

FAY RANCHES[®]*Inc.*

PITCHER RANCH

Silver Lake, Lake County, Oregon

\$4,420,000 | 2,916.09± Acres

FARMS ■ TIMBER ■ RANCHES ■ PLANTATIONS ■ VINEYARDS



Pitcher Ranch | Silver Lake, Oregon

INTRODUCTION

If you are looking for a beautiful ranch where you can get away from it all and “rough it” in your comfortable, custom-built home, the historic Pitcher Ranch may be just the one for you! Relax by the fireplace while you enjoy watching the wildlife and beautiful views of Hagar Mountain and the meadows of Buck Creek from the home’s many large windows. The effect seems to bring your natural surroundings into your home!

Located 7± miles southwest of Silver Lake, Oregon, just a short, scenic 1-hour 23-minute drive from Bend, Oregon, Pitcher Ranch is comprised of 2,916.09± acres of riparian meadows, rimrock cliffs and outcrops, sagebrush flats, juniper-dominated uplands, aspen groves, and ponderosa pine forests. Flowing down spectacular gorges and meandering through adjacent riparian areas are 2± miles of Buck Creek, a perennial creek originating from Yamsay Mountain, and 1.5± miles of Bear Creek, a seasonal creek originating from Antelope Flat. The willow thickets, meadows, and wetlands provide excellent wildlife habitat.

This beautiful ranch is almost entirely surrounded by Bureau of Land Management (BLM) or Forest Service lands. The ranch headquarters are tucked away in a quiet, private valley. As you turn off paved Bear Flat Lane and meander down your private drive toward your luxurious accommodations, you will never tire of the feeling that you have arrived home.



QUICK FACTS

- 2,916.09± deeded acres - contiguous
- 2,567± square foot luxurious, custom-built home with 1,200± square foot additional garage/shop space
- Additional manager's home and a guest cabin
- Tractor barn/shop, horse barn, hay storage, corrals, and round pen
- 2± miles Buck Creek; 1.5± miles Bear Creek; numerous small ponds
- 128.6± acres of irrigation water rights
- 75± acres of the meadows harvested for quality horse hay
- Habitats for Rocky Mountain Elk, mule deer, and antelope
- 4 Landowner Preference (LOP) tags are available; buyer to verify with the Oregon Department of Fish and Wildlife (ODFW)
- Fishing for redband rainbow & brook trout
- Highly desirable privacy, solitude, and beauty

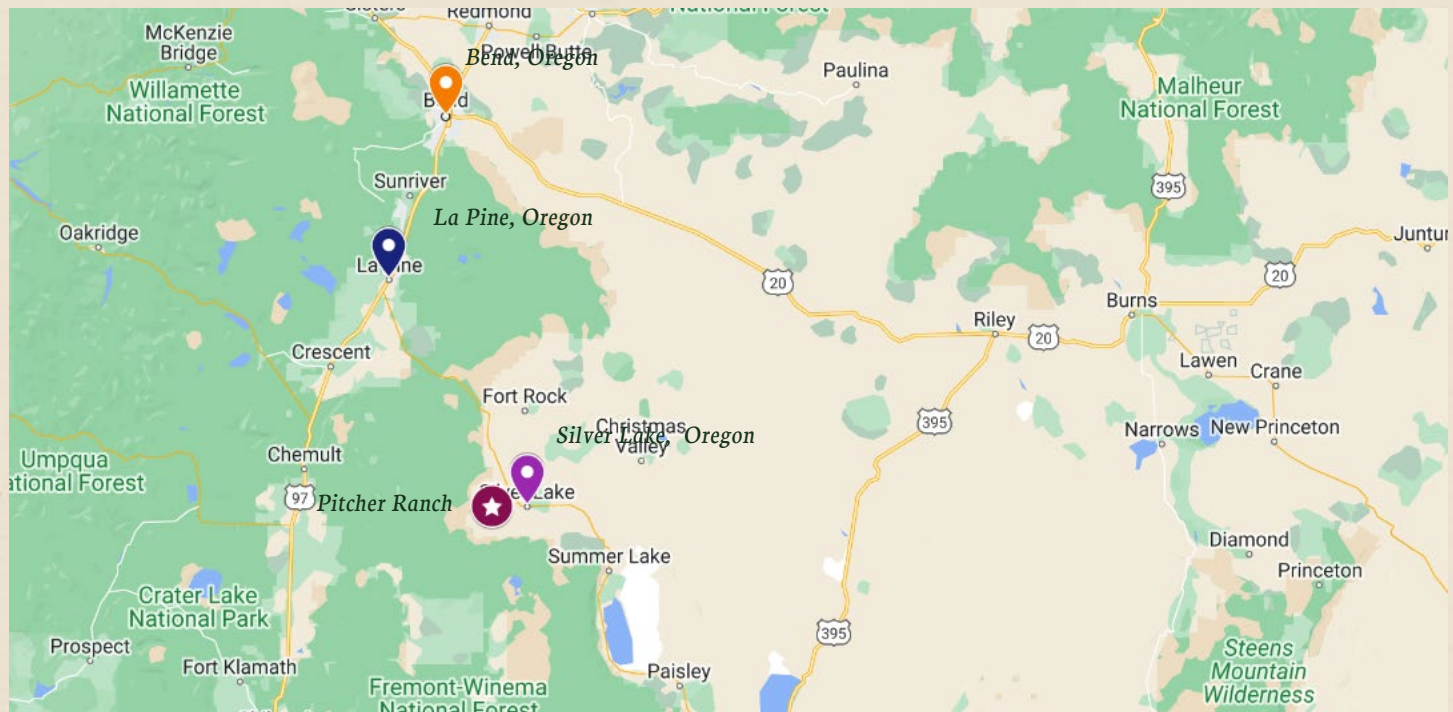




LOCATION

Pitcher Ranch, located in South-Central Oregon's Lake County, is about 7 miles, or 12 minutes east of the unincorporated town of Silver Lake, population 123±. It is approximately a 1-hour 42-minute drive to Lakeview, Oregon, the County seat, population 2,559±. The city of LaPine is a 51± minute drive, Bend is roughly a 1-hour 23 minute drive, and Portland is 4.5± hours away.

