

ES

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Herbert F. Gabriel, et al

1023 Leonard Avenue

Oceanside, CA 92054

Grantor's Name and Address

Edward E. Colson, IV, et al

828 Prospect Street, Suite E

La Jolla, CA 92037

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

Edward E. Colson, IV

828 Prospect Street, Suite E

La Jolla, CA 92037

Until requested otherwise, send all tax statements to (Name, Address, Zip):

Edward E. Colson, IV

828 Prospect Street

La Jolla, CA 92037

2006-020290

Klamath County, Oregon



00005833200600202900060063

SPACE RESER

10/09/2006 03:09:53 PM

Fee: \$46.00

RE(

## WARRANTY DEED

KNOW ALL BY THESE PRESENTS that (SEE EXHIBIT "B" FOR GRANTORS)

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by (SEE EXHIBIT "C" FOR GRANTEES)

hereinafter called grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

Lots 2, 3, 4, 5, 17 and 18, of the Re-Subdivision of Lot 803, Enterprise Tracts, in the City of Klamath Falls, Oregon, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE, MADE A PART HEREOF.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state): those set out in the Preliminary Title Report issued by AmeriTitle, Order Number 0076660 and those apparent on the land.

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$750,000.00. ① However, the actual consideration consists of or includes other property or value given or promised which is ☐ the whole ☐ part of the (indicate which) consideration. ① (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In witness whereof, the grantor has executed this instrument on \_\_\_\_\_; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DENIED IN ORS 30.020 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

(SEE EXHIBIT "B" FOR SIGNATURES OF GRANTORS)

STATE OF OREGON, County of \_\_\_\_\_ ss.

This instrument was acknowledged before me on \_\_\_\_\_, by \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, by \_\_\_\_\_

as \_\_\_\_\_

of \_\_\_\_\_

Notary Public for Oregon

My commission expires \_\_\_\_\_

440

**EXHIBIT "A"**

Lots 2, 3, 4, 5, 17 and 18, of the Re-Subdivision of Lot 803, Enterprise Tracts, in the City of Klamath Falls, Oregon, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon, SAVING AND EXCEPTING those portions deeded to the State of Oregon by and through its State Highway Commission by Deed recorded September 18, 1943 in Volume 158 on Page 407, by Deed recorded May 1, 1942 in Deed Volume 147 on Page 104, and by Deed recorded December 24, 1943 in Deed Volume 161 on Page 42, Deed Records of Klamath County, Oregon.

Tax Account Nos.  
3909 004AA 04200  
3909 004AA 04400

**EXHIBIT "B"**

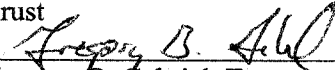
**GRANTORS for WARRANTY DEED for Tax Account Nos. 3909 004AA 04200 and 3909 004AA 04400:**

Herbert F. Gabriel, Trustee of Herbert F. Gabriel Trust  
Gregory B. Gabriel, Trustee of the Douglas H. Gabriel Restrictive Trust  
Gregory B. Gabriel, Trustee of the Gregory B. Gabriel Trust

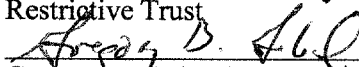
**SIGNATURES OF GRANTORS for WARRANTY DEED for Tax Account Nos. 3909 004AA 04200 and 3909 004AA 04400:**



Herbert F. Gabriel, Trustee of the Herbert F. Gabriel Trust



Gregory B. Gabriel, Trustee of the Douglas H. Gabriel Restrictive Trust



Gregory B. Gabriel, Trustee of the Gregory B. Gabriel Trust

**EXHIBIT "C"**

**GRANTEES for WARRANTY DEED for Tax Account Nos. 3909 004AA 04200 and 3909 004AA 04400:**

Edward E. Colson, III, Trustee of The Edward E. Colson, III Trust Agreement dated 01/12/95, as to an undivided 19% interest; Karen Jeanne Colson, a married woman, as her sole and separate property, as to an undivided 11.5% interest; Dennis R. Sciotto and Carol Ann Sciotto, Trustees of The Dennis R. Sciotto and Carol Ann Sciotto Community Property Trust Agreement dated 01/09/02, as to an undivided 23% interest; Greg R. Velasquez and Cynthia L. Velasquez, Trustees of the C & G Velasquez Family Trust dated 10/19/05, as to an undivided 29% interest; Dennis R. Sciotto, Trustee of The Dennis R. Sciotto Family Trust Agreement dated 12/19/94, as to an undivided 7.5% interest; Edward E. Colson, IV, a single man, as to an undivided 5% interest; and Dennis J. Sciotto and Cynthia Sciotto, husband and wife, as to an undivided 5% interest; as tenants in common

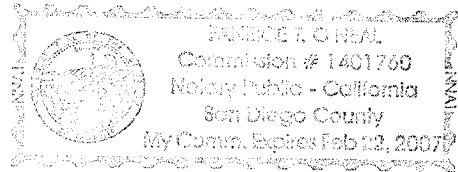
State of California       )  
County of San Diego    )

On 9-26-06, before me, Faneice T. O'Neal, Notary Public,  
a Notary Public, personally appeared Herbert F. Gabriel

personally known to me, or proven to me on the basis of satisfactory evidence, to be the person~~(s)~~  
whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that  
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~  
signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~  
acted, executed the instrument.

WITNESS my hand and official seal.

Faneice T. O'Neal



**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

State of California

County of

San Mateo

} ss.

☒ See Attached Document (Notary to cross out lines 1-6 below)

☐ See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me on this

21 day of September, 2006, by  
Date Month Year

(1) Gregory B. Gabriel,  
Name of Signer

☐ Personally known to me

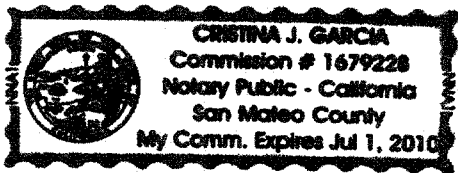
☒ Proved to me on the basis of satisfactory evidence  
to be the person who appeared before me (.) (.)

(and

(2) \_\_\_\_\_,  
Name of Signer

☐ Personally known to me

☐ Proved to me on the basis of satisfactory evidence  
to be the person who appeared before me.)



Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove  
valuable to persons relying on the document and could prevent  
fraudulent removal and reattachment of this form to another document.*

**Further Description of Any Attached Document**

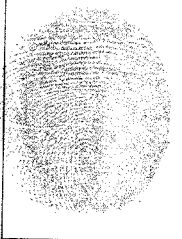
Title or Type of Document: Warranty Deed Ex. "B"

Document Date: 9/21/06 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**RIGHT THUMBPRINT  
OF SIGNER #1**

Top of thumb here



**RIGHT THUMBPRINT  
OF SIGNER #2**

Top of thumb here

