

# Special Warranty Deed

## AFTER RECORDING RETURN TO:

NARSAI M. DAVID, TRUSTEE OF THE NARSAI  
AND VENUS DAVID FAMILY TRUST U/A/D  
FEBRUARY 17, 1996 and COLUSA CIRCLE  
PROPERTIES, a California general partnership  
Attention: Narsai M. David  
2825 Webster Street  
Berkeley, California 94705

## TAX STATEMENTS TO:

NARSAI M. DAVID, TRUSTEE OF THE NARSAI  
AND VENUS DAVID FAMILY TRUST U/A/D  
FEBRUARY 17, 1996 and COLUSA CIRCLE  
PROPERTIES, a California general partnership  
Attention: Narsai M. David  
2825 Webster Street  
Berkeley, California 94705

**AND**

Aspen Dental Management, Inc.  
281 Sanders Creek Parkway  
East Syracuse, New York 13057  
Attn: Tax Department

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## SPECIAL WARRANTY DEED – Statutory Form

**PECO Klamath-Aspen, LLC, a Delaware limited liability company (“Grantor”)**

conveys and specially warrants to

**NARSAI M. DAVID, TRUSTEE OF THE NARSAI AND VENUS DAVID FAMILY TRUST U/A/D FEBRUARY 17, 1996 (“Trust”) and COLUSA CIRCLE PROPERTIES, a California general partnership (“Colusa”) as tenants in common with the Trust having a 55.91% undivided interest and Colusa having a 44.09% undivided interest (collectively, the “Grantee”)**

the following described real property free of encumbrances created or suffered by the Grantor except as specifically set forth herein:

All the certain real property situate in the County of Klamath, State of Oregon, being described as follows:

A portion of the of the Northwest Quarter of the Northwest Quarter of Section 3, Township 39 South, Range 9 East, Willamette Meridian, and being more particularly described as follows:

**BEGINNING** at a point on the West line of said Section 3, being hereinabove described, which lies South 00°05'55" West 826.80 feet from the Northwest corner of said Section, being the Westerly prolongation of the Northerly right of way line of South 6th Street (120 feet wide); thence leaving said Point of Beginning, along said Northerly right of way line, South 55°46'05" East 474.78 feet to a 5/8 inch iron pin being the Southwesterly corner of Parcel 2 shown on map entitled "Land Partition 24-14" recorded as Klamath County Survey 8116, being the **TRUE POINT OF BEGINNING** of this description; thence from said True Point of Beginning, North 34°13'55" East 175.00 feet to a 5/8 inch iron pin on the Southerly right of way line of Pershing Way (60 feet wide) shown on said map, also being the Northwest corner of said parcel; thence along said Southerly right of way line, North 55°46'05 West 135.37 feet to a 5/8 inch iron pin; thence leaving said Southerly right of way line South 34°42'03" West 175.01 feet to a 5/8 inch iron pin on the Northerly right of way line of South 6th Street (120 feet wide); thence along said Northerly right of way line South 55°46'05" East 136.80 feet to the said true point of beginning of this description, and containing 0.55 acres of land, more or less.

The basis of bearing for this description is the Bend-Klamath Falls Zone of the Oregon Coordinate Reference System (OCRS).

The property is free of encumbrances created or suffered by the Grantor, except those items set forth on Exhibit "A" attached hereto and made a part hereof.

***[Required by ORS 93.040]*** 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.

The true consideration for this conveyance \$1,905,000.00. (Here comply with requirements of ORS 93.030)

Dated this 30<sup>th</sup> day of March, 2016.

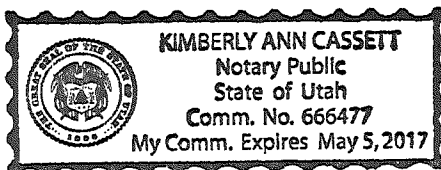
GRANTOR:

PECO Klamath-Aspen, LLC, a Delaware limited liability company

By: [Signature]  
Print Name: James P. Shipman  
Title: Vice President

STATE OF UTAH     )  
                              )ss.  
County of Summit    )

This instrument was acknowledged before me on this 30<sup>th</sup> day of March, 2016 by James P. Shipman as Vice President of PECO Klamath-Aspen, LLC.



[Signature]

Notary Public for Utah

My Commission

Expires: 5-5-2017

**Exhibit A to**  
**Special Warranty Deed**

**List of Encumbrances**

1. City liens, if any, of the City of Klamath Falls. (None as of date of policy).
2. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
3. Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing, in favor of Standard Insurance Company, an Oregon corporation, being recorded concurrently herewith.
4. Subordination, Non-Disturbance and Attornment Agreement, subject to the terms and the provisions thereof, by and between Standard Insurance Company, an Oregon corporation and Aspen Dental Management, Inc., being recorded concurrently herewith.
5. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein between Narsai M. David, Trustee of the Narsai and Venus David Family Trust U/A/D February 17, 1996 and Colusa Circle Properties, a California general partnership, as successor Lessor and Aspen dental Management, Inc., as Lessee, as disclosed by Subordination, Non-Disturbance and Attornment Agreement by and between Standard Insurance Company, an Oregon corporation and Aspen Dental Management, Inc., being recorded concurrently herewith.
6. Assignment of Lessor's Interest in Leases, subject to the terms and provisions thereof, between Narsai M. David, Trustee of the Narsai and Venus David Family Trust dated February 17, 1996, as amended and Colusa Circle Properties, a California general partnership, as Tenants in Common and Standard Insurance Company, an Oregon corporation, being recorded concurrently herewith.