

RECORDING REQUESTED BY:



220 6th Ave SW, Ste 100
Albany, OR 97321

AFTER RECORDING RETURN TO:

Order No.: 471817061915-RS
Happy Valley Agriculture, LLC
2620 Thousand Oaks Blvd, Suite 4000
Memphis, TN 38118

SEND TAX STATEMENTS TO:

Happy Valley Agriculture, LLC
2620 Thousand Oaks Blvd, Suite 4000
Memphis, TN 38118

APN: 234306
466608

Map: 06625-00-00200

RECORDED IN POLK COUNTY	2017-010629
Valerie Unger, County Clerk	09/05/2017 03:11:37 PM
REC-WD Cnt=1 Stn=0 C. PARIS	\$56.00
\$10.00 \$11.00 \$10.00 \$20.00 \$5.00	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

RJR Farms, LLC, Grantor, conveys and warrants to Happy Valley Agriculture, LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Polk, State of Oregon:

Beginning at the Southwest corner of the Jonathan Dyer Donation Land Claim No. 77 in Township 6 South, Range 6 West of the Willamette Meridian, Polk County, Oregon; and running thence along the West line of said claim North 0° 09' 20" East 1660.22 feet to an iron bar which is 1317.96 feet South 0° 09' 20" West from the Northwest corner of said claim; thence East 165.00 feet to an iron bar; thence North 32° 14' 56" East 1552.79 feet to an iron bar on the North line and 990.00 feet South 89° 45' 45" East from the Northwest corner of said Dyer Claim; thence South 89° 45' 45" East 461.60 feet to an iron bar at the Southwest corner of the Mason Seward Donation Land Claim No. 79; thence North 0° 20' 13" East 181.50 feet to an iron bar from which an iron pipe bears South 0° 20' 13" West 2.92 feet; thence South 89° 45' 45" East 1523.28 feet to an iron bar; thence South 181.46 feet to an iron bar on the North line of said Dyer Claim; thence North 89° 46' 08" West 343.34 feet to an iron bar at the one quarter corner common to Sections 24 and 25 in Township 6 South, Range 6 West of the Willamette Meridian, Polk County, Oregon; thence North 89° 45' 45" West 271.14 feet to an iron bar; thence South 0° 38' 48" West 867.70 feet to an iron bar; thence South 87° 14' 36" West 1131.95 feet to an iron bar; thence South 0° 13' 10" West 1280.07 feet to an iron bar; thence South 77° 26' 52" East 489.96 feet to an iron bar; thence South 0° 11' 15" East 786.28 feet to an iron bar; thence South 62° 13' 46" West 1390.28 feet to an iron bar; thence North 31° 30' 00" West 908.82 feet to the place of beginning.

TOGETHER WITH an easement for ingress and egress over a strip of land 30 feet wide, the centerline of which is described as follows:

Beginning at an iron pipe which is 908.82 feet South 31° 30' 00" East, 1390.28 feet North 62° 13' 46" East and 69.42 feet North 0° 11' 15" West from the Southwest corner of the Jonathan Dyer Donation Land Claim No. 77 in Township 6 South, Range 6 West of the Willamette Meridian in Polk County, Oregon; and running; thence North 87° 58' 19" East 202.08 feet; thence South 70° 47' 11" East 300.22 feet; thence South 20° 35' 28" East 167.15 feet to the center of the county road.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SEVEN HUNDRED SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$765,000.00). (See ORS 93.030).

Subject to:

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

The Land includes an improvement(s) located on the Land which is described or defined as a mobile home (manufactured housing unit) under the provisions of State Law and is subject to registration.

Rights of the public to any portion of the Land lying within roads, streets or highways.

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of unnamed creek.

Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.

Tax Identification No.: 234306 and 466608

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17,

AFTER RECORDING RETURN TO
TICOR TITLE: 471817061915

November 3, 1997



DEPARTMENT OF
FISH AND
WILDLIFE

Salem District Office

Rob Barlow
16595 Beck Road
Dallas, OR 97338

Dear Mr. Rob Barlow:

Please find enclosed a copy of the wildlife habitat conservation plan developed for your property. I hope that delays in getting this plan developed does not inconvenience you in any way.

Read over the document carefully and check my estimates of land area that will either be managed for dog training and trials or for wildlife habitat. I have included my worksheets for your review. Make any corrections or adjustments necessary and let me know if this plan meets the objectives of what was discussed when we met earlier. I can take your comments either by phone or by mail and make any needed changes.

Thanks again Rob for your interest in the Marion/Polk Wildlife Habitat Planning process. This is a great opportunity to restore wildlife habitat on your property and will benefit both wildlife and the citizens of Oregon as well.

Sincerely,

A handwritten signature in cursive script that reads "Tom Murtagh".

