Fugate and Barbara Fugate
                   87230 Boak Lane
                   Bandon, OR 97411

---FOR COUNTY CLERK LIEN RECORD---
PROPERTY LINE ADJUSTMENT DEED

KNOW ALL MEN BY THESE PRESENTS, That FUGATE FARMS, LLC., hereinafter called the grantor, for the consideration hereinafter stated, paid to grantor by JOHN R. FUGATE and BARBARA FUGATE, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Coos and State of Oregon, described as follows:

The property legally described in Exhibit "A", attached hereto and incorporated herein.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that the above granted premises are free from all encumbrances except those of record, if any, and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is NONE. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration.

In construing this deed and where the context so requires, the singular includes the plural.

This is a property line adjustment deed. In compliance with ORS 92.190, the following information is furnished:
1. The names of the parties to this deed are as set forth above.
2. The description of the adjusted line is as shown on Exhibit "B", attached and incorporated herein.
3. The deed(s) whereby Grantor acquired title to the property is recorded as Instrument No. 95-12-0433, Deed Records of Coos County Clerk.
4. The deed(s) whereby Grantee acquired title to the property to which the transferred property is joined is recorded as Instrument No. 95-10-0097, Deed Records of Coos County Clerk.
5. The adjusted property line is not required to be surveyed and monumented in accordance with ORS 92.060(3) because a survey or monument is not required for a property line adjustment when the abutting properties, as in these abutting properties, are each greater than 10 acres. This exception is as provided in ORS 92.060(8).
6. The resulting property lines have been surveyed by Michael L. Dado Surveying, Inc., and his map showing the properties after adjustment of the property lines is attached hereto as Exhibit "C".
7. An easement for Ingress and Egress, over and across Fugate Farms, LLC, from Boak Road to Tax Lot 100 is granted to Grantee, as described in Exhibit "D".

The purpose of this property line adjustment deed is to re-allocate boundary lines along natural division lines consistent with the agricultural uses of the land.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

WITNESS Grantor's hand this __ day of __________, 2003.

John R. Fugate, Manager
Fugate Farms, LLC

STATE OF OREGON, County of ______ Coos ______
Personally appeared the above named ______ John R. Fugate ______ and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: ______ Manuel C. Hernandez ______
Notary Public for Oregon
My Commission Expires: ____________
Property Line Adjustment Deed reviewed by Coos County Planning Department.

<table>
<thead>
<tr>
<th>FUGATE FARMS, LLC</th>
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<tbody>
<tr>
<td>48500 HIGHWAY 101</td>
</tr>
<tr>
<td>BANDON, OR 97411</td>
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**GRANTOR'S NAME AND ADDRESS**

<table>
<thead>
<tr>
<th>JOHN R. FUGATE &amp; BARBARA FUGATE</th>
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<tbody>
<tr>
<td>87230 BOAK LANE</td>
</tr>
<tr>
<td>BANDON, OR 97411</td>
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</tbody>
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**GRANTEE'S NAME AND ADDRESS**

After recording return to:

<table>
<thead>
<tr>
<th>JOHN R. FUGATE &amp; BARBARA FUGATE</th>
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<tr>
<td>87230 BOAK LANE</td>
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<tr>
<td>BANDON, OR 97411</td>
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<tr>
<th>NAME, ADDRESS, ZIP</th>
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<tbody>
<tr>
<td>Until a change is requested all tax statements shall be sent to the following address:</td>
</tr>
<tr>
<td>JOHN R. FUGATE &amp; BARBARA FUGATE</td>
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<tr>
<td>87230 BOAK LANE</td>
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<tr>
<td>BANDON, OR 97411</td>
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<th>NAME, ADDRESS, ZIP</th>
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<tr>
<td>COOS COUNTY, OREGON</td>
</tr>
<tr>
<td>TERRI L. TURLI, CMC, COUNTY CLERK</td>
</tr>
<tr>
<td>TOTAL $51.00</td>
</tr>
</tbody>
</table>
"EXHIBIT A"