The town of Silver Lake was named after the lake that sat about 6 miles east of town. The ranch is located at the transition of Oregon's high desert and the trees and lakes of the Fremont National Forest, named after Captain John C. Fremont, who explored the area in 1843.



GETTING THERE

From Bend, Oregon, head south on US 97 for 34± miles. Turn left onto OR-31 South and proceed for 45.7± miles. Turn right onto Bear Flat Lane, and proceed about 6± miles to the ranch road on your left.

AIRPORT SERVICES



Redmond Municipal Airport (RDM—www.flyrdm.com), also known as Roberts Field, is approximately 1 hour and 45-minutes, or 99 miles from the ranch. RDM provides commercial air service for all of Central Oregon with 14 departures daily to Denver, Los Angeles, Portland, Salt Lake City, San Francisco, and Seattle. The Redmond Municipal Airport's convenience assures you stay well connected with the region and the world.

For the private pilot, The Silver Lake Forest Service Strip (45S), located 3± miles southwest of Silver Lake, is open to the public and is at 4,492 feet in elevation. It measures 3,000 feet by 55 feet and is comprised of dirt and turf.

<https://www.airnav.com/airport/45S>

Sunriver Airport (S21), 67± miles northwest of Silver Lake, is open to the public. The dimensions are 5,460 feet by 75 feet, and the strip is made of asphalt in fair condition. Runway 18 is at 4,158.7 feet in elevation, while Runway 36 is at 4,163.5 feet in elevation.

<https://www.airnav.com/airport/S21>

ACREAGE

Pitcher Ranch's four tax accounts include three tax lots totaling 2,916.09± acres. The acreage consists of approximately 4.75± acres of farmstead and homesites, 128.6± acres of meadow and associated riparian areas, and 2,782.74± acres of upland open and timbered rangeland.



TIMBERLAND

Pitcher Ranch has scattered pockets of timber, primarily Ponderosa pine, predominately located in the Bear Creek and Buck Creek Canyons.

AGRICULTURE

With multiple meadows, the agricultural operation is comprised of about 75± acres of flood-irrigated perennial meadow grass. With State-certified irrigation water rights, it produces over 100 tons of excellent quality horse hay in good years. The agricultural equipment may be purchased separately. The current owners obtained \$327,000 in funding grants to develop three modern irrigation diversions, complete with fish ladders and screens, to irrigate the meadows more efficiently and protect the native redband rainbow trout population. There are four vehicle-capable bridges across Buck Creek. For horse grazing, approximately 23± acres in the north meadow are fully enclosed by Electrobraid® fencing.

While Pitcher Ranch does not maintain a cattle herd, the uplands and the meadows lend themselves well to grazing.

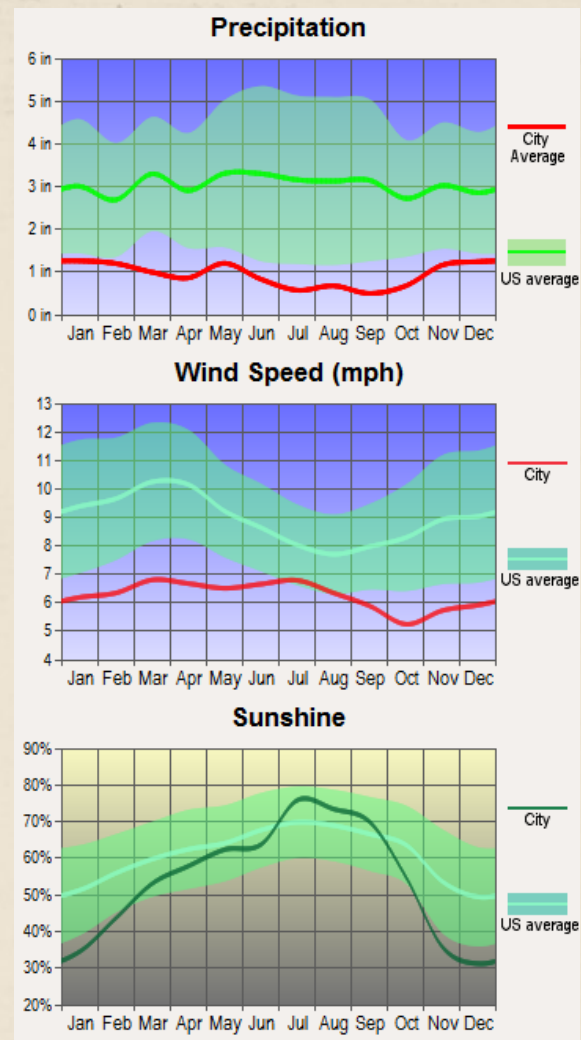
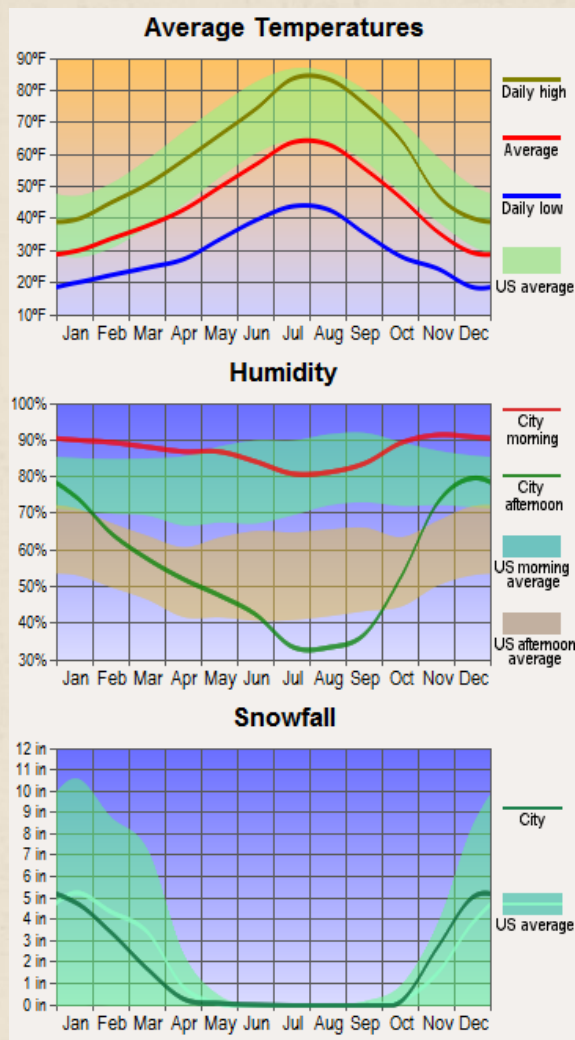
Pitcher Ranch holds Preference for a Bureau of Land Management (BLM) Grazing Lease, OR00703, in the Bear Creek Allotment, which allows for the grazing of 30 cattle from 9/01 to 12/28 annually for 117 AUMs. Pitcher Ranch typically leases this grazing lease to a neighbor, with BLM concurrence.