Tom Murtagh
Assistant Fish and Wildlife Biologist



4412 Silverton Road NE
Salem, OR 97305
(503) 378-6925
FAX (503) 378-6233



MEMORANDUM
South Willamette District
Springfield Office
OREGON DEPARTMENT OF FISH AND WILDLIFE
3150 EAST MAIN STREET, SPRINGFIELD, OR 97478
PHONE: (541) 726-3515, FAX: (541) 726-2505
Email: Bruce H.Campbell@state.or.us

Date: 8 August 2002

To: Wildlife Habitat Conservation & Management Files

From: Bruce Campbell

Subject: Wildlife Habitat Conservation & Management Plan Monitoring

As required by OAR 635-430-0090, a compliance inspection of Rob Barlow's property at 16595 Beck Rd., Dallas, OR 97338 (T6S, R6W, Sec. 25, tax lot 200) was conducted on 8 Aug., 2002. Mr. Barlow is in compliance with his habitat management plan. He is doing an excellent good job of managing his property as wildlife habitat and should be commended for his efforts. I've not seen a more well managed grassland and oak woodland in the Wildlife Habitat Conservation and Management Program.

cc: Barlow, Polk County Assessor's Office
e-copy: Castillo, SWWD Wildl. Bio.; Knapp, SWWD Mngr.; Snow, HCD, Portland

MARION/POLK WILDLIFE HABITAT PLAN

1. COUNTY WHERE SUBJECT PROPERTY IS LOCATED: Polk
2. LANDOWNER NAME: Rob Barlow
3. ADDRESS OF SUBJECT PROPERTY: 16595 Beck Road
4. HOME MAIL ADDRESS OF OWNER: RJR Farms, 16595 Beck Road,
Dallas, OR 97338
5. BUSINESS MAIL ADDRESS OF OWNER: Same
6. HOME PHONE NUMBER OF OWNER: (503)-831-0592
7. BUSINESS PHONE NUMBER OF OWNER: Same
8. COOPERATING AGENCY: Oregon Department of Fish and Wildlife
9. AGENCY REP. NAME: Tom Murtagh
10. AGENCY BUSINESS ADDRESS: 4412 Silverton Rd NE, Salem, OR,
97305
11. AGENCY PHONE NUMBER: 503-378-6925
12. TOWNSHIP, RANGE, SECTION AND TAX LOT NUMBER(S) OF THE
SUBJECT PROPERTY: T6S, R6W, Section 25, Tax Lot 200, WWM
13. LAND USE DETERMINATION NUMBER OF RECORD: (WH 97-1)
14. TOTAL ACREAGE OF SUBJECT PROPERTY: 120
15. ACRES OF EACH HABITAT TYPE EXISTING ON PROPERTY WHEN PLAN
STARTED (see habitat descriptions in attachments):
 - A. WOODLANDS - approximately 21 acres of a young to
intermediate aged stand of mixed oak and Douglas fir
woodland currently exists largely in three varying
sized lots that are bisected by grassland/shrub
habitats (see map). Other small stands of mixed oak
and fir exist on the southern fringe near the house and
extend west.
 - B. WATER (pond, stream, wetland, or other type): Seasonal
stream bisects property in southern portion of
property, and four small man-made farm ponds exist on
this stream in the southwest section of the property
(see map). In addition, a small seep or spring exists
in the northeast portion of the property where a small
farm pond has been created. The soils near this pond
are damp and marshy: Cattails are present here.

(continued)

- C. GRASSLAND (brush, oak, or other type): approximately 99 acres of grassland interspersed with mixed shrubs exists on the property mostly in two large regions: 1) One section exists in the northern section of the property on a rolling hillside, and 2) the other area is located in the southern portion and descends into a bottomland that is bisected by a small stream. Both grassland regions historically were used primarily to graze cattle and for hay production.
- D. THREATENED OR ENDANGERED SPECIES HABITAT SITES: None
- E. OREGON SENSITIVE SPECIES HABITAT SITES: None
- F. Structures (list): One house located in the southern portion of the property and one barn located in the southeast section near the stream about 200 yards from the house. Estimated dimensions of the barn are 70X50 feet.
- G. Figure 1: County tax lot map of property at approximately 400 feet per inch (available at County planning office or assessor's office). Attached
- H. Figures 2, 3, and 4: Reproducible line drawing MAPS of property AS IT EXISTS AT THE TIME THE PLAN IS SIGNED at approximately 1 inch per 400 feet scale (may use County tax lot map as basis) which must indicate the following:
- Figure 2:
- Soil names and classifications from the U.S. Soil Conservation Service Soil Survey, (maps usually available from U.S. Natural Resources Conservation Service offices).
- Figure 3:
1. Physical features of the property, including dwellings, roads, fences and other artificial structures, and
 2. Rivers and intermittent and perennial streams (including names), lakes, ponds, and other water bodies, and
 3. Areas managed for forestry, areas farmed, including the location of any dikes, drainage ditches, or drainage tiles.