A Portion of the SE ¼ of the SW ¼ of Section 13, Township 29 South, Range 15 W.W.M., Coos County, Oregon

Beginning at a point on the South line of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 88°56'17" West a distance of 482.22 feet from the 5/8" iron rod which marks the ¼ Corner common to Sections 24 and 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon:

thence continuing along said South line, North 88°56'17" West for a distance of 643.41 feet more or less to a point which is 175.00 feet from the SW corner of said SE ¼ of the SW ¼ of Section 13; thence in a Northerly direction, parallel to and 175.00 feet from the east line of said SE ¼ of the SW ¼ of Section 13, North 00°05'10" East for a distance of 1309.34 feet more or less to the North line of the SE ¼ of the SW ¼ of Section 13; thence along said North line, South 88°56'24" East for a distance of 669.22 feet; thence leaving said North line of the SE ¼ of the SW ¼ of Section 13, South 11°52'14" East for a distance of 579.13 feet, thence South 04°31'42" East for a distance of 183.66 feet; thence South 14°16'03" West for a distance of 145.09 feet; thence South 05°06'48" West for a distance of 361.77 feet; thence South 58°07'21" West for a distance of 110.00 feet more or less back to the point of beginning.

EXCEPT: that portion conveyed to Melvin E. Boak et ux, in instrument bearing Microfilm Reel No. 81-2-7779, Records of Coos County, Oregon.

Said parcel containing 20.61 acres of land more or less.
"EXHIBIT B"

Being located in the SE ¼ of the SW ¼ of Section 13, Township 29 South, Range 15 W.W.M., Coos County, Oregon

Beginning at the 5/8" iron rod which marks the ¼ Corner common to Sections 24 and 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon; thence along the South line of said Section 13, North 88°56'17" West for a distance of 482.22 feet to the true point of beginning of the following described adjusted line:

thence leaving said South line, North 58°07'21" East for a distance of 110.00 feet; thence North 05°06'48" East for a distance of 361.77 feet; thence North 14°16'03" East for a distance of 145.09 feet; thence North 04°31'42" West for a distance of 183.66 feet; thence North 11°52'14" West for a distance of 679.13 feet more or less to the North line of the SE ¼ of the SW ¼ of said Section 13.
PROPERTY LINE ADJUSTMENT DEED

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

Jack and Barbara Fugate
87230 Book Lane
Bandon OR 97411

Fugate Farms, LLC GRANTOR(s) conveys and warrants to

John B. Fugate & Barbara Fugate GRANTEE(s) the following described real property,
situated in the County of Coos, State of Oregon:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT "A"

Subject to and excepting:

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

   Coos County real property Tax Account No. 12396.00

   The consideration for this conveyance stated in terms of dollars is $0.

   This is a property line adjustment deed. In compliance with ORS 62.190, the following
   information is furnished:

   1. The names of the parties to this deed are as set forth above.

   2. The description of the adjusted line is as follows:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT "B"

3. The deed whereby Grantor acquired title to the transferred property is recorded in Microfilm Reel
   No. 95-12-0453 of the Deed Records of Coos County, Oregon.

4. The deed whereby Grantee acquired title to the property to which the transferred property is
   joined is recorded in Microfilm Reel No. 2003-7391 of the Deed Records of Coos County, Oregon.

5. The survey and monumentation, as required by ORS 92.090 and ORS 206.250, were done by
   Michael L. Dado PLS No.2661. His survey is filed with the County Surveyor under
   Coos County Surveyor’s Records, Map No. N/A.

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.

Page 1 of 2

COOS COUNTY, OREGON TOTAL $41.00
TERRI L. TURI, CMC, COUNTY CLERK 07/18/2003 #2003-10694
04:09:46PM 1 OF 4
DATED this 17th day of July 2003

Barbara Figate

John R. Figate

STATE OF OREGON )
County of Coos ) ss.

