

AFTER RECORDING RETURN TO:

Tommy A. Brooks  
Cable Huston  
1001 SW 5<sup>th</sup> Avenue, Suite 2000  
Portland, OR 97204

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

201317676

UNTIL A CHANGE IS REQUESTED,  
ALL TAX STATEMENTS SHALL BE  
SENT TO THE FOLLOWING ADDRESS:

No Change.



\$86.00

11/20/2013 03:31:19 PM

DMR-DDMR Cnt=1 Stn=3 SUTTONS  
\$55 00 \$5.00 \$11.00 \$15.00

**STATUTORY BARGAIN AND SALE DEED**

**(ORS 93.860)**

Riverbend Landfill Co., an Oregon corporation, Grantor, conveys to Riverbend Landfill Co., an Oregon corporation, Grantee, the real property described on the attached Exhibit A, which description by this reference is hereby incorporated herein as if set forth in full.

The true and actual consideration for this conveyance is \$0.00. The purpose of this deed is to consolidate three existing legal parcels into one legal parcel with the effect that all parcels consolidated shall hereafter be considered one legal parcel. The consolidated parcel is described on the attached Exhibit B, which description by this reference is hereby incorporated herein as if set forth in full.

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, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010

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**EXHIBIT A**

(Description of Three Existing Parcels Being Consolidated)

Parcel I Description (as conveyed to Grantor pursuant to that certain deed dated December 5, 1991 and recorded in the Yamhill County Deed Records on December 6, 1991 with Deed Reference Number 1991/12231 and appearing in the Yamhill County Property Tax Records as Tax Lot R5501 00400 and Tax Lot R5501 00401):

PARCEL 1:

A part of the Donation Land Claim of Alexis N. Miller, Claim No. 64, Notification No. 2360, and part of the Donation Land Claim of Richard Miller, Claim No. 65, Notification No. 2359 in Sections 1, 2, 11 and 12 In Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, and bounded and described as follows to-wit:

Beginning at a point 1.50 chains South of the Northeast corner of said Donation Land Claim of Alexis N. Miller, Claim No. 64; and running thence South 42° West, 61.87 chains to corner of a tract of land conveyed by S.P. Christenson and wife, to L.P. Christenson by Deed duly recorded at page 260 of Volume 47 of the Records of Deed for Yamhill county, Oregon; thence East 25 chains to the center of the Yamhill River; thence Southeasterly along the middle of said River, 16.10 chains to the North line of the Dean Cook land; thence Easterly 10.77 chains to the East boundary line of said Claim No. 64; thence North 5.25 chains; thence West 4.50 chains; thence North 10.00 chains; thence East 4.50 chains to the East boundary line of said Claim No. 64; thence North along said East boundary line 43.72 chains to the point of beginning.

EXCEPT that portion conveyed to the State of Oregon, by and through its State Highway Commission Deed recorded April 15, 1947 in Book 142, Page 66, Deed Records.

FURTHER EXCEPTING THEREFROM the following described tract: A tract of land in the Alexis N. Miller Donation Land Claim in Sections 1 and 12, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, being part of that certain tract conveyed to Chester C. Cain and Roberta L. Brosamble by Deed recorded in Film Volume 155, Page 511, Deed and Mortgage Records, and being described as follows:

BEGINNING at the Northeast corner of the Alexis Miller Donation Land Claim; thence South 2000 feet, more or less, along the East line of said Donation Land Claim to an iron rod at the True point of beginning; thence North 57° 27' 10" West, 107.53 feet to an iron rod; thence North 85° 57' West 85° 57' West, 106.26 feet to an iron rod; thence North 75° 53' West, 223.83 feet to an iron rod; thence North 79° 23' 30" West, 309.38 feet to an iron rod; thence North 87° 00' 30" West, 608.48 feet to an iron rod; thence South 01° 28' West, 480.38 feet to an iron rod; thence continuing South 01° 28' West, 811.63 feet to an iron rod on the South line of said Brosamle and Cain tract; thence North 88° 47' 30" East along said South line to the center of the Yamhill River; thence Northeasterly along said centerline to the East line of said Alexis Miller Donation Land Claim; thence, North along said East line to the True Point of Beginning as shown by CSP-8262.