(continued)

Figure 4:


1. Areas that contain threatened or endangered plant species listed under ORS 564.102(2),
 2. Locations of sensitive, threatened, or endangered wildlife species sites, and other areas identified in the local comprehensive plan as significant wildlife habitat sites, and
 3. Wildlife habitats (water, woodlands, grasslands).
16. ACRES OF EACH HABITAT TYPE WHICH WILL BE MAINTAINED WHEN MANAGEMENT PRACTICES ARE IN PLACE (OBJECTIVES OF PLAN) (LIST:)
- A. 21 acres of mixed oak and fir woodland (See worksheet)
 - B. 54 acres of shrub/grassland (See worksheet)
 - C. 45 acres will be primarily managed for dog training and trials on upland game birds
17. MANAGEMENT PRACTICES (FENCING, BURNING, PLANTING) WHICH WILL BE USED TO ACHIEVE AND/OR MAINTAIN THE HABITAT TYPES LISTED (OBJECTIVES), AND TIME FRAME FOR IMPLEMENTATION (LIST):
- A. Control as needed for Scotch Broom and Himalayan blackberry vines, and other exotic plants that may become a problem in designated wildlife habitat areas.
- NOTE: Landowners will allow dead standing trees, downed trees, and broken-off limbs to remain in place in wildlife habitat areas since these are valuable parts of the habitat. Owners do not plan to cultivate, mow, or graze livestock in wildlife habitat areas, since these activities will destroy habitat. Some firewood cutting and trail maintenance will be allowed in woodlands.
18. FIGURE 5. REPRODUCIBLE MAP AT 400 FEET PER INCH SCALE INDICATING THE WILDLIFE HABITAT AREAS EXPECTED TO EXIST ON THE SUBJECT PROPERTY AFTER IMPLEMENTATION OF THE PRACTICES DESCRIBED, THE AREAS MANAGED FOR FARMING OR FORESTRY (*in this case Dog Training*), AND DWELLINGS AND OTHER PROPOSED STRUCTURAL IMPROVEMENTS.
19. THIS PLAN MAY BE AMENDED IN FUTURE IF REQUESTED BY EITHER PARTY.
20. THIS HABITAT MANAGEMENT PLAN DOES NOT AUTHORIZE VIOLATION OF FEDERAL OR STATE LAWS OR LOCAL ORDINANCES, NOR DOES IT SUPERSEDE ANY REQUIREMENTS TO OBTAIN PERMITS OR AUTHORIZATIONS REQUIRED BY FEDERAL OR STATE OR LOCAL ORDINANCES.

(continued)

SIGNATURE PAGE - 4 OF 4, MARION/POLK HABITAT PLAN

21. THE PURPOSE OF THIS HABITAT CONSERVATION AND MANAGEMENT PLAN IS TO PROTECT AND MANAGE WILDLIFE HABITAT SOLELY ON THE ABOVE DESCRIBED PROPERTY. THE PLAN IS NOT INTENDED TO, NOR DOES IT CONVEY ANY SPECIAL STATUS ON, OR OTHERWISE IMPACT IN ANY WAY THE LAWFUL USE OF ANY ADJACENT OR NEARBY PROPERTIES AND BOTH PARTIES AGREE THAT IT WILL NOT BE CONSTRUED TO DO SO.

21. SIGNATURE OF DISTRICT WILDLIFE BIOLOGIST APPROVING PLAN, AND DATE OF APPROVAL:

 11/3/97

22. SIGNATURE OF SUBJECT PROPERTY OWNER(S), AND DATE OF SIGNATURE:

Attachments:

Figure 1: Regional taxlot Map of property.

Figure 2: Line drawing of property showing soil types.

Figure 3: Line drawing of the property, as it exists on date this plan is signed, showing physical features, water bodies, and areas managed for forestry or farming.

Figure 4: Line drawing of the property, as it exists on date

ONLY

SCALE 1" = 400'

N.W. CORNER
JONATHAN DYER
DLC NO. 77

S.W. CORNER
MARION GEWARD
DLC NO. 77

200
121.86 AC.
200
CS 4856

100
168.50 AC.