This instrument was acknowledged before me on July 17, 2003, by VICKI FALKE

John R. Figate

VICKI FALKE
NOTARY PUBLIC - OREGON
COMMISSION NO. 349664
MY COMMISSION EXPIRES SEP 6, 2008

My Commission expires: 9/6/05

ACCESSION

The undersigned grantee(s) hereby accept(s) this property line adjustment deed and signs this acceptance in accordance with ORS 92.190(4).

Barbara Figate

John R. Figate

STATE OF OREGON )
County of Coos ) ss.

This instrument was acknowledged before me on July 17, 2003, by VICKI FALKE

VICKI FALKE
NOTARY PUBLIC - OREGON
COMMISSION NO. 349664
MY COMMISSION EXPIRES SEP 6, 2008

My Commission expires: 9/6/05

Page 2 of 2

COOS COUNTY, OREGON TOTAL $41.00
TERRI L. TURI, CMC, COUNTY CLERK

07/18/2003 #2003-10694
04:09:46PM 2 OF 4
"EXHIBIT A"

A portion of the E 1/2 of the SW 1/4 of Section 13, Township 29 South, Range 15 W.W.M., Coos County, Oregon

Beginning at a point on the South line of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 88°56'17" West a distance of 482.22 feet from the 5/8" Iron rod which marks the ¼ Corner common to Sections 24 and 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon:

thence North 58°07'21" East for a distance of 110.00 feet; thence North 05°06'48" East for a distance of 361.77 feet; thence North 14°18'03" East for a distance of 145.09 feet;
thence North 04°31'42" West for a distance of 183.66 feet; thence North 11°52'14" West for a distance of 161.73 feet to the true point of beginning of the following described parcel:

thence North 75°31'01" East for a distance of 100.20 feet; thence North 83°12'58" East for a distance of 98.42 feet; thence North 67°52'48" East for a distance of 53.89 feet;
thence North 03°19'43" West for a distance of 52.11 feet; thence North 23°32'17" West for a distance of 115.00 feet; thence North 10°44'51" West for a distance of 70.05 feet;
thence North 02°02'34" East for a distance of 182.52 feet; thence North 12°49'49" East for a distance of 91.49 feet; thence North 23°37'04" East for a distance of 119.16 feet;
thence North 32°18'25" East for a distance of 43.99 feet; thence North 40°59'47" East for a distance of 61 feet more or less to a point on the Northwesterly line of that property described as "PARCEL D" in Coos County Document 93-06-1183; thence following said Northwesterly line in a Southerly direction to a point on the 1/16 line running East-West through the center of the SW 1/4 of said Section 13; thence along said 1/16 line, North 88° 56' 24" West for a distance of 133 feet more or less to a point which bears North 11°52'14" West from the true point of beginning; thence South 11°52'14" East for a distance of 417 feet more or less back to the true point of beginning.

EXCEPT: any portion of the above described parcel, conveyed to Melvin E. Boak et ux, in instrument bearing Microfilm Reel No. 81-2-7778, Records of Coos County, Oregon.

Said parcel containing 3.19 acres of land more or less.
"EXHIBIT B"

Being located in the E 1/2 of the SW ¼ of Section 13, Township 29 South, Range 15 W.W.M., Coos County, Oregon

Beginning at a point on the South line of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 88°56'17" West a distance of 482.22 feet from the 5/8" iron rod which marks the ¼ corner common to Sections 24 and 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon:
thence North 58°07'21" East for a distance of 110.00 feet; thence North 05°06'48" East for a distance of 361.77 feet; thence North 14°16'03" East for a distance of 145.09 feet;
thence North 04°31'42" West for a distance of 183.66 feet; thence North 11°52'14" West for a distance of 161.73 feet to the true point of beginning of the following described adjusted line:
thence North 75°31'01" East for a distance of 100.20 feet; thence North 83°12'58" East for a distance of 98.42 feet; thence North 67°52'48" East for a distance of 53.89 feet;
thence North 03°19'43" West for a distance of 52.11 feet; thence North 23°32'17" West for a distance of 115.00 feet; thence North 10°44'51" West for a distance of 70.05 feet;
thence North 02°02'34" East for a distance of 182.52 feet; thence North 12°49'49" East for a distance of 91.49 feet; thence North 23°37'04" East for a distance of 119.16 feet;
thence North 32°18'25" East for a distance of 43.99 feet; thence North 40°59'47" East for a distance of 61 feet more or less to a point on the Northwesterly line of that property described as "PARCEL D" in Coos County Document 93-06-1183.

