



THIS SPACE RESERVED FOR RECORDER'S USE

Vol M00 Page 27038

After recording return to:

Mark Gauthier

P.O. Box 1441

Paradise, CA 95967

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

Mark Gauthier

P.O. Box 1441

Paradise, CA 95967

Escrow No. K54402B

Title No. K54402B

### STATUTORY WARRANTY DEED

BRADLEY VAN DIEST and GERALDINE VAN DIEST, husband and wife, Grantor, conveys and warrants to Mark Gauthier and Ella Gauthier, husband and wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lots 21 and 26 in Block 43 of KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

This property is free of liens and encumbrances, EXCEPT: Reservations and restrictions of record, rights of way, and easements of record and those apparent upon the land, contracts and/or liens for irrigation and/or drainage.

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 true consideration for this conveyance is \$10.00 (Here comply with the requirements of ORS 93.030)

Dated this 23<sup>rd</sup> day of February, 2000.

Bradley Van Diest  
BRADLEY VAN DIEST

\_\_\_\_\_  
GERALDINE VAN DIEST

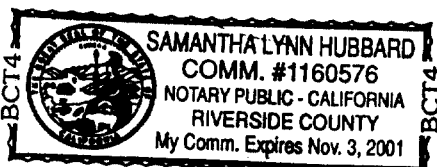
California

STATE OF OREGON

County of Riverside

} ss.

This instrument was acknowledged before me on this 23<sup>rd</sup> day of February, 2000  
by Bradley Van Diest



Samantha Lynn Hubbard  
Notary Public for Oregon

My commission expires: Nov. 3, 2001

Riverside, California

K-46-



27040

1 ATTACHMENT TO JUDGMENT  
2 MARRIAGE OF VAN DIEST  
3 CASE NO. 156229

4 IT IS FURTHER ORDERED, pursuant to the Stipulation of the  
5 parties that both parties knowingly and intelligently waives  
6 SPOUSAL SUPPORT from the other.

7 IT IS FURTHER ORDERED, pursuant to the Stipulation of the  
8 parties that the division of COMMUNITY PROPERTY is as follows:

9 The petitioner shall be awarded as her sole and separate  
10 property:

- 11 a. Furniture, furnishings and appliances in her possession;
- 12 b. Clothing and jewelry in her possession;
- 13 c. 1992 Nissan Maxima, clear of encumbrances;
- 14 d. 1993 Sea Doo;
- 15 e. ATC 250 SX;
- 16 f. Any and all bank accounts in petitioner's name alone;
- 17 g. Petitioner's PERS account;
- 18 h. Petitioner's North Life Insurance Company Annuity;

19 The Respondent shall be awarded as his sole and separate  
20 property:

- 21 a. Family Residence located at 11617 Geyser Drive, Mira  
22 Loma, California and any encumbrance thereon;
- 23 b. Undeveloped real property, lots number 21 & 26 in Klamoth  
24 Falls, Oregon;
- 25 c. House and lot commonly known as 15511 Orizaba Avenue  
26 Paramount, California (respondent's one-half interest);
- 27 d. Furniture, furnishings and appliances in his possession;
- 28 e. Clothing and jewelry in petitioner's possession;

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- 1 f. 1993 Chevrolet pickup truck;
- 2 g. 1994 Sea Doo and trailer;
- 3 h. 1995 ATC 250 R;
- 4 i. Bank Accounts in his name (or with his son Bradley);
- 5 j. Miscellaneous hand power tools;
- 6 k. 1994 Fleetwood Mobile Home and any encumbrances thereon;

7 IT IS FURTHER ORDERED, pursuant to Stipulation of the parties  
8 that the division of COMMUNITY OBLIGATIONS is as follows:

9 The petitioner shall pay the following community obligations  
10 and hold the Respondent free and harmless therefrom:

- 11 1. BankAmerica Master Card;
- 12 2. Chase Visa;
- 13 3. Mervyn's Account;
- 14 4. Sears Charge Account;
- 15 5. J.C. Penney Account;
- 16 6. Chevron Gasoline Credit Card;
- 17 7. Nordstrom Department Store;