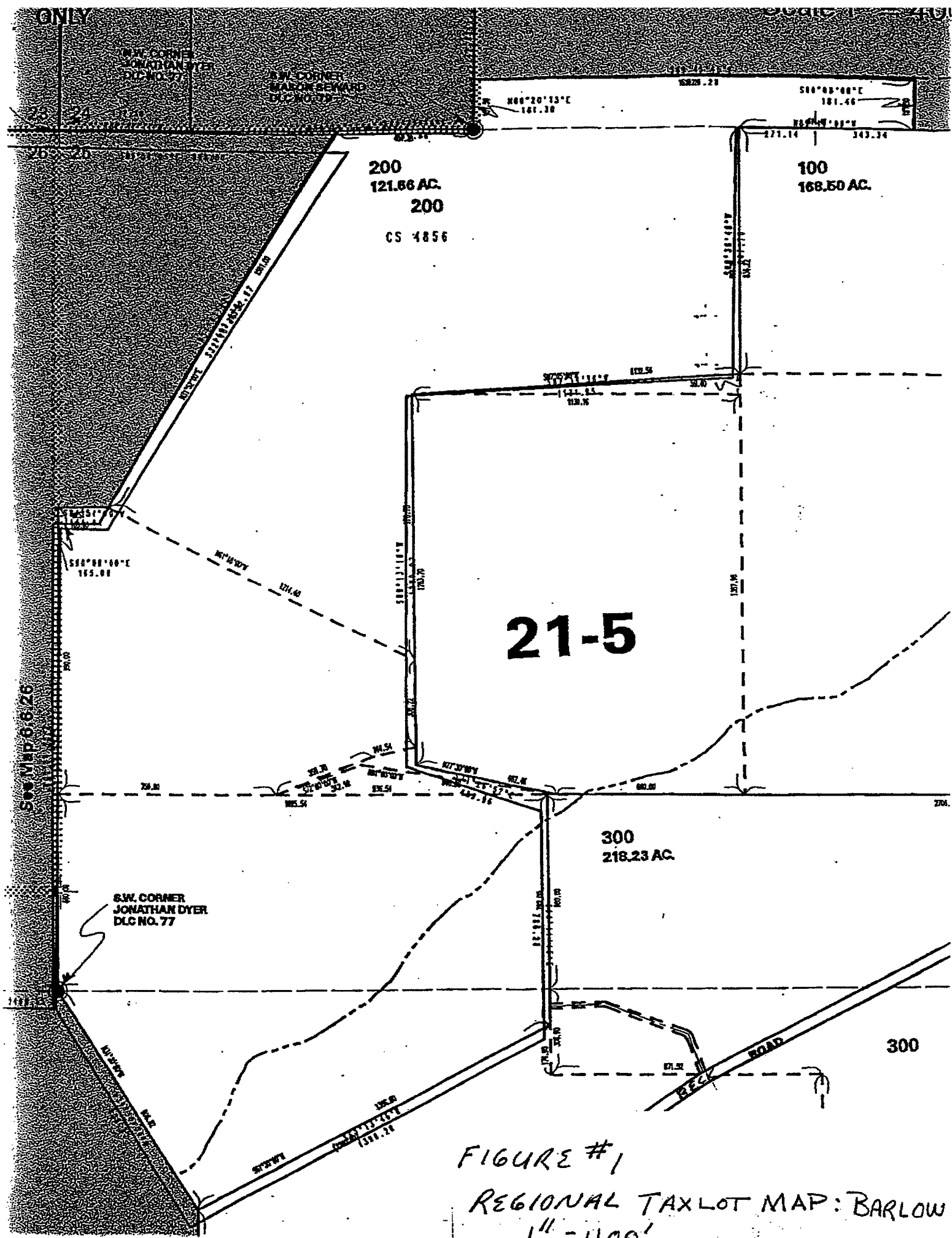
21-5

300
218.23 AC.