SCENIC VISTAS

The views from Pitcher Ranch are spectacular. From the main residence's many windows, the meadows of Buck Creek and Hagar Mountain views are awe-inspiring. Atop the rim of a Buck Creek canyon, just upstream from the meadows, is a phenomenal vantage point which affords views for miles in all directions.





CLIMATE

Climate data courtesy of <https://www.city-data.com/city/Silver-Lake-Fort-Rock-Oregon.html>

The weather in the Silver Lake area is typical of that found in Oregon's high desert region. Wide daily temperature swings are not uncommon, often varying as much as 40 degrees from the day's high to the night's low. Silver Lake has a warm-summer Mediterranean climate. This region experiences warm (but not hot) and dry summers, with no average monthly temperatures above 71.6 °F (22.0 °C). Weather averages:

Summer High: The July high is typically around 85 degrees

Winter Low: The January low is typically around 20 degrees

Rain: Averages 12 inches annually

Snow: Averages 16 inches annually

IMPROVEMENTS

MAIN HOUSE

The 2,567± square foot custom-built home with 1,200± square feet of additional garage/shop space, located on rimrock overlooking Buck Creek and adjacent hay meadows, with views of Hager Mountain, was designed by Bend architect Scott Gilbride and epitomizes modern, high-end construction. The home interior includes a gourmet kitchen with high-end appliances, custom cabinets, granite countertops, and a large walk-in pantry. A Rumford fireplace, hand-constructed from native rock, is featured in the open floor plan living room. The primary bedroom has two large walk-in closets with custom built-ins.



The primary bathroom has a large, poured concrete double sink, a 10-foot tall Italian tile walk-in shower, and an MTI jetted whirlpool tub with windows overlooking the main meadow. A small gym/workout area adjoins the primary bedroom. A second bedroom with an adjoining bath features panoramic views, custom built-in shelving, and a murphy bed. An office/third bedroom, with sweeping views of Buck Creek winding through the main meadow, includes a custom built-in desk, cabinetry, and shelving.

A combined mudroom/laundry room features built-in shelves, storage cabinets, and a large utility/coat closet. Electricity in the main house is provided by roof-mounted solar photovoltaic (PV) panels tied to the Mid-State Electric power grid. The solar panels currently produce up to 2,000







watts and are expandable to 6,000 watts. A solar hot water system supplemented with electricity supplies hot water for the recirculation system and radiant floor heating. Mitsubishi mini-splits provide additional heating and cooling.

Multi-room ceiling audio speakers provide sound throughout the house. The home furnishings, including some custom-designed pieces, were selected in consultation with an interior designer/architect and may be purchased separately.



The house features a two-car garage with separate bay doors and a large adjacent insulated shop with a roll-up bay door, a wood stove, concrete floor, and windows with mountain and meadow views. Next to the shop is a heated office/workspace with large window views, a separate “dog room” with a bathroom, a tub and shower, and direct access to a fenced dog run. The current owner is a falconer and has a built-in room designed for hawks adjacent to the office.



IMPROVEMENTS

GUEST | MANAGER HOUSE

This original house, built by the Pitcher family, is conveniently located down the hill from the main house and next to the irrigated hay fields and other outbuildings. The two-bedroom, one-bath home is approximately 1,220± square feet and features a nice-sized living room and fireplace with a wood-burning stove insert, plus a full, unfinished basement. Furnishings in the guest house may be purchased separately.



Manager's House



Manager's House



Manager's House



Manager's House



Manager's House

IMPROVEMENTS

GUEST CABIN

The charming two-bedroom, one-bath guest cabin, completed by the current owner in 2010, features a large deck and panoramic views from the crest of a hill. Furnishings in the guest cabin may be purchased separately.



Guest Cabin



Guest Cabin



Guest Cabin



Guest Cabin

IMPROVEMENTS

WELLS

The three houses and two barns are served by two domestic wells and water systems that produce high-quality water.

HORSE BARN

The historic 1,750± square foot wooden horse barn has metal roofing and is divided into a tack room and two separate areas for livestock, one with interlocking rubber flooring. Multiple sets of working corrals are adjacent to this barn.



UTILITIES

The current owner has been using ViaSat satellite internet, allowing them to conduct their business and Zoom meetings using a standard plan and DISH satellite TV. However, Starlink has recently become available at the ranch. Midstate Electric Cooperative provides electrical power to the ranch.



TRACTOR BARN | WORKSHOP

Across from the horse barn is a second 1,750± square foot building that houses an additional workshop with a concrete floor and wood-burning stove, a tractor garage with a gravel floor, and room for two tractors and ancillary equipment. The sales price includes two large above-ground gas/diesel tanks behind the tractor barn.