PARCEL 2:

Government Lot 6 in Section 12, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon.

PARCEL 3:

PART of the John Monroe Donation Land Claim, Notification No. 1322, claim No. 65 in Township 5 South, Range 4 West of the Willamette Meridian, and Claim No. 74 in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, described as follows;

BEGINNING at the Northwest corner of said John Monroe Donation Land Claim; thence East 12.397 chains to a stake; thence South 22.073 chains to a stake; thence West 12.688 chains to an iron pipe on the West line of said Claim; thence North 22.075 chains to the point of beginning.

TOGETHER WITH a right of way in common with others described as follows:

A strip of land 30 feet wide extending across the South end of Lots 2, 3, 4, and 5 are described in County Survey No. 2476, and a strip of and 40 feet wide across the East end of Lot 1 of said County Survey No. 2476 for road purposes and for the use and benefit of each and all of said Lots for road purposes only.

PARCEL 4:

BEGINNING 10.52 chains North of the Southeast corner of the Alexis Miller Donation Land Claim; thence West 4.50 chains; thence North 10.00 chains; thence East 4.50 chains; thence South 10.00 chains to the point of beginning.

PARCEL 5:

ALL of Lot 4 in Section 12, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon lying North of the center of the Yamhill River and more particularly described as beginning at the Northeast corner of said Lot 4, being on the West line of and approximately 330 feet South from the Northwest corner of the John Monroe Donation Land Claim; thence South 500 feet, more or less, to the center of the Yamhill River; thence Westerly along center of said River 528 feet, more or less, to the West line of said Lot 4; thence North 500 feet, more or less, to the Northwest corner of said Lot 4; thence East 528 feet to the beginning.

PARCEL 6:

A tract of land in the Alexis N. Miller Donation Land Claim in Sections 1 and 12, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, being part of that center tract of land conveyed to Chester C. Cain and Roberta L. Brosamle, by Deed recorded in Film Volume 155, Page 511, Deed and Mortgage Records, and being described as follows:

BEGINNING at the Northeast corner of the Alexis Miller Donation Land Claim; thence South 2000 feet, more or less, along the East line of said Donation Land Claim to an iron rod at the TRUE POINT OF BEGINNING; thence North  $57^{\circ} 27' 10''$  West, 107.53 feet to an iron rod; thence North  $85^{\circ} 57'$  West, 106.26 feet to an iron rod; thence North  $75^{\circ} 53'$  West, 223.83 feet to an iron rod; thence North  $79^{\circ} 23' 30''$  West, 309.38 feet to an iron rod; thence North  $87^{\circ} 00' 30''$  West, 608.48 feet to an iron rod; thence South  $1^{\circ} 28'$  West, 480.38 feet to an iron rod; thence continuing South  $1^{\circ} 28'$  West, 811.63 feet to an iron rod on the South line of said Brosamle and Cain tract; thence North  $88^{\circ} 47' 30''$  East along said South line to the center of the Yamhill River; Thence Northeasterly along said center line to the East line of said Alexis N. Miller Donation Land Claim; thence North along said East line, to the TRUE POINT OF BEGINNING.

TOGETHER WITH a perpetual non-exclusive easement for ingress and egress, described as follows:

A 60 foot wide strip of land in Section 11 and 12, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, the South line of which is described as follows:

BEGINNING at the intersection of the South line of that certain tract of land described as Parcel 1 of Film Volume 155, Page 511, Yamhill County Deed and Mortgage Records, and the Easterly margin of State Highway No. 18; thence East, 1,426 feet along said South line to the West line of that 36 acre tract of land shown in Yamhill County Survey CSP-8262.