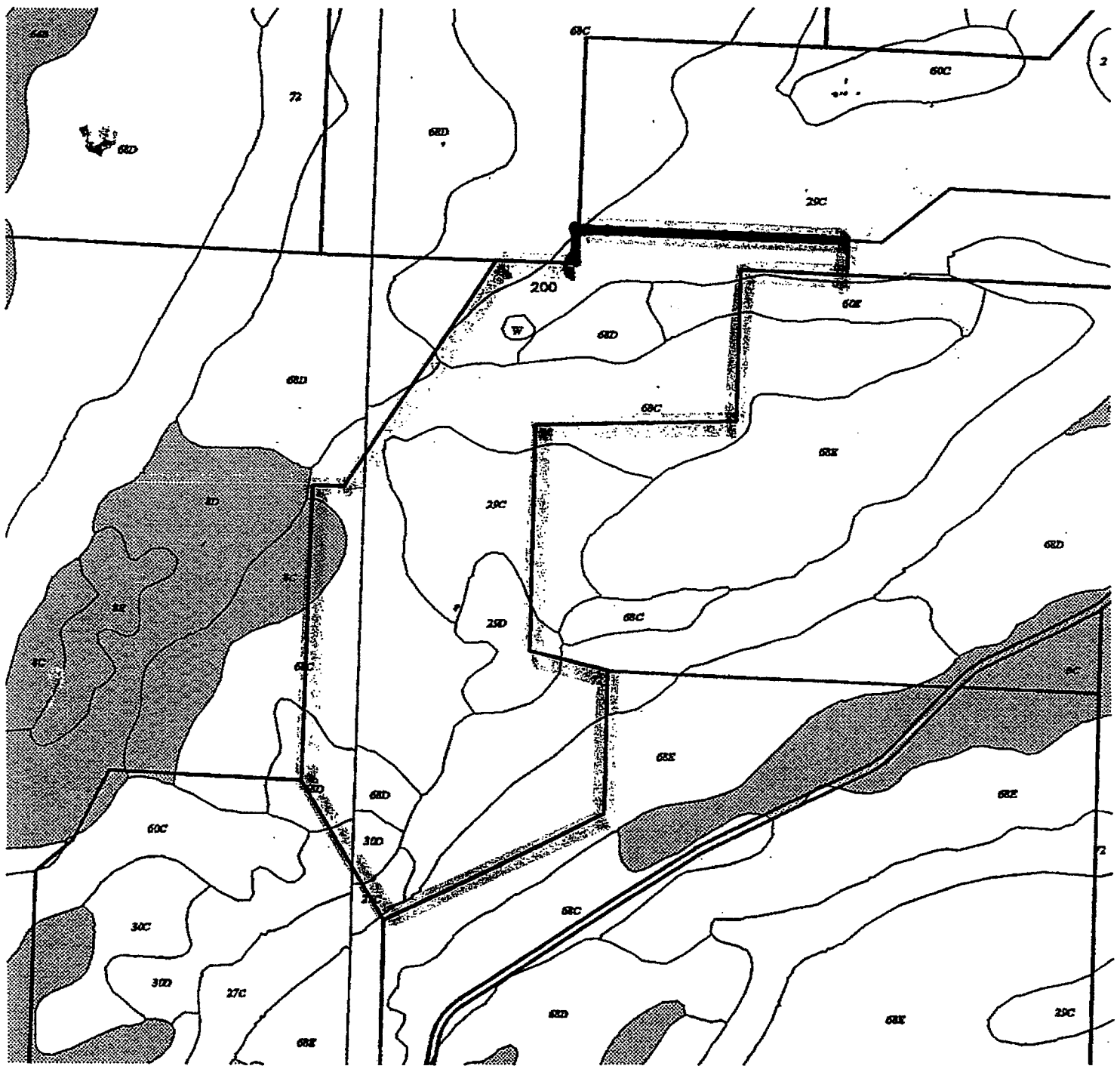
S.W. CORNER
JONATHAN DYER
DLC NO. 77

300

FIGURE #1
REGIONAL TAX LOT MAP: BARLOW
1" = 400'



Regional Soils Map
Scale 1:800
08/07/96
BARLOW-DIV 430



NOTE: Source of soils is SCS Soils Survey and source of taxlots is County Assessor maps. Highlighted areas are prime or high value soils.

FIGURE # 2

ONLY

N.W. CORNER
JONATHAN DYER
DLC NO. 77

S.W. CORNER
MAYNOR BEWARD
DLC NO. 78

N88°20'13"E
181.30

200
121.86 AC.
200
CS 4896

100
168.50 AC.

SEASONAL FLOW
GRASSLAND +
SHRUB ISLANDS

MAN-MADE
POND
(50'x50'/6'DEEP)

GRASSLAND
ANNUAL DOG TRAINING AREA
APPROXIMATELY 24 ACRES

DOG TRAINING AREAS = 45 ACRES
WILDLIFE HABITAT = 75 ACRES
Total of 120 ACRES
GRASSLAND/SHRUB =
MIXED OAK FIR =

21-5

TRIBUTARY TO SALT CREEK

STREAM

See Map 6.6.26

S.W. CORNER
JONATHAN DYER
DLC NO. 77

300
218.23 AC.

PROPOSED FUTURE
POND SITE

GRASSLAND
ANNUAL DOG TRAINING AREA
ABOUT 27 ACRES

DOG
BARN

DRIVEWAY
HOUSE

60x36'
75x40'
100x38'