HAY BARN

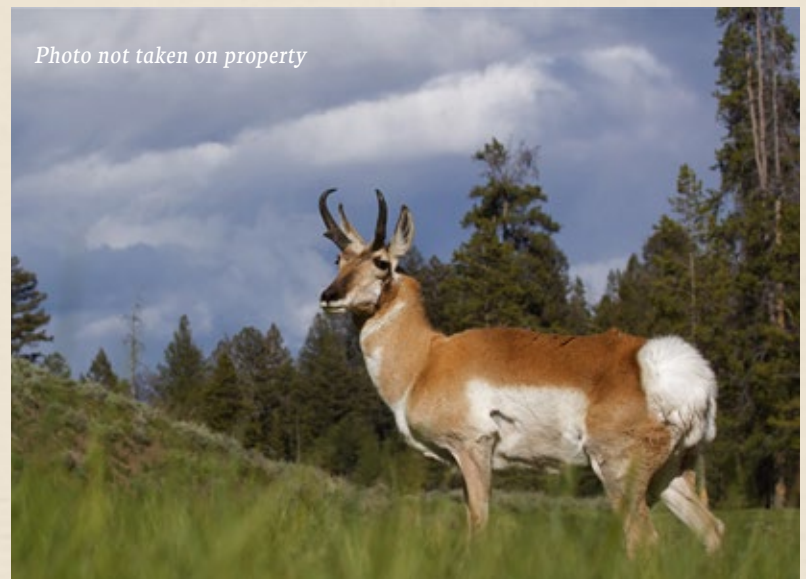
The 5,600± square foot covered pole hay barn can store up to 100 tons of round baled hay.

RECREATION

WILDLIFE & HUNTING

Pitcher Ranch is 25± miles from the Summer Lake Wildlife Refuge, an important stop for waterfowl migrating along the Pacific Flyway and a habitat for shorebirds. The Klamath National Wildlife Refuge is just 38± miles southwest of the property. The ranch provides spectacular wildlife viewing. It hosts a large variety of songbirds, waterfowl, hawks, owls, and eagles, as well as all the species of mammals indigenous to the area including pronghorn antelope, mule deer, and Rocky Mountain Elk.

It is within Oregon Fish & Wildlife Department's (ODFW) Silver Lake Unit No. 76 and should qualify for four Landowner Preference (LOP) tags. However, there are management variations, as determined, from time to time, by the ODFW. A prospective purchaser should do their due diligence regarding available hunts, current regulations, and the number of LOP tags available.



OTHER RECREATION

Pitcher Ranch and its proximity to thousands of acres of adjoining federal lands provide seemingly limitless opportunities for the outdoor enthusiast. Multiple roads and trails on and around the ranch offer excellent opportunities for hiking, horseback riding, mountain biking, snowmobiling, and ATV uses. Excellent downhill skiing opportunities are available at Mount Bachelor, approximately 67 miles northwest of Silver Lake.

Photo not taken on property



FISHING

As it flows through Pitcher Ranch, Buck Creek affords recreational fishing opportunities, as it is home to redband rainbow trout and brook trout. Just 20± south, Thompson Reservoir is stocked annually with rainbow trout, is also a largemouth bass fishery, and is popular amongst bird watchers. Especially popular with fly fishermen, the world-renowned Williamson River sustains resident populations of redband rainbow and brown trout. The river heads on the north side of Fuego Mountain, meanders north, and passes through the Klamath National Wildlife Refuge, about 38± south of the ranch, before heading west and then south toward its destination of Klamath Lake, near Chiloquin, Oregon, about 66 miles southwest of the ranch. The upper reaches sustain resident populations of redband rainbow and brown trout. The river's lower reaches are known for their especially large native redband rainbow trout that migrate up out of Klamath Lake to spawn, often reaching 20 inches or better in their third year. For those who enjoy fishing from a boat, the large native redband rainbow trout and largemouth bass can be caught in Klamath Lake.

NEARBY ATTRACTIONS & ACTIVITIES

The town of Silver Lake has a motel, RV park, convenience store, fuel station, mercantile, and a bar/restaurant, as well as a US Post Office. North Lake School in Silver Lake serves approximately 260 students from the towns of Silver Lake, Christmas Valley, and Fort Rock and consists of a single K-12 school building, which opened in 1991. The renowned Cowboy Dinner Tree is just 7± south of Silver Lake and is known for its ranch cooking, generous portions, and friendly atmosphere. Hours are limited, and reservations are required. Four onsite cabins are available for reservation.

Located just 44± miles from Silver Lake, Summer Lake Hot Springs Resort offers, for overnight stays, quaint and rustic cabins, three outdoor soaking tubs, and an indoor pool. Just under an hour from Silver Lake, the annual 4th of July La Pine Rodeo is popular amongst cowboys and visitors alike. Visitors and local cowboys gather the last full weekend in July annually for the Mosquito Festival and Ranch Rodeo held in nearby Paisley, just 49± miles from Silver Lake. The annual Lake County Roundup rodeo is held every Labor Day weekend, in conjunction with the Lake County Fair, at Lakeview, just 1 hour and 42 minutes from Silver Lake. For the Wildlife enthusiast, just 25± miles from Silver Lake, visit the Summer Lake Wildlife Refuge, an important stop for waterfowl migrating along the Pacific Flyway and a habitat for shorebirds. The Klamath National Wildlife Refuge is just 38± miles southwest of the ranch. World-renowned Crater Lake National Park is just about 1 hour and 40-minutes, or 98± miles southwest of the ranch.

Sparsely populated but seeing an increase as Bend grows, the area is ideal for those interested in the outdoors; hunting, fishing, hiking, camping, skiing, and bird watching are favorite activities of residents. Wildlife is abundant in the area, including mule deer, pronghorn antelope, Rocky Mountain elk, coyotes, badgers, eagles, and hawks. You will never run out of interesting things to see and to do!

Bend, Oregon



AREA HISTORY

Silver Lake is a small ranching and farming community located in the high desert region of Central Oregon in North Lake County and is sited along Highway 31. The town, founded in 1862, was named after the lake located about 6 miles east of town. Lake County was established on October 24, 1874, created from the southern part of Wasco County and the eastern part of Jackson County. Traditionally, the economy has centered around lumber, agriculture, and government. Increasingly, tourism is a growing industry.