02-08-547KB

COOS COUNTY, OREGON           TOTAL $41.00
TERRI L. TURI, CMC, COUNTY CLERK

07/13/2003   #2003-10694
04:03:46PM   4 OF 4
This deed is being re-recorded to correct 2005-11246.

As tenants by the entirety.

Send tax statements to: John Fugate, 87230 Brook Ln, Bandon, OR 97411

After recording return to: Barbara Fugate, 87230 Brook Ln, Bandon, OR 97411

PROPERTY LINE ADJUSTMENT DEED

Fugate Farms LLC, GRANTOR(s) conveys and warrants to John & Barbara Fugate, GRANTEE(s) the following described real property, situated in the County of Coos; State of Oregon:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT "A"

Subject to and excepting:

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

Coos County real property Tax Account No. 12396.05

The consideration for this conveyance stated in terms of dollars is NONE

This is a property line adjustment deed. In compliance with ORS 92.190, the following information is furnished:

1. The names of the parties to this deed are as set forth above.

2. The description of the adjusted line is as follows:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT "B"

3. The deed whereby Grantor acquired title to the transferred property is recorded in Microfilm Reel No. 95-12-0453 of the Deed of Records of Coos County, Oregon.

4. The deed whereby Grantee acquired title to the property to which the transferred property is joined is recorded in Microfilm Reel No. 2004-13432 of the Deed Records of Coos County, Oregon.

5. The survey and monumentation, as required by ORS 92.060 and ORS 206.250, were done by Michael L. Dado, PLS No. 2681. His survey is filed with the County Surveyor under Coos County Surveyor's Records, Map No. 39-A-98.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPROPRIATE 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.
DATED this 21st day of July 2005.

Sheri Fugate

John Fugate, Barbara Fugate

STATE OF OREGON )
jss.
County of Coos )

This instrument was acknowledged before me on July 21, 2005, by Robin Evans, Sheri Fugate, Len Fugate, John Fugate, Barbara Fugate.

Robin Evans
Notary Public of Oregon
My Commission expires: 7-22-2005

ACCEPTANCE

The undersigned grantee(s) hereby accept(s) this property line adjustment deed and signs this acceptance in accordance with ORS 92.190(4).

John Fugate, Barbara Fugate

STATE OF OREGON )
jss.
County of Coos )

This instrument was acknowledged before me on July 21, 2005, by Robin Evans.

Robin Evans
Notary Public of Oregon
My Commission expires: 7-22-2005
Exhibit "A"

Being a portion of the North ¼ of the SE ¼ of Section 13, Township 29 South, Range 15 W.W.M., Coos County, Oregon

Beginning at a 5/8" iron rod which marks the Southeast corner of Parcel 1, Partition Plat 2002 #10: thence North 14° 00′ 00″ West for a distance of 34.93 feet; thence North 76° 00′ 00″ East for a distance of 261.09 feet; thence South 86° 10′ 47″ East for a distance of 59.31 feet to a 5/8" iron rod which marks the true point of beginning of the following described parcel:

thence South 88° 07′ 49″ East for a distance of 73.46 feet to a 5/8" iron rod; thence South 00° 47′ 04″ East for a distance of 323.73 feet to a 5/8" iron rod; thence North 88° 07′ 49″ West for a distance of 27.94 feet to a 5/8" iron rod; thence North 08° 43′ 49″ West for a distance of 329.00 feet back to the true point of beginning. Said parcel containing 0.38 acres of land more or less.
Exhibit "B"