PARCEL 7:

BEING a part of the John Monroe Donation Land Claim, Notification No. 1322, Claim No. 65 in Section 7, Township 5 South, Range 4 West of the Willamette Meridian and Claim No. 74 in Section 12, Township 5 South, Range West of the Willamette Meridian, Yamhill County, Oregon and said part being more particularly described as beginning at an iron pipe on the North boundary line of said Claim at a point 29.264 chains West from the Northeast corner of said Claim, from which an oak 8 inches in diameter bears South 45° East one fourth of a link; thence West along the North line of said Claim 16.957 chains to an iron pipe from which an ash 15 inches in diameter bears South 74° West 10 links and an ash 8 inches in diameter bears South 33° East 14.1/4 links; thence South 14.701 chains to an iron pipe; thence East 5.00 chains to an iron pipe; thence South 23.71 chains to an iron pipe set on the division line of said Claim; thence South 89° 45' 33" East along the division line of said Claim 11.957 chains to an iron pipe; thence North 38.462 chains to the place of beginning and being Lot 3 of County Survey No. 2431.

SAVE AND EXCEPT a strip 40 feet in width extending across the South End thereof from the Southwest corner of the County Road the road purposes.

PARCEL 8:

BEING a part of the John Monroe Donation Land Claim, Notification No. 1322, Claim No. 74 in Section 12, Township 5 South Range 5 West, Willamette Meridian, Yamhill County, Oregon and said part more particularly described as beginning at an iron pipe set for the Northwest corner of Lot 4 of County survey No. 2431, said pipe being West 46.222 chains and South 14.701 chains from the Northeast corner of said Claim; thence East 5 Chains to an iron pipe; thence South 16.25 chains; thence North 89° 45' 33" West parallel with the division line of said Claim 5 chains to the West line of Lot 4 of said survey; thence North along the West line of said Lot 4 a distance of 16.23 chains to the place of beginning

TOGETHER WITH a non-exclusive easement for road purposes only for ingress and egress to the above described Parcel No. 7 and Parcel No. 8. Said easement is more particularly described in Volume 53, Page 829, Deed Records for Yamhill County, Oregon, dated June 29, 1966, and recorded July 7, 1966. Said easement is also more particularly described as the Easterly 15 feet of the following parcel:

A portion of the John Monroe Donation Land Claim in Section 12, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

BEGINNING at a point on the North line of the said John Monroe Donation Land Claim which is 12.397 chains East of the Northwest corner of said claim, also being the Northwest corner of Lot 5 of County Survey #2476; thence South a distance of 1456.82 feet to the Southwest corner of Lot 5 of County Survey #2476; thence East along the North line of Lot 1 of County Survey #2476, a distance of 1524.93 feet to the Southeast corner of Lot 2 of the said survey; thence North along the East line of said Lot 2 to a point in the center of the South Yamhill River; thence Westerly up the center of the South Yamhill River to a point on the North line of the John Monroe Donation Land Claim; thence West along the North line of said Claim to the point of beginning.

SAVING AND EXCEPTING THEREFROM the South 30 feet thereof, subject to the right of the public in and to that portion of said premises lying within the boundary of the Yamhill River.

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Parcel II. Description (as conveyed to Grantor pursuant to that certain deed dated September 14, 1994 and recorded in the Yamhill County Deed Records on September 23, 1994 with Deed Reference Number 1994/15294 and appearing in the Yamhill County Property Tax Records as Tax Lot R5501 00200 and Tax Lot R5512 00200):

Being Lot No. 4 as set off to Charles McPhillips by decree of the Circuit Court of the state of Oregon, for Yamhill County, duly made and entered in said Court in that certain suit wherein Rose McPhillips, et al., were plaintiffs and Charles McPhillips, et al, were defendants. which said lot is more particularly described as follows:

BEGINNING at the Northeast corner of the Alex Miller Donation Land Claim in Section 1, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon; running thence south  $0^{\circ}11'$  East along the East line of the said Alex Miller Donation Land Claim 3696 feet; thence East 528 feet, more or less, to the West line of John Monroe Donation Land Claim; thence North 330 feet to the Northwest corner of the John Monroe Donation Land Claim; thence East along the North line of said Claim 831.6 feet, more or less, to the west line of Government Lot 6 of Section 12 of said township and range; thence North along the West line of said Lot 6, a distance of 441 feet to the South line of the J. A. Cornwall Donation Land Claim; thence South  $57^{\circ}$  East along the South line of the Cornwall Donation Land Claim 809.7 feet to angle corner; thence East along the South line of Cornwall Claim 858 feet to angle corner; thence North  $49^{\circ}45'$  East along South line of Cornwall Claim 1235.3 feet to the division line of claim as described in deed Book 1 at page 282, Deed Records of Yamhill County, Oregon; thence North  $24^{\circ}$  West along said division line 1692.9 feet; thence North  $80^{\circ}$  West 2541 feet; thence North 694.32 feet to an iron pin set in center of the County Road leading from McMinnville to Sheridan; thence South  $44^{\circ}$  West 441.54 feet to the point of beginning;