The earliest known human occupants of the Pitcher Ranch were members of the Northern Paiute Indian tribe. Pictographs and other bits of evidence of their presence still exist on the ranch. The Freeman family first homesteaded the ranch in the late 1800s. The picturesque remains of the original Freeman home and barn still stand on the south side of Buck Creek near the entrance to the western gorge. The Howard family homesteaded another section of the ranch in the early 1900s. The Pitcher family added the Freeman and Howard ranches to their other large cattle ranch holdings in the 1950s and moved their headquarters to the current 2,916.09± contiguous acres, which now comprise “The Pitcher Ranch.”





INCOME OPPORTUNITY

Pitcher Ranch allows a purchaser to continue deriving revenues from producing quality meadow hay favored by horse owners far and wide. Additionally, the uplands, meadows, and the BLM grazing permit allow the owner to secure income from livestock grazing. Depending upon owner preference in ranch occupation, income can be derived from year-round or vacation rental of one or more of the ranch's three dwellings. If this is desired, a prospective purchaser should check with Lake County Planning Department for any possible regulations regarding vacation rental activity.



WATER SOURCES | WATER RIGHTS

Under Oregon law, all water is publicly owned. With some exceptions, cities, farmers, factory owners, and other users must obtain a permit or water right from the Water Resources Department to use water from any source, whether it is underground or from lakes or streams. Landowners with water flowing past, thru, or under their property do not automatically have the right to use that water without a permit from the Department. The waters of Oregon are administered by the State of Oregon, under a “prior-appropriation” doctrine; first in time, first in right. Pitcher Ranch has 128.6± acres of irrigation water rights from Buck Creek, as evidenced by State of Oregon Certificate of Water Right No. 8570, which has a year 1906 priority, and No. 8563, which has a year 1886 priority.



MINERAL RIGHTS

All mineral rights appurtenant to the property and owned by the Seller will convey to the Buyer at closing. Mineral rights are not guaranteed. It is suggested that the Buyer conduct a mineral search with a title company.

CONSERVATION | STEWARDSHIP

Each of us at Fay Ranches loves the land and wants to see it remain as productive agricultural ground as well as quality fish and wildlife habitat. Through promoting the use of thoughtful land stewardship, Fay Ranches has guided owners toward a legacy of conserving wide-open spaces, enhancing and creating fisheries and wildlife habitats, and implementing sustainable agricultural operations. Fay Ranches is proud to say that since our company began in 1992, our clients' conservation ethic and land-use practices have significantly enhanced the landscape on which we work.

The current owner's focus on sustainable stewardship has increased the productivity of the perennial grasslands, providing excellent habitat for wildlife. It is home to virtually all the indigenous species of plants and animals found in this region, including marmots, beavers, bobcats, coyotes, numerous Corvidae, mountain bluebirds, saw-whet and pygmy owls, ducks, and geese, sandhill cranes, prairie falcons, mule deer, pronghorn antelope, and Rocky Mountain elk.

The ranch is enrolled in Oregon's Wildlife Habitat Conservation Management Program (WHCMP), which offers a property tax incentive to private landowners who want to provide valuable wildlife habitat on their properties while still allowing farming, growing timber, or other land uses. Under the WHCMP, land subject to an approved wildlife habitat conservation and management plan receives a wildlife habitat special assessment, where property taxes are assessed at the relatively low value that would apply if the land were being farmed or used for commercial forestry.

We are unaware of any Conservation Easements that encumber Pitcher Ranch and believe, should a prospective purchaser desire, that Pitcher Ranch has good potential for the placement of a Conservation Easement.



SUMMARY

Pitcher Ranch affords a prospective purchaser the rare opportunity to enjoy a beautiful ranch that is rich in history and offers quiet solitude and privacy amongst a plethora of varied landscapes and wildlife yet affords an elegant home for the owner and comfortable accommodations for their family and guests. The outdoor enthusiast's pursuits will only be limited by their imagination. Unusual in all of this, the ranch is easily accessible and under 1.5 hours from Bend, Oregon!