18 The Respondent shall pay the following community obligations  
19 and hold Petitioner free and harmless therefrom:

- 20 1. Chemical bank (mobile home);
- 21 2. Optima Credit Card;
- 22 3. GM Credit Card;
- 23 4. Colonial Bank Card;
- 24 5. Bank of NY (DE);
- 25 6. Discover Credit Card;
- 26 7. All medical and dental bills incurred prior to  
27 separation;

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1 8. H.R.S. (Sea-Dee);

2 9. Riverside National Bank (house on Geyser);

3 10. GMAC (Chevrolet pick up);

4 11. All obligations related to the River Mobile Home (ex: the  
5 rental space, utilities);

6 IT IS FURTHER AGREED, pursuant to the Stipulation of the  
7 parties that ATTORNEY'S FEES, LITIGATION EXPENSES AND COURT COSTS  
8 will be paid as follows:

9 The respondent shall pay directly to Ann-Marie Fritz, Attorney  
10 at Law, as attorney's fees, expense of litigation and court costs  
11 the sum of \$2,000.00 payable on or before September 15, 1995.

12 IT IS FURTHER AGREED, pursuant to the Stipulation that the  
13 following MISCELLANEOUS ORDERS are agreed as follows:

14 a. Each of the parties shall execute forthwith all of the  
15 documents necessary to carry out the terms of this agreement.

16 b. Counsel for the petitioner shall prepare Judgment of  
17 Dissolution and submit same to opposing counsel for approval as to  
18 form and content before presenting same to court for signature.

19 c. Parties waive Findings of Fact, Conclusions of Law, and  
20 any right to appeal.

21 d. The 1990 Toyota pickup, California license plate number  
22 4G49840 shall be gifted to the parties' adult son, BRADLEY BRIAN  
23 VAN DIEST.

24 e. The community property interest of the parties in  
25 respondent's pension with the Operating Engineer's Union shall be  
26 divided equally pursuant to a qualified domestic relations order.  
27 For the purpose of calculating the community property interest, the

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1 parties' date of marriage is found to be October 9, 1971, and the  
2 parties date of separation is found to be June 1, 1995.

3 f. Both parties are awarded one-half of the balance  
4 remaining at the date of separation to be paid by Mark & Ella  
5 Gauthier on their personal note regarding the sale of the back-hoe  
6 and truck. Respondent represents that he had already divided with  
7 petitioner, all past separation payments.

8 g. In order to create a substantially equal division of the  
9 community property, respondent is ordered to pay petitioner the sum  
10 of \$30,000.00 on or before September 15, 1995.

11 h. Both parties will be responsible for each and every  
12 obligation incurred by them, respectively, after their date of  
13 separation on June 1, 1995.

14 i. Both parties are enjoined and restrained from incurring  
15 charges against the other's credit.

16 APPROVED AS TO FORM AND CONTENT

17 DATED: 8-21-95

Geri VanDiest  
GERALDINE VAN DIEST  
PETITIONER

19 DATED: 8-30-95

Bradley VanDiest  
BRADLEY VAN DIEST  
RESPONDENT

21 DATED: 9-1-95

Ann-Marie Fritz  
ANN-MARIE FRITZ  
ATTORNEY FOR PETITIONER

23 DATED: Aug. 30, 1995

William M. Bush  
WILLIAM M. BUSH  
ATTORNEY FOR RESPONDENT

25 IT IS SO ORDERED

26 DATED: SEP 26 1995

BECKY L. DUGAN

JUDGE OF THE SUPERIOR COURT

28 STIPULATION-PAGE 4

State of Oregon, County of Klamath  
Recorded 07/24/00, at 3:18 p. m.  
In Vol. M00 Page 27038  
Linda Smith,  
County Clerk Fee\$ 46<sup>00</sup>

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