Being located in the North ½ of the SE ¼ of Section 13, Township 29 South, Range 15 W.W.M., Coos County, Oregon

Beginning at a 5/8" iron rod which marks the Southeast corner of Parcel 1, Partition Plat 2002 #10: thence North 14° 00' 00" West for a distance of 34.93 feet; thence North 78° 00' 00" East for a distance of 261.09 feet; thence South 88° 10' 47" East for a distance of 59.31 feet to a 5/8" iron rod which marks the true point of beginning of the following described adjusted line:

thence South 88° 07' 49" East for a distance of 73.46 feet to a 5/8" iron rod; thence South 00° 47' 04" East for a distance of 323.73 feet to a 5/8" iron rod; thence North 88° 07' 49" West for a distance of 27.94 feet to a 5/8" iron rod.
After recording, return to:

Michael L. Dado Surveying, Inc.
Professional Land Surveyor #2861
2047 Grant Street
North Bend, OR 97459

RE-RECORDING CERTIFICATE COVER SHEET

PROPERTY LINE ADJUSTMENT DEED

GRANTOR: Fugate Farms, L.L.C.
GRANTEE: Bandon Rinta, L.L.C. a Delaware Limited Liability Company
Consideration: None

Send Tax Statements to: Bandon Blota, L.L.C.
2450 Lakeview Avenue
Chicago, IL 60614

Michael L. Dado

This deed is being re-recorded at the request of the Coos County Assessor's office in order to correct the legal descriptions in "Exhibit A" and "Exhibit B" by changing the reference from Tax Lot Numbers in the earlier deed, to the Coos County Document number of the Deed describing said Tax Lots. This instrument was previously recorded in the Coos County deed records at No. 2007-11974, consisting of 6 pages. See attached corrected legals.
PROPERTY LINE ADJUSTMENT DEED

Fusste Farms LLC, GRANTOR(s) conveys and warrants to
Bandon Biota, L.L.C., a Delaware Limited Liability Company, GRANTEE(s) the following described real property, situated in the County of Coos, State of Oregon:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT "A"

Subject to and excepting:

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

   Coos County real property Tax Account No. 12403.00 and 12404.00.

   The consideration for this conveyance stated in terms of dollars is $657,170.95

   This is a property line adjustment deed. In compliance with ORS 92.190, the following information is furnished:

1. The names of the parties to this deed are as set forth above.

2. The description of the adjusted line is as follows:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT "B"

3. The deed whereby Grantor acquired title to the transferred property is recorded in Microfilm Reel No. 92-12-8453 of the Deed of Records of Coos County, Oregon.

4. The deed whereby Grantee acquired title to the property to which the transferred property is joined is recorded in Microfilm Reel No. 2003-10695 of the Deed Records of Coos County, Oregon.

5. The survey and monumentation, as required by ORS 92.060 and ORS 299.250, were done by Michael L. Dado, PLS No. 2261. His survey is filed with the County Surveyor under Coos County Surveyor's Records, Map No. N/A.

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 FEES TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.
DATED this 6th day of September 2007

John R. Fugate
Barbara Fugate

STATE OF OREGON
County of Coos

This instrument was acknowledged before me on 9-16-2007, by John R. Fugate and Barbara Fugate.

VICKI ROSSBACK
NOTARY PUBLIC-OREGON
COMMISSION NO. 41614
MY COMMISSION EXPIRES JULY 11, 2011

Notary Public of Oregon

ACCEPTANCE

The undersigned grantee(s) hereby accept(s) this property line adjustment deed and signs this acceptance in accordance with ORS 92.160(4).

Representative: Bandon Biota, L.L.C.