PRICE

\$4,420,000

TERMS

Cash, Conventional Financing, 1031 Tax Exchange

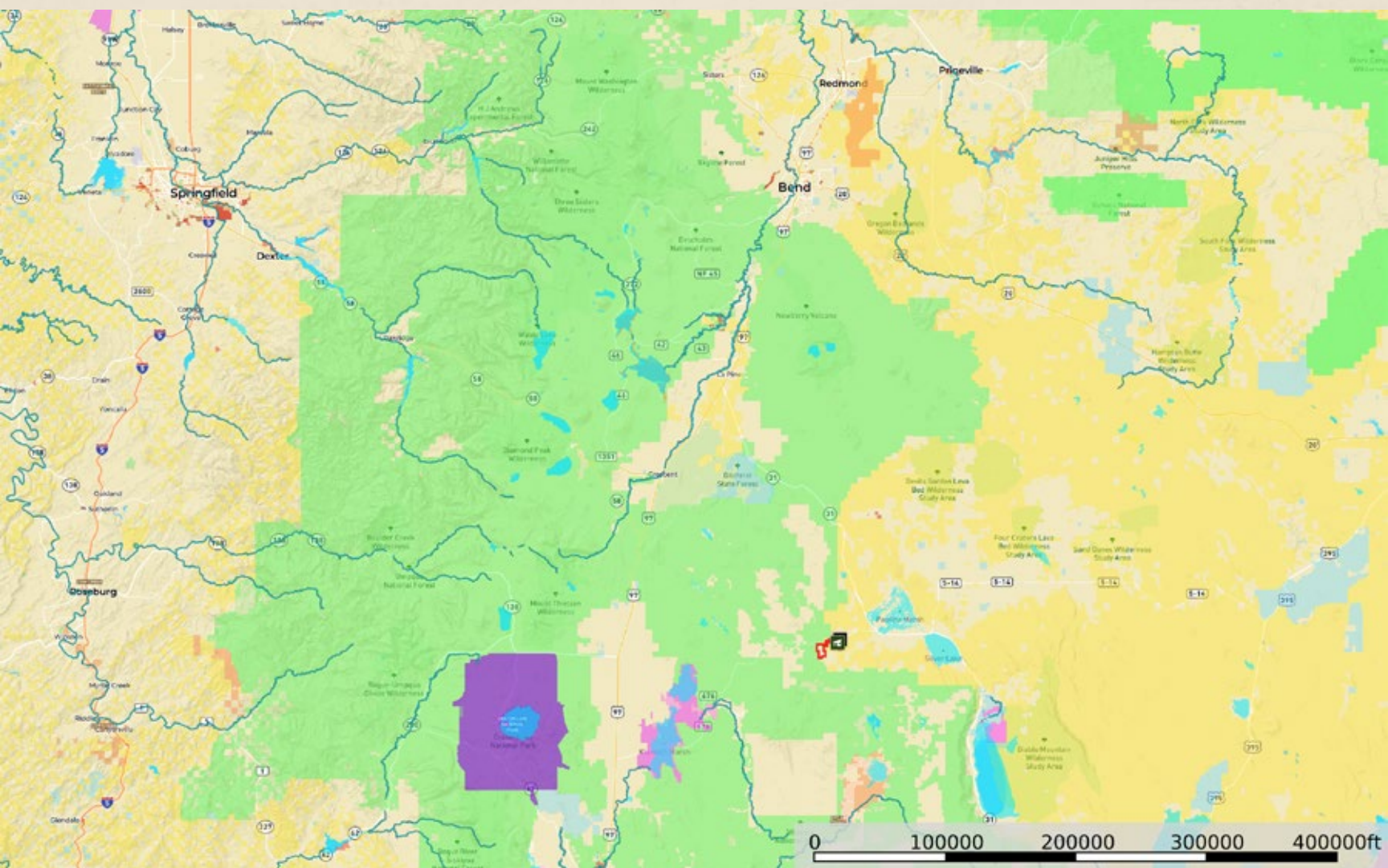
CONTACT

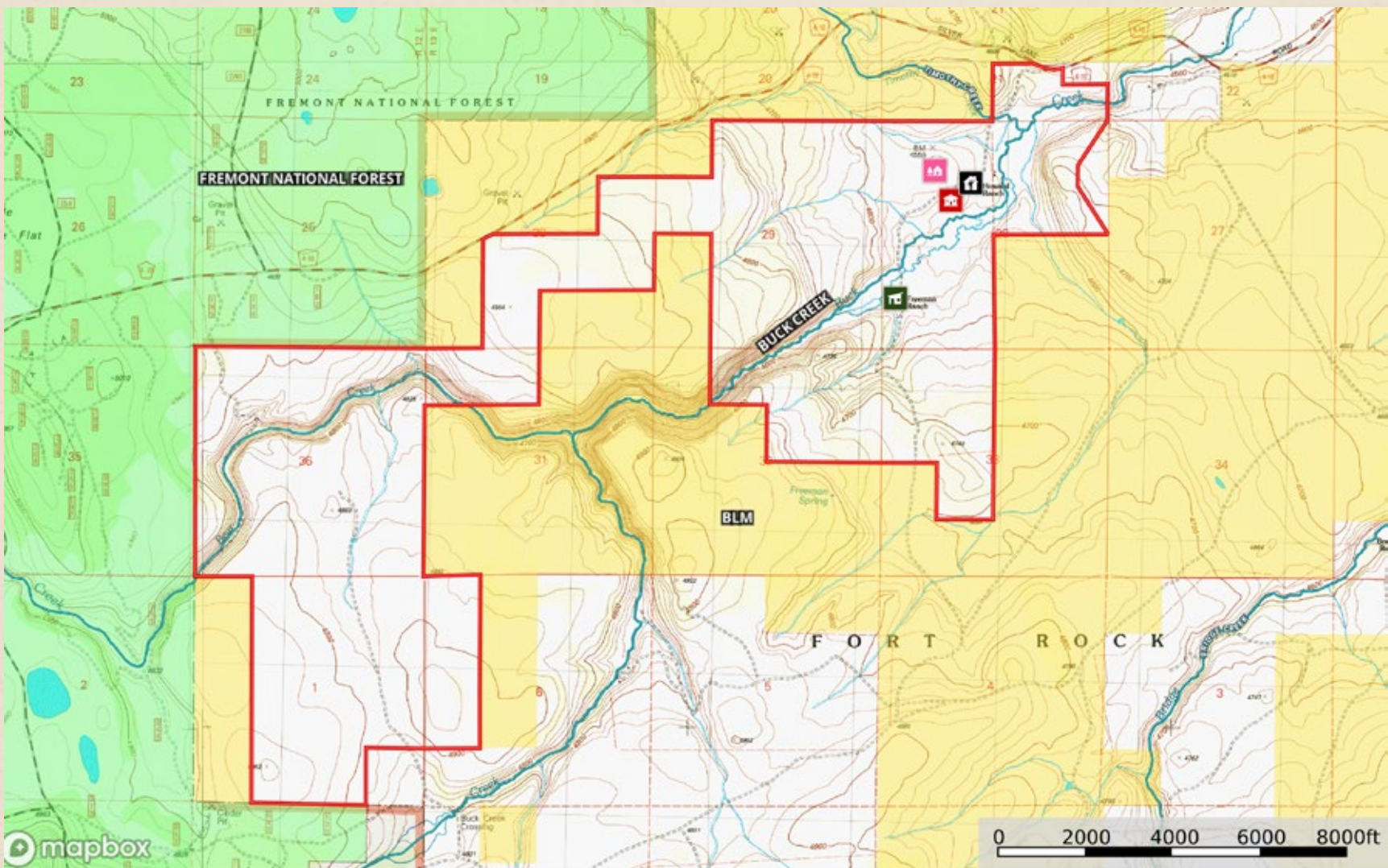
Please contact **Alex Robertson at (541) 420-2394 | arobertson@fayranches.com** or **Scott Hawes at (541) 419-0770 | shawes@fayranches.com** to schedule a showing. This is an exclusive listing. An agent from Fay Ranches must be present at all showings, unless otherwise noted or other arrangements are made. To view other properties, fly fishing properties, and sporting ranches that we have listed, please visit our web page at www.fayranches.com.

