

## SCHEDULE B

### GENERAL EXCEPTIONS

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 said 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.

### SPECIAL EXCEPTIONS:

6. Unpatented mining claims, if any.
7. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
8. 2022-2023 taxes, a lien not yet payable.
9. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest.
10. This report does not include a search for financing statements or agricultural services liens which are filed with the Secretary of State and any matters which would be disclosed thereby are expressly excluded from coverage herein.
11. Rights of the public and governmental bodies in and to any portion of the premises herein described lying below the high water mark of the North Fork of the John Day River, including any ownership rights which may be claimed by the State of Oregon below the high water mark.
12. Such rights and easements for navigation and fishing as may exist over that portion of the property lying beneath the waters of the North Fork of the John Day River.
13. Any adverse claim based upon the assertion that:
  - (a) Said land or any part thereof is now or at any time has been below the ordinary HIGH water mark of the North Fork of the John Day River.
  - (b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
  - (c) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the North Fork of the John Day River, or has been formed by accretion to any such portion.
14. Rights of the public in and to any portion of the Land lying within the boundaries of streets, roads or highways.
15. Any and all matters, including easements and assessments, if any, pertaining to irrigation ditches that may

traverse the herein described property.

16. Easement, including the terms and provisions thereof, as shown in Deed:

Grantors : Leonard Wingfield and Mary Elizabeth Wingfield, his wife; and G. M. Blakely and  
: Elsie O. Blakely, his wife  
Grantee : J. M. Simas, Trustee  
Recorded : February 25, 1919  
Book : 33  
Page : 136  
For : a ditch and/or flume

17. Easement, including the terms and provisions thereof:

For : Right of way easement for utility and incidental purposes.  
Granted to : Columbia Power Cooperative Association, a corp.  
Recorded : January 28, 1953  
Book : 67  
Page : 186

18. Agreement, including the terms and provision thereof:

Regarding : right of way for a road  
Between : Fred Gassner  
And : Grant County, Oregon  
Recorded : December 22, 1960  
Book : 1  
Page : 258

19. Easement, including the terms and provisions thereof, in Decree on Mandate of the Supreme Court of the State of Oregon:

For : road use  
Plaintiffs : John P. Davis and Barbara J. Davis  
Defendants : Fred Gassner and Annabelle Gassner  
Entered : July 21, 1975  
Case No. : JR5999

20. Easement, including the terms and provisions thereof:

For : Right of way easement for utility and incidental purposes.  
Granted to : Telephone Utilities of Eastern Oregon, Inc., an Oregon corp.,  
Recorded : May 5, 1986  
Book : 133  
Page : 346

21. Lease, including the terms and provisions thereof, as evidenced by Memorandum:

From : Veda K. Gimenez, Trustee of the Veda Gimenez Revocable Trust dated September 30, 1991  
To : Fred Gassner and Annabelle Gassner, husband and wife  
Dated : November 16, 1992  
Recorded : November 16, 1992  
Instr. No. : 922378

22. Subject to the life estate as provided by instrument:

Life Tenant : James G. Bahrenburg  
Recorded : July 20, 2018  
Instr. No. : 20181649

Said Instrument was

Re-recorded : September 25, 2018  
Instr. No. : 20182135

23. The proposed conveyance by James G. Bahrenburg, for life and The Office of the Presiding Patriarch (Overseer) and his successors, a corporation sole/over for an unincorporated religious Scriptural society, in the nature of Ecclesia, The Popular Assembly of the Ecclesia of Sinai of Dufur, Alfred Stelzer Presiding Patriarch, as to the remainders should be executed pursuant to a proper resolution of the members of the congregation voted on at a



duly called meeting of the congregation in accordance with the By-Laws and the discipline of the church.

Copies of the discipline, By-Laws, and certified copies of the resolution and of the minutes of the meeting should be furnished for examination prior to closing.

The resolution should specify the officers, trustees or members authorized to sign on behalf of the corporation.

24. The legal description in this report is based on information provided by the parties or their representative. The parties to the forthcoming transaction must notify the title company prior to closing if the description does not conform to their expectations.

NOTE: Taxes paid in full for 2021-2022:

Levied Amount : \$1,989.84

Account No. : 8 9-26 TL500; Ref. 5489

NOTE: Taxes paid in full for 2020-2021:

Levied Amount : \$1,146.99

Account No. : 8 9-27 TL2600; Ref. 5551

INFORMATION: The apparent property address is: 46400 Highway 402, Kimberly, OR 97848

NOTE: This report is for the exclusive use of the parties to the transaction and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued and the full premium paid. In the event this transaction fails to close the Company shall make a reasonable charge, not less than \$200.00 for the cancellation of this order pursuant to the filed rate schedule of the Company.

**Land Title Company of Grant County, Inc.**



**Steve Smothers, Title Officer**