EXCEPTING THEREFROM a tract of land in section 01, Township 5 South, Range 5 West, W.M., Yamhill County, Oregon, described as follows:

Beginning at an iron rod set on the southeast margin of State Highway 18 in CSP-9872 that bears South 82°59'17" East 85.55 feet from the Northeast corner of the Alex Miller DLC as shown in CSP-9872; thence South 30°26'50" East 106.69 feet to an iron rod; thence South 217.06 feet to an iron rod; thence South 80°58'00" East 15.19 feet to an iron rod; thence South 80°58'00" East 159.13 feet more or less to the southwest corner of that tract of land described in deed form MARVIN J. BERNARDS to MICHAEL J. BERNARDS and recorded in Film Volume 231, Page 914, Yamhill County Deed Records; thence North along the west line of said deed 586.67 feet more or less to the southerly margin of State Highway 18; thence South 42°06'42" West 337.35 feet more or less along said margin to the POINT OF BEGINNING;

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State Highway Commission by deed recorded April 28, 1947 in Book 142, Page 263, Deed Records of Yamhill County, Oregon.

ALSO the following described real estate, situate in Yamhill County, Oregon, to-wit:

All that portion of the following described tracts in the John Monroe Donation Land Claim No. 74 in Township 5 South of Range 5 West of the Willamette Meridian in Yamhill County, Oregon, which is Northerly of the Northerly bank of the Yamhill River as it presently exists; beginning at an iron pipe on the North line of and 35.502 chains East from the Northwest corner of said claim; thence South 22.073 chains; thence West 4.077 chains; thence North 22.073 chains; thence East along claim line 4.077 chains to beginning, and excepting the South 30 feet thereof reserved for roadway.

ALSO: Beginning at a point 31.425 chains East of the Northwest corner of the John Monroe Donation Land Claim; thence South 22.073 chains; thence west 4.983 chains; thence North 22.073 chains; thence East 4.983 chains to the point of beginning; excepting therefrom a strip of land on the South end thereof 30 feet in width for road purposes.

ALSO: That part of said claim described as follows:

Beginning on the North line of said claim 12.397 chains East of the Northwest corner of said claim; thence East along the North line of said claim 14.045 chains; thence South 22.073 chains; thence West 14.045 chains; thence North 22.073 chains to the point of beginning.

EXCEPTING any portion of the above described premises which is located South of the South bank of the Yamhill River.

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Lot III Description (as conveyed to Grantor pursuant to that certain deed dated April 15, 1999 and recorded in the Yamhill County Deed Records on April 16, 1999 with Deed Reference Number 1999/07961 and appearing in the Yamhill County Property Tax Records as Tax Lot R5501 00101):

Part of the J.A. Cornwall Donation Land Claim in Section 1, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning at an iron pipe set South 23°45' East, 635.4 feet from a large stone, said stone being 2496.1 feet South and 2097.3 feet East from the Northwest corner of said Claim and said iron pipe being the Southeast corner of Parcel #2 conveyed by John G. Wisecarver et ux to Oregon Mutual Insurance Company by deed recorded April 18, 1962 in Film Volume 22, Page 111, Deed and Mortgage Records; thence South 23°45' East to an anchor post at the Northeast corner of a tract of land conveyed to M.E. Toliver and Mabel Toliver by deed recorded October 7, 1943 in Book 122, Page 557, Deed Records; thence North 80° 58' West to an anchor post on the West line of the T.A. Cornwall Donation Land Claim; thence North to an iron pipe set on the Southeasterly margin of State Highway 18; thence North 42°30' East along the Southeasterly margin of the State Highway, 312.8 feet to an iron pipe, said iron pipe being the Westerly most Southwest corner of the said Parcel #2 above; thence South 50°13' East, 1098.3 feet to an iron pipe; said iron pipe being the Southerly most Southwest corner of the said Parcel #2; thence South 80°58' East 1340 feet to the point of beginning.