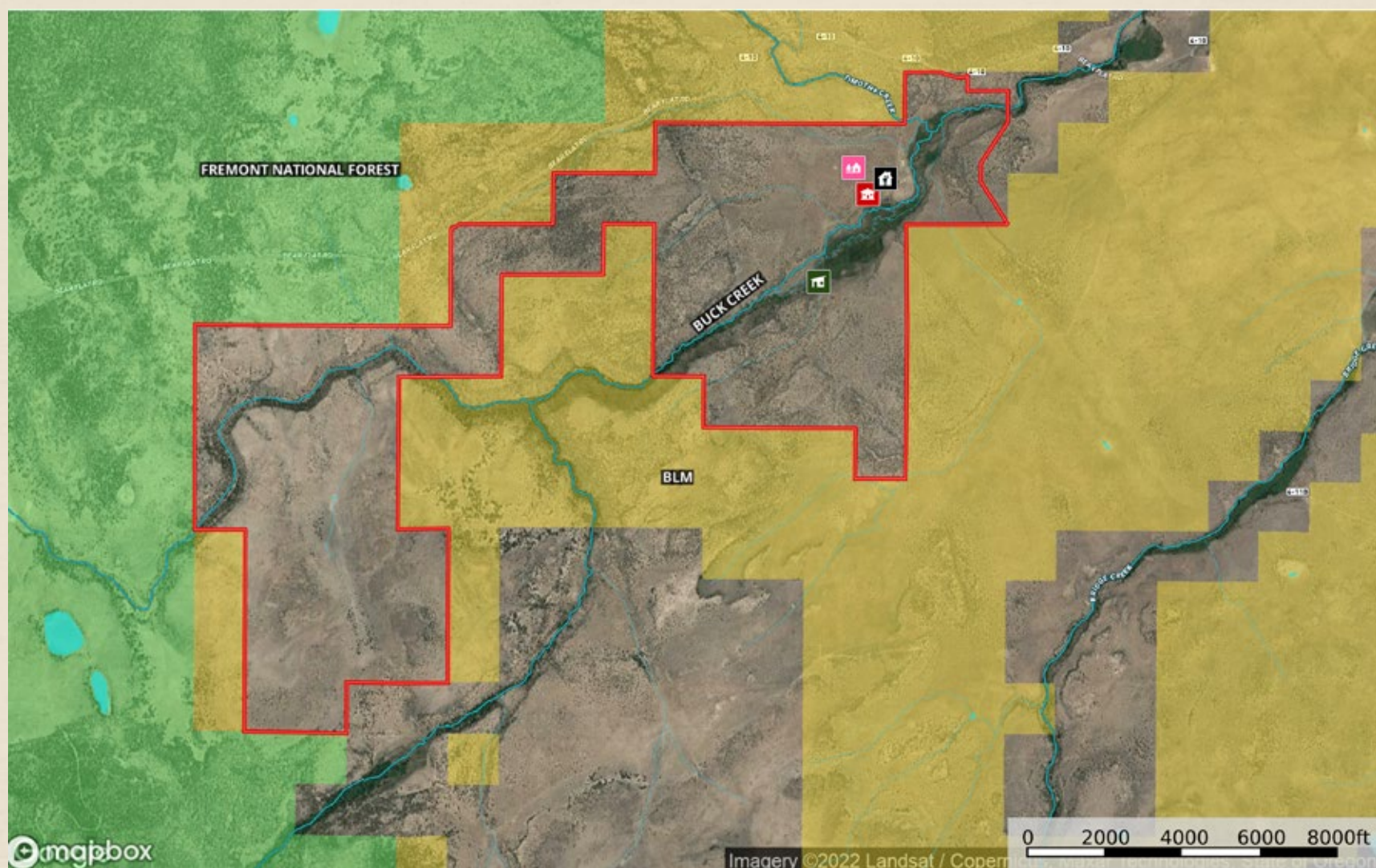
NOTICE

Offer is subject to errors, omissions, prior sale, change or withdrawal without notice, and approval of purchase by owner. Information regarding land classification, carrying capacities, maps, etc., is intended only as a general guideline and has been provided by the owners and other sources deemed reliable, but the accuracy cannot be guaranteed. Prospective purchasers are encouraged to research the information to their own satisfaction.











**OREGON REAL ESTATE AGENCY
INITIAL AGENCY DISCLOSURE PAMPHLET
OAR 863-015-215 (4)**

This pamphlet describes the legal obligations of real estate agents in Oregon. Real estate agents and Principal Brokers are required to provide this information to you when they first meet you.

This pamphlet is informational only. Neither the pamphlet nor its delivery to you may be interpreted as evidence of intent to create an agency relationship between you and an agent or a Principal Broker.

Real Estate Agency Relationships

An "agency" relationship is a voluntary legal relationship in which a licensed real estate agent or Principal Broker, agrees to act on behalf of a buyer or a seller (the "client") in a real estate transaction.

Oregon law provides for three types of agency relationships between real estate agents and their clients:

Seller's Agent - Represents the seller only;

Buyer's Agent - Represents the buyer only;

Disclosed Limited Agent - Represents both the buyer and seller, or multiple buyers who want to purchase the same property. This can be done only with the written permission of all clients.

The actual agency relationships between the seller, buyer and their agents in a real estate transaction must be acknowledged at the time an offer to purchase is made. Please read this pamphlet carefully before entering into an agency relationship with a real estate agent.

Definition of "Confidential Information"

Generally, agents must maintain confidential information about their clients. "Confidential information" is information communicated to the agent or the agent's Principal Broker by the buyer or seller of one to four residential units regarding the real property transaction, including but not limited to price, terms, financial qualifications or motivation to buy or sell. "Confidential information" does not mean information that:

- a. The buyer instructs the agent or the agent's Principal Broker to disclose about the buyer to the seller, or the seller instructs the agent or the agent's Principal Broker to disclose about the seller to the buyer; and
- b. The agent or the agent's Principal Broker knows or should know failure to disclose would constitute fraudulent representation.