FIGURE # 5

BECK ROAD
FUTURE WILDLIFE HABITAT +
LAND-USE MANAGEMENT
MAP

300

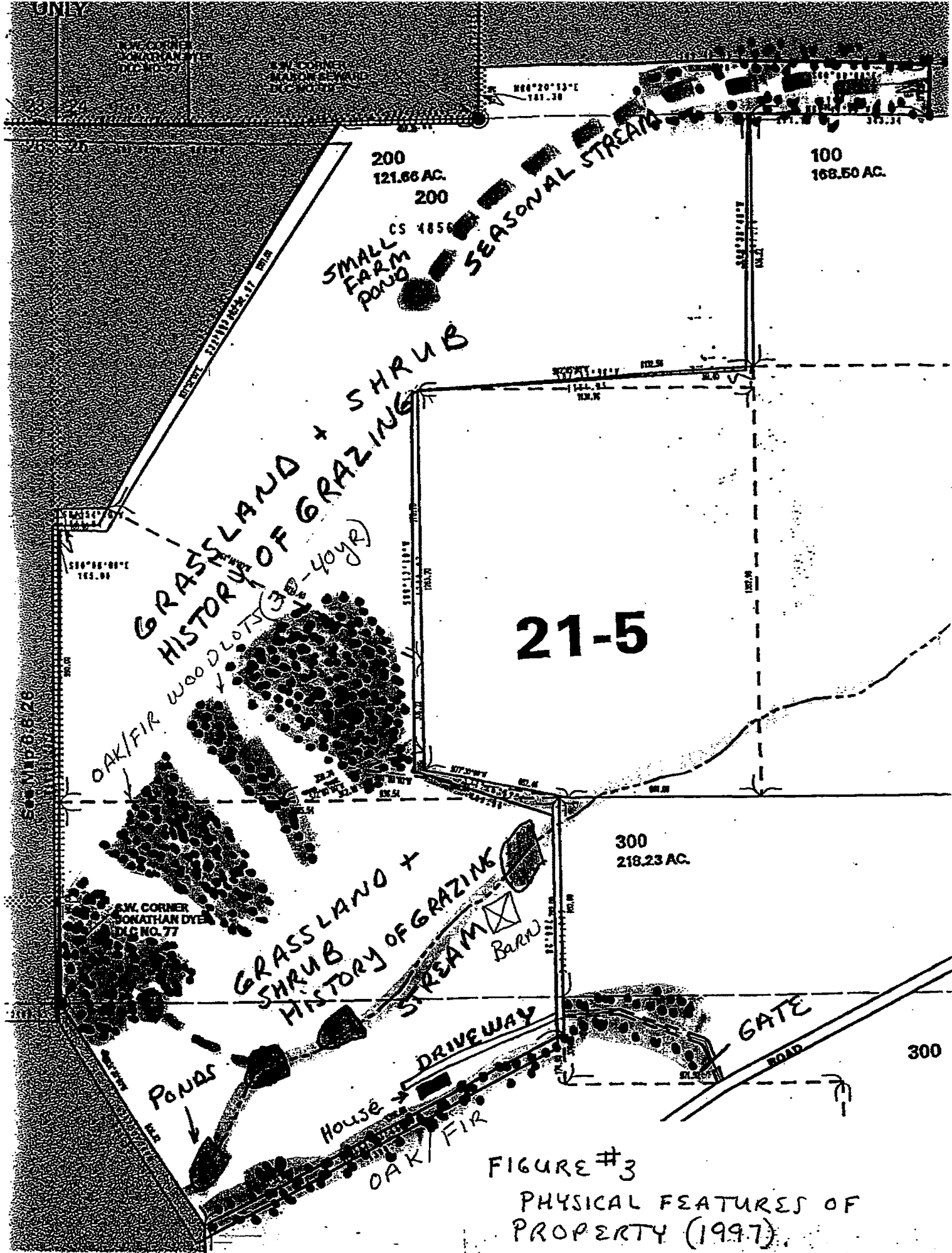


FIGURE #3
PHYSICAL FEATURES OF
PROPERTY (1997)

ONLY

Scale 1" = 400'

N.W. CORNER
JONATHAN DYER
DLC NO. 77

S.W. CORNER
MARION SEWARD
DLC NO. 78

25 24

26 25

200
121.66 AC.

200
CS 4856

MAN-MADE
POND
(50'x50'x6' DEEP)

SEASONAL FLOW

GRASSLAND
+
SHRUB ISLANDS

100
168.50 AC.

GRASSLAND
ANNUAL DOG TRAINING AREA
APPROXIMATELY 24 ACRES

DOG TRAINING AREAS = 45 ACRES
WILDLIFE HABITAT = 75 ACRES
Total of 120 ACRES
GRASSLAND/SHRUB =
MIXED OAK FIR =

21-5

STREAM
TRIBUTARY TO SALT CREEK

See Map 6:6:26

GRASSLAND
S.W. CORNER
JONATHAN DYER
DLC NO. 77

GRASSLAND
ANNUAL DOG TRAINING AREA
ABOUT 21 ACRES

DOG BARN

300
218.23 AC.

PROPOSED FUTURE
POND SITE

DRIVEWAY
HOUSE

BECK ROAD

FIGURE #4
CURRENT VIEW OF
HABITAT TYPES ON
PROPERTY

300

N.W. CORNER
JONATHAN DYER
DLC NO. 77

S.W. CORNER
MAHON SEWARD
DLC NO. 78

AREA 10 3/13/16

28
26

N86°20'13"E
181.38
23 1/16
277.14 343.34

200
21.88 AC.
200
8.56
D.T.#1 = 24 ACRES
D.T.#2 = 21 ACRES
Total = ~~44~~ 45 ACRES
120 - ~~44~~ 45 = 75 ACRES

100
168.50 AC.

