



THIS SPACE RESEF

2006-020480

Klamath County, Oregon



00006049200600204800030038

10/11/2006 03:33:43 PM

Fee: \$31.00

After recording return to:
Capstone Development, LLC, an Oregon Limited
Liability Company
16799 Highway 66
Ashland, OR 97520

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

Capstone Development, LLC, an Oregon Limited
Liability Company
16799 Highway 66
Ashland, OR 97520

Escrow No. MT74971-KR
Title No. 0074971

SWD

MT74971 KR

STATUTORY WARRANTY DEED

Kenneth Scott Dugan as to Parcels 1 through 5, ~~George V. Dugan~~ ^{Marjorie H. Successor} Trustee under the Trust Agreement dated September 16, 1997 wherein George V. Dugan is Trustor and Marjorie H. Dugan, Trustee under the Trust Agreement dated September 16, 1997 wherein Marjorie H. Dugan is Trustor, each to an undivided 50% interest as to Parcels 6 and 7, Grantor(s) hereby convey and warrant to Capstone Development, LLC, an Oregon Limited Liability Company, Grantee(s) the following described real property in the County of **KLAMATH and State of Oregon free of encumbrances except as specifically set forth herein:**

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any: *Trust Deed dated April 24, 2002 and recorded on April 26, 2002 in Volume M02, page 24868, Microfilm Records of Klamath County, Oregon in favor of Marjorie H. Dugan, Trustee of the Restate Goerge V. Dugan Trust, as Beneficiary, which above named Grantee DOES NOT agree to assume nor pay and the above named Grantor hereby agrees to hold Grantee harmless therefrom.*

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 AND 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 197.352.

3/00

Dated this 11th day of October, 2006

Kenneth S. Dugan
Kenneth Scott Dugan

The Restated George V. Dugan Trust Agreement dated September 16, 1997

BY: Marjorie H. Dugan, Trustee
Marjorie H. Dugan, Trustee

The Restated Marjorie H. Dugan Trust dated September 16, 1997

BY: Marjorie H. Dugan, Trustee
Marjorie H. Dugan, Trustee

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on Oct. 11, 2006 by Kenneth Scott Dugan and Marjorie H. Dugan, Trustee of the Restated George V. Dugan Trust Agreement dated September 16, 1997 and the Restated Marjorie H. Dugan, Trust dated September 16, 1997.

Kristi L. Redd
(Notary Public for Oregon)
My commission expires 11/16/2007



EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

Lots 5 to 16 inclusive in Block 3 and Lots 4 to 11 inclusive in Block 4 of HOLLISTER ADDITION to the City of Klamath Falls, Klamath County, Oregon, and also the vacated alley through Block 4 of said HOLLISTER ADDITION; and

PARCEL 2

Also, that portion of vacated Willow Avenue lying between Block 3 and 4 of HOLLISTER ADDITION to the City of Klamath Falls, Klamath County, Oregon, and described as follows:

Beginning at the intersection of the Northwestern line of Willow Avenue with the Northeasterly line of Seventh Street; thence Northerly along the Northwestern line of Willow Avenue, a distance of 156 feet to the Northeasterly corner of Lot 16, Block 3, HOLLISTER ADDITION; thence, Southeasterly at right angles to Willow Avenue, a distance of 70.0 feet to the Northwestern corner of Lot 4, Block 4 of HOLLISTER ADDITION; thence Southwesterly along the Southeasterly line of Willow Avenue, a distance of 156 feet to the Northeasterly line of Seventh Street; thence, Northwesternly along the Northeasterly line of Seventh Street, a distance of 70.0 feet to the point of beginning.

PARCEL 3

Lots 17, 18, 19 and 20 in Block 3 of HOLLISTER ADDITION to 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, and also the Northwesternly 35 feet of vacated Willow Avenue adjacent to said Lots 17, 18, 19 and 20 Block 3 of HOLLISTER ADDITION to the City of Klamath Falls, Klamath County, Oregon.

PARCEL 4

The Southeasterly 35 feet of vacated Willow Avenue, adjacent to Lots 1, 2 and 3, Block 4, HOLLISTER ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 5

Lot 1 in Block 3 of HOLLISTER ADDITION to 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.

PARCEL 6

Lots 2, 3, and 4, Block 3, HOLLISTER ADDITION TO THE CITY OF KLAMATH FALL according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 7

Lots 1, 2, and 3, Block 4, HOLLISTER ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.