Duties and Responsibilities of Seller's Agent

Under a written listing agreement to sell property, an agent represents only the seller unless the seller agrees in writing to allow the agent to also represent the buyer. An agent who represents only the seller owes the following affirmative duties to the seller, the other parties and the other parties' agents involved in a real estate transaction:

1. To deal honestly and in good faith;
2. To present all written offers, notices and other communications to and from the parties in a timely manner without regard to whether the property is subject to a contract for sale or the buyer is already a party to a contract to purchase; and
3. To disclose material facts known by the agent and not apparent or readily ascertainable to a party;

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LINES WITH THIS SYMBOL ← REQUIRE A SIGNATURE OF BUYER AND/OR SELLER AND DATE

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OREF 042 | Page 1 of 3

A Seller's Agent owes the seller the following affirmative duties;

1. To exercise reasonable care and diligence;
2. To account in a timely manner for money and property received from or on behalf of the seller;
3. To be loyal to the seller by not taking action that is adverse or detrimental to the seller's interest in a transaction;
4. To disclose in a timely manner to the seller any conflict of interest, existing or contemplated;
5. To advise the seller to seek expert advice on matters related to the transactions that are beyond the agent's expertise;
6. To maintain confidential information from or about the seller except under subpoena or court order, even after termination of the agency relationship; and
7. Unless agreed otherwise in writing, to make a continuous, good faith effort to find a buyer for the property, except that a Seller's Agent is not required to seek additional offers to purchase the property while the property is subject to a contract for sale.

None of the above affirmative duties of an agent may be waived, except #7. The affirmative duty listed in #7 can only be waived by written agreement between seller and agent.

Under Oregon law, a Seller's Agent may show properties owned by another seller to a prospective buyer and may list competing properties for sale without breaching any affirmative duty to the seller.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise, including but not limited to investigation of the condition of property, the legal status of the title or the seller's past conformance with law.

In order to help a seller avoid selecting a buyer based on the buyer's race, color, religion, sex, sexual orientation, national origin, marital status or familial status as prohibited by the Fair Housing Act (42 U.S.C. 3601 et seq.), a seller's agent shall reject any communication other than customary documents in a real estate transaction, including photographs, provided by a buyer.

Duties and Responsibilities of Buyer's Agent

An agent, other than the Seller's Agent, may agree to act as the Buyer's Agent only. The Buyer's Agent is not representing the seller, even if the Buyer's Agent is receiving compensation for services rendered, either in full or in part, from the seller or through the Seller's Agent.

An agent who represents only the buyer owes the following affirmative duties to the buyer, the other parties and the other parties' agents involved in a real estate transaction:

1. To deal honestly and in good faith;
2. To present all written offers, notices and other communications to and from the parties in a timely manner without regard to whether the property is subject to a contract for sale or the buyer is already a party to a contract to purchase; and
3. To disclose material facts known by the agent and not apparent or readily ascertainable to a party.

A Buyer's Agent owes the buyer the following affirmative duties:

1. To exercise reasonable care and diligence;
2. To account in a timely manner for money and property received from or on behalf of the buyer;
3. To be loyal to the buyer by not taking action that is adverse or detrimental to the buyer's interest in a transaction;
4. To disclose in a timely manner to the buyer any conflict of interest, existing or contemplated;
5. To advise the buyer to seek expert advice on matters related to the transaction that are beyond the agent's expertise;
6. To maintain confidential information from or about the buyer except under subpoena or court order, even after termination of the agency relationship; and

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OREF 042 | Page 2 of 3



7. Unless agreed otherwise in writing, to make a continuous, good faith effort to find property for the buyer, except that a buyer's agent is not required to seek additional properties for the buyer while the buyer is subject to a contract for purchase.

None of these affirmative duties of an agent may be waived, except #7. The affirmative duty listed in #7 can only be waived by written agreement between buyer and agent.

Under Oregon law, a Buyer's Agent may show properties in which the buyer is interested to other prospective buyers without breaching an affirmative duty to the buyer.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise, including but not limited to investigation of the condition of property, the legal status of the title or the seller's past conformance with law.

Duties and Responsibilities of an Agent Who Represents More than One Client in a Transaction

One agent may represent both the seller and the buyer in the same transaction, or multiple buyers who want to purchase the same property, only under a written "Disclosed Limited Agency Agreement" signed by the seller and buyer(s).

Disclosed Limited Agents have the following duties to their clients:

1. To the seller, the duties listed above for a seller's agent; and
2. To the buyer, the duties listed above for a buyer's agent;
3. To both buyer and seller, except with express written permission of the respective person, the duty not to disclose to the other person:
 - a. That the seller will accept a price lower or terms less favorable than the listing price or terms;
 - b. That the buyer will pay a price greater or terms more favorable than the offering price or terms; or
 - c. Confidential information as defined above.

Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise.

When different agents associated with the same Principal Broker (a real estate agent who supervises other agents) establish agency relationships with different parties to the same transaction, only the Principal Broker will act as a Disclosed Limited Agent for both buyer and seller. The other agents continue to represent only the party with whom the agents have already established an agency relationship unless all parties agree otherwise in writing. The Principal Broker and the real estate agents representing either seller or buyer shall owe the following duties to the seller and buyer:

1. To disclose a conflict of interest in writing to all parties;
2. To take no action that is adverse or detrimental to either party's interest in the transaction; and
3. To obey the lawful instruction of both parties.

No matter whom they represent, an agent must disclose information the agent knows or should know that failure to disclose would constitute fraudulent misrepresentation.

You are encouraged to discuss the above information with the agent delivering this pamphlet to you. If you intend for that agent, or any other Oregon real estate agent, to represent you as a Seller's Agent, Buyer's Agent, or Disclosed Limited Agent, you should have a specific discussion with the agent about the nature and scope of the agency relationship. Whether you are a buyer or seller, you cannot make an agent your agent without the agent's knowledge and consent, and an agent cannot make you their client without your knowledge and consent.

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