Annual DOG TRAINING
NON-WILDLIFE HAB = 44 ACRES CHANGED 45!
WILDLIFE HABITAT = 76 ACRES CHANGED 75A

DOG TRAINING #1
 $\frac{1.5 \times 1.88}{2} = 1.69 \times 400 = 676$
 $1.69 \times 3.75 = 6.34 \text{ sq}^2$
 $675 \times 1500 = 1,012,500 \text{ sqft}$
 $\frac{1,012,500}{43,560} = 23.24 \text{ ACRES}$

1" = 400ft.
1 acre = 43,560 sqft

21-5

See Map 6:6:26

S.W. CORNER
JONATHAN DYER
DLC NO. 77

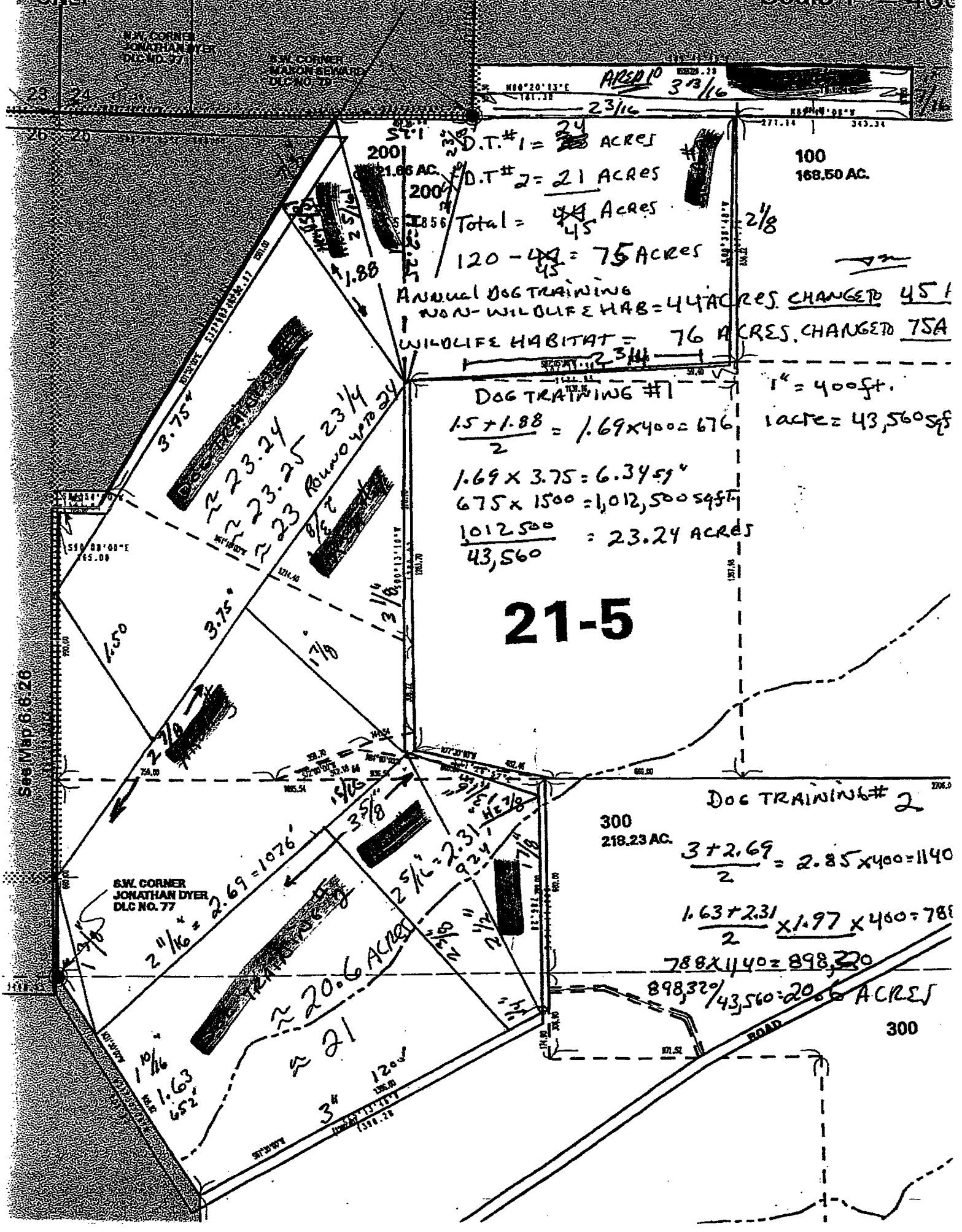
300
218.23 AC.