STATE OF OREGON
County of Coos

This instrument was acknowledged before me on 2007 by

Notary Public of Oregon
My Commission expires: 

Page 2 of 2
Dated this 7th day of September, 2007

John R. Fugate

Barbara Fugate

STATE OF OREGON
County of Coos

This instrument was acknowledged before me on 2007, by

Notary Public of Oregon
My Commission expires:

ACCEPTANCE

The undersigned grantee(s) hereby accept(s) this property line adjustment deed and signs this acceptance in accordance with ORS 92.140(4).

Representative: Bandon Steel, LLC

STATE OF: ILLINOIS
County of: Cook

This instrument was acknowledged before me on Sept. 2, 2007, by Michael Kaiser

Notary Public of Oregon: Illinois
My Commission expires: 8/31/05
"Exhibit A"

Being a portion of the North ½ of Section 24 and the South ½ of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon

Beginning at a point on the West line of the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 89° 01' 34" West - 1300.71 feet and South 00° 09' 47" East - 368.04 feet from the Northeast corner of said Section 24; thence leaving said West line, South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 06' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 08° 01' 49" West for a distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 39' 42" West for a distance of 288.90 feet; thence North 29° 13' 47" West for a distance of 69.70 feet; thence North 49° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.05 feet; thence North 10° 49' 06" West for a distance of 118.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 03' 11" West for a distance of 73.32 feet; thence South 75° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of Tax Lot 1903, Map 29-15-13; thence Southerly along the East line of said Tax Lot 1903 for a distance of 1232 feet more or less to the Northeast corner of Tax Lot 100, Map 29-15-24; thence Southerly along the East line of said Tax Lot 100 for a distance of 1405 feet more or less to the Southeast corner of said Tax Lot 100, said point being on the South line of the NE ¼ of the NW ¼ of Section 24, Township 29 South, Range 16 W.W.M.; thence East along said 1/16 line for a distance of 3047.5 feet more or less to the Southeast Corner of the NE ¼ of the NW ¼ of said Section 24; thence along the East line of said Section 24, North 00° 19' 06" West for a distance of 579.64 feet; thence leaving said East line, thence North 65° 47' 03" West for a distance of 819.48 feet; thence North 78° 49' 33" West for a distance of 455.53 feet; thence South 57° 32' 44" West for a distance of 129.41 feet back to the point of beginning. Said parcel containing 66.6 acres of land more or less.

ALSO AND INCLUDING THE FOLLOWING DESCRIBED EASEMENT:
An easement for ingress, egress and utilities including the installation and maintenance of such, said easement being 50 feet in width, 10 feet to the right and 40 feet to the left of the following described line:

Beginning at a point on the West line of the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 89° 01' 34" West - 1300.71 feet and South 00° 09' 47" East - 398.04 feet from the Northeast corner of said Section 24;

thence leaving said West line, South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 06' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a distance of 169.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 39' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 89.70 feet; thence North 46° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.06 feet; thence North 10° 48' 30" West for a distance of 119.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 79° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of Tax Lot 1903, Map 29-15-13.

ALSO AND INCLUDING THE FOLLOWING DESCRIBED EASEMENT:

Being located in the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon

An easement for the continued use and maintenance of an existing underground waterline, said easement being 50 feet in width, 25 feet on both sides of the following described line:

Beginning at a point 1283 feet South and 1039 feet West of the Northeast corner of said Section 24;

thence North 02° 17' East for a distance of 950 feet.
"Exhibit B"

Being located in the North ½ of Section 24 and the South ½ of Section 13, Township 29 South, Range 15 West of the Wilamette Meridian, Coos County, Oregon