ALSO the following tract of land in Section 1, Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon, described as beginning at an iron rod set on the Southeast margin of State Highway 18 in CSP-9872 that bears South 82°59'17" East 85.55 feet from the Northeast corner of the Alex Miller Donation Land Claim as shown in CSP-9872; thence South 30°26'50" East 106.69 feet to an iron rod; thence South 217.06 feet to an iron rod; thence South 80°58'00" East 15.19 feet to an iron rod; thence South 80°58'00" East 159.13 feet more or less to the Southwest corner of that tract of land described in Deed from Marvin J. Bernards to Michael J. Bernards and recorded in Film Volume 231, Page 914, Yamhill County Deed Records; thence North along the West line of said Deed 586.67 feet more or less to the Southerly margin of State Highway 18; thence South 42°06'42" West 337.35 feet more or less along said margin to the point of beginning.

Subject to and Together with a non-exclusive perpetual easement for roadway access, ingress and egress over the following described property to wit: Beginning at a point on the Southeasterly right of way line of State Highway 18 that bears North 00°00'00" East 586.67 feet more or less and South 42°06'42" West along said Southeasterly right of way line, 335.41 feet from the Southwest corner of that certain tract of land conveyed to Michael J. Bernards by Deed recorded April 20, 1989 in Film Volume 231, Page 914, Deed and Mortgage Records; thence South 30°26'50" East 136.2 feet; thence South 42°06'42" West 60 feet; thence North 30°26'50" West 136.29 feet more or less to the Southeasterly right of way line of the said State Highway; thence North 42°06'42" East along said highway right of way line 60 feet more or less to the point of beginning.

## EXHIBIT B

### Consolidated Parcel Description:

A tract of land in Sections 1,2,11, & 12, Township 5 South, Range 5 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the intersection of the southerly margin of State Highway No. 18 with the east line of the Alexius Miller Donation Land Claim No. 64; thence South 43°38'33" West 4151.14 feet along said southerly margin to the most northerly northwest corner of that tract of land described in deed from JOHN G. BERNARDS and MARY BETH BERNARDS to RIVERBEND LANDFILL COMPANY, INC. and recorded in Instrument No. 200629179, Yamhill County Deed Records; thence South 88°05'58" East 1700 feet more or less to the center of the South Yamhill River; thence easterly and southerly along the center of the South Yamhill River 3450 feet, more or less to the southwesterly line of the J.A. Cornwall Donation Land Claim No. 63, being a point on the northeasterly line of U.S. Lot 6 in said Section 12; thence southeasterly to the most southerly southwest corner of said Cornwall Claim; thence EAST along the south line of said Cornwall Claim to the northeast corner of said Lot 6; thence SOUTH to the southeast corner of said Lot 6 being a point on the north line of the John Munroe Donation Land Claim No. 74 and No. 65; thence North 88°41'48" West along said north line and the south line of said Lot 6 to a point on the northerly bank of the South Yamhill River; thence southerly, easterly and northerly following said northerly bank to a point on the north line of said Munroe DLC; thence South 88°41'48" East to the southwesterly extension of the easterly line of the J.A. Cornwall Donation Land Claim No. 63, from which point an iron rod bears North 49°33'27" East 100.61 feet; thence North 49°33'27" East 1039.29 feet along said southwesterly extension and the easterly line of the Cornwall DLC to the division line of said Cornwall DLC; thence North 22°27'46" West 2533.29 feet along said division line to the northeast corner of that tract of land described in deed from MICHAEL J. BERNARDS and CHRIS BERNARDS to RIVERBEND LANDFILL COMPANY, INC. and recorded in Instrument No. 199907961, Yamhill County Deed Records; thence North 79°26'19" West 1340.00 feet along the northerly line of said tract; thence North 48°41'19" West 1092.20 feet along said northerly line to the southerly margin of State Highway No. 18; thence South 43°38'33" West 784.02 feet along said southerly margin to the POINT OF BEGINNING, containing 333 acres, more or less.