DOG TRAINING #2

$\frac{3 + 2.69}{2} = 2.85 \times 400 = 1140$
 $\frac{1.63 + 2.31}{2} \times 1.97 \times 400 = 788$
 $788 \times 1140 = 898,320$
 $\frac{898,320}{43,560} = 20.66 \text{ ACRES}$

20.6 ACRES
21

300



AREA# 7 $\frac{[(\frac{1}{2}(2.3)) \times (400)] \times (.88 \times 400)}{43,560} = \frac{162,624}{43,560} = 3.73 \text{ OR } \approx \underline{4 \text{ ACRES}}$

USE: PRIMARILY GRASSLAND + SHRUB.

BARLOW PROPERTY - ACREAGE CALCULATION WORKSHEET

BECK ROAD
POLK COUNTY

NOTE - 1 INCH = 400 FEET

1 ACRE = 43,560 SQ. FT.

PG 1 of 2

SEE MAP FOR SCALE + MEASUREMENTS

AREA #1 - $\frac{1.5 + 1.88}{2} = 1.69 \times 400 = 676'$ AND $400' \times 3.75 = 1500'$

SO: $676' \times 1500' = 1,014,000$ SQ. FT. AND $\frac{1,014,000}{43,560} = 23.27 \approx$ 23 ACRES

USE: FOR DOG TRAINING

Round up to 24 A.

AREA #2 - $\frac{3' + 2.69'}{2} = 2.85 / 2.85 \times 400 = 1,140$ AND $\frac{1.63 + 2.31}{2} = 1.97$

AND $1.97 \times 400 = 788$ SO $788 \times 1,140 = 898,320$ AND $\frac{898,320}{43,560} = 20.6$ ACRES \approx 21 ACRES

USE: FOR DOG TRAINING

AREA #3 $\frac{\left[\left(\frac{1.38 + 1.88}{2} \right) \times (400) \right] \times \left[\left(\frac{2.88 + 3.63}{2} \right) \times (400) \right]}{43,560} = \frac{848,904}{43,560} = 19.5$ ACRES

USE: MIXED OAK/FIR BISECTED BY GRASSLAND-SHRUB. \approx 20 ACRES

AREA #4 $\frac{\left[\left(\frac{1.88}{2} \times 400 \right) \right] \times \left[\left(2.38 \times 400 \right) \right]}{43,560} = \frac{357,952}{43,560} = 8.22$ OR \approx 8 ACRES

USE: MIXED OAK/FIR BISECTED BY GRASSLAND-SHRUB.

Round up to 9 A.

AREA #5 $\frac{\left[\left(\frac{.94 + .25}{2} \right) \times (400) \right] \times \left[\left(\frac{2.5 + 2.38}{2} \right) \times (400) \right]}{43,560} = \frac{232,288}{43,560} = 5.3$ OR \approx 5 ACRES

USE: GRASSLAND + SHRUB - BISECTED BY STREAM

Round up - 6 A.

AREA #6 $\frac{\left[\left(\frac{1}{2} (2.5) \right) \times (400) \right] \times \left[\left(.88 \times 400 \right) \right]}{43,560} = \frac{176,000}{43,560} =$ 4 ACRES

$$\text{AREA \#8} \frac{\left[\left(\frac{1}{2} \times 1.25 \right) (400) \right] \times \left[\left(2.25 \times 400 \right) \right]}{43,560} = \frac{225,000}{43,560} = 5.2 \text{ OR } \approx \underline{5 \text{ ACRES}}$$

USE: PRIMARILY GRASSLAND + SHRUB.

$$\text{AREA \#9} \frac{\left[\left(\frac{2.38 + 2.3}{2} \right) \times 400 \right] \times \left[\left(\frac{2.19 + 2.75}{2} \right) \times 400 \right]}{43,560} = 20.5 \approx \underline{21 \text{ ACRES}}$$

USE: GRASSLAND + SHRUB - SMALL SPRING + WETLAND

$$\text{AREA \#10} \frac{\left[(3.81 \times 400) (.44 \times 400) \right]}{43,560} = \frac{268,224}{43,560} = 6.2 \approx \underline{6 \text{ ACRES}}$$

ACREAGE APPROXIMATIONS FOR EACH HABITAT TYPE.

GRASSLAND:

<u>GRASSLAND:</u>		<u>MIXED OAK/FIR WOODLAND</u>		<u>Total</u>
AREAS #3 =	5 ACRES	#3 =	15	20
#4 =	4	#4 =	5	9
#5 =	6	#5 =	0	6
#6 =	4	#6 =	0	4
#7 =	4	#7 =	0	4
#8 =	5	#8 =	0	5
#9 =	21	#9 =	0	21
#10 =	5	#10 =	1	6
<u>Total</u>	<u>54 ACRES</u>	+	<u>21 ACRES</u>	= <u>75 ACRES</u>

WILDLIFE HABITAT: GRASSLAND/SHRUB = 54 ACRES

MIXED OAK/FIR = 21 ACRES

NON WILDLIFE HABITAT: DOCTRINAIRING FENCE = 45 ACRES

GRAND TOTAL ACREAGE = 141 ACRES