- Beginning at the Southeast corner of Tax Lot 103, Map 29-15-24, said point being on the South line of the NE ¼ of the NW ¼ of Section 24, Township 29 South, Range 15 W.W.M. said point also being the point of beginning of the following adjusted line:
  thence East along said 1/16 line for a distance of 3047.5 feet more or less to the Southeast Corner of the NE ¼ of the NE ¼ of said Section 24; thence along the East line of said Section 24, North 00° 19' 06" West for a distance of 579.64 feet; thence leaving said East line, thence North 58° 47' 03" West for a distance of 818.48 feet; thence North 79° 48' 33" West for a distance of 465.53 feet; thence South 67° 32' 44" West for a distance of 128.41 feet; thence continuing South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 09' 14" West for a distance of 21.06 feet; thence North 87° 59' 24" West for a distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 56.84 feet; thence North 12° 56' 13" East for a distance of 111.77 feet; thence North 05° 38' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 68.70 feet; thence North 48° 59' 49" West for a distance of 94.01 feet; thence North 32° 26' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 152.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 58' 42" East for a distance of 88.06 feet; thence North 10° 46' 38" West for a distance of 119.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 46" West for a distance of 111.28 feet; thence North 39° 08' 11" West for a distance of 73.32 feet; thence South 79° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of Tax Lot 1003, Map 29-15-13.
CORRECTED

"Exhibit A"

Being a portion of the North ½ of Section 24 and the South ½ of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon

Beginning at a point on the West line of the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 89° 01' 34" West - 1300.71 feet and South 09° 06' 47" East - 308.04 feet from the Northeast corner of said Section 24:

thence leaving said West line, South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 06° 08' 14" West for a distance of 21.06 feet; thence North 67° 59' 24" West for a distance of 155.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 55.04 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 30' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 89.70 feet; thence North 48° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.61 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" West for a distance of 88.06 feet; thence North 10° 46' 38" West for a distance of 119.04 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 25' 22" West for a distance of 91.29 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 79° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of a tract of land, as described in Coos County Document # 2003-10695; thence Southerly along the East line of said tract for a distance of 1232 feet more or less to the Northeast corner of a second tract of land as described in Coos County Document # 2003-10695; thence Southerly along the East line of said second tract for a distance of 1405 feet more or less to the Southeast corner of said second tract, as described in Coos County Document # 2003-10695, said point being on the South line of the NW ¼ of Section 24, Township 29 South, Range 15 W.W.M.; thence East along said 1/16 line for a distance of 3047.5 feet more or less to the Southeast Corner of the NE ¼ of said Section 24; thence along the East line of said Section 24, North 00° 19' 08" West for a distance of 579.64 feet; thence leaving said East line, thence North 05° 47' 03" West for a distance of 819.48 feet; thence North 78° 48' 33" West for a distance of 455.53 feet; thence South 57° 32' 44" West for a distance of 129.41 feet back to the point of beginning. Said parcel containing 96.8 acres of land more or less.

ALSO AND INCLUDING THE FOLLOWING DESCRIBED EASEMENT:
An easement for ingress, egress and utilities including the installation and maintenance of such, said easement being 50 feet in width, 10 feet to the right and 40 feet to the left of the following described line:

Beginning at a point on the West line of the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, said point being North 69° 01’ 34” West - 1300.71 feet and South 00° 00’ 47” East - 398.04 feet from the Northeast corner of said Section 24:

thence leaving said West line, South 57° 32’ 44” West for a distance of 81.06 feet; thence North 40° 31’ 25” West for a distance of 40.35 feet; thence South 62° 06’ 14” West for a distance of 21.06 feet; thence North 87° 59’ 24” West for a distance of 165.71 feet; thence North 57° 53’ 22” West for a distance of 151.73 feet;

thence North 67° 59’ 10” West for a distance of 106.11 feet; thence North 39° 01’ 30” West for a distance of 53.74 feet; thence North 06° 01’ 49” West for a distance of 58.84 feet; thence North 12° 55’ 13” East for a distance of 111.77 feet; thence North 05° 39’ 42” West for a distance of 286.90 feet; thence North 29° 13’ 47” West for a distance of 89.70 feet; thence North 49° 59’ 49” West for a distance of 84.01 feet; thence North 32° 28’ 36” West for a distance of 73.61 feet; thence North 09° 27’ 50” West for a distance of 132.67 feet; thence North 21° 50’ 37” West for a distance of 108.74 feet; thence North 00° 30’ 37” West for a distance of 82.76 feet; thence North 03° 59’ 42” East for a distance of 88.06 feet; thence North 10° 46’ 38” West for a distance of 119.94 feet; thence North 30° 50’ 84” West for a distance of 77.30 feet; thence North 74° 20’ 22” West for a distance of 81.29 feet; thence North 59° 03’ 45” West for a distance of 111.26 feet; thence North 84° 08’ 11” West for a distance of 73.32 feet; thence South 79° 55’ 15” West for a distance of 212.31 feet; thence South 87° 37’ 22” West for a distance of 164.22 feet to the East line of a tract of land, as described in Coos County Document # 2003-10695.

ALSO AND INCLUDING THE FOLLOWING DESCRIBED EASEMENT:

Being located in the NE ¼ of the NE ¼ of Section 24, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon

An easement for the continued use and maintenance of an existing underground waterline, said easement being 50 feet in width, 25 feet on both sides of the following described line:

Beginning at a point 1283 feet South and 1039 feet West of the Northeast corner of said Section 24:

thence North 02° 17’ East for a distance of 950 feet.

06-07-000C

[Signature]

OCE MCHL L. DADO
#2887

EXP 12-31-11

C005 COUNTY CLERK, OREGON
TINE l. YR, CO. CITY CLEK
TOTE, $64.00

REGISTED PROFESSIONAL
LAND SURVEYOR

OREGON
2010 4963

RE-RECORD 5/31/2010 05 19:56PM
PAGE 9 OF 10
CORRECTED

"Exhibit B"

Being located in the North ¼ of Section 24 and the South ½ of Section 13, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon

Beginning at the Southeast corner of a tract of land, as described in Coos County Document # 2003-10695, said point being on the South line of the NE ¼ of the NW ¼ of Section 24, Township 29 South, Range 15 W.W.M. said point also being the point of beginning of the following adjusted line: thence East along said 1/16 line for a distance of 3047.5 feet more or less to the Southeast Corner of the NE ¼ of the NE ¼ of said Section 24; thence along the East line of said Section 24, North 0° 19' 06" West for a distance of 579.84 feet; thence leaving said East line, thence North 65° 47' 03" West for a distance of 819.48 feet; thence North 78° 48' 33" West for a distance of 455.53 feet; thence South 57° 32' 44" West for a distance of 129.41 feet; thence continuing South 57° 32' 44" West for a distance of 81.06 feet; thence North 40° 31' 25" West for a distance of 40.35 feet; thence South 62° 06' 14" West for a distance of 21.06 feet; thence North 67° 56' 24" West for a distance of 165.71 feet; thence North 57° 53' 22" West for a distance of 151.73 feet; thence North 67° 59' 10" West for a distance of 106.11 feet; thence North 39° 01' 30" West for a distance of 53.74 feet; thence North 06° 01' 49" West for a distance of 56.84 feet; thence North 12° 55' 13" East for a distance of 111.77 feet; thence North 05° 39' 42" West for a distance of 266.90 feet; thence North 29° 13' 47" West for a distance of 89.70 feet; thence North 48° 59' 49" West for a distance of 84.01 feet; thence North 32° 28' 36" West for a distance of 73.81 feet; thence North 09° 27' 50" West for a distance of 132.67 feet; thence North 21° 50' 37" West for a distance of 106.74 feet; thence North 00° 30' 37" West for a distance of 82.76 feet; thence North 03° 59' 42" East for a distance of 88.06 feet; thence North 10° 48' 38" West for a distance of 118.94 feet; thence North 30° 50' 34" West for a distance of 77.30 feet; thence North 74° 28' 22" West for a distance of 91.28 feet; thence North 59° 03' 45" West for a distance of 111.26 feet; thence North 84° 08' 11" West for a distance of 73.32 feet; thence South 78° 55' 15" West for a distance of 212.31 feet; thence South 87° 37' 22" West for a distance of 164.22 feet to the East line of a tract of land, as described in Coos County Document # 2003-10695.