

**2019-011222**

**Klamath County, Oregon**

**09/26/2019 12:11:01 PM**

**Fee: \$97.00**

**RECORDING REQUESTED BY:**

Lawyers Title

**GRANTOR:**

CD DG Klamath Falls South, LLC,  
a Texas limited liability company  
4336 Marsh Ridge Road  
Carrollton, TX 75010

**GRANTEE:**

Richard and Judy Brigante Trust  
211 Potter Road  
Aptos, Ca 95003-9320

**SEND TAX STATEMENTS TO:**

Richard and Judy Bregante Trust  
211 Potter Road  
Aptos, Ca 95003-9320

**AFTER RECORDING RETURN TO:**

Richard and Judy Bregante Trust  
211 Potter Road  
Aptos, Ca 95003-9320

\_\_\_\_\_  
SPACE ABOVE THIS LINE FOR RECORDER'S USE

**SPECIAL WARRANTY DEED – STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

**CD DG KLAMATH FALLS SOUTH, LLC**, a Texas limited liability company, Grantor,

conveys and specially warrants to

**RICHARD BREGANTE AND JUDY BREGANTE, TRUSTEES OF THE RICHARD AND JUDY BREGANTE TRUST**,  
together, Grantee,

the following described real property, subject to zoning restrictions, prohibitions and other requirements imposed by governmental authorities, and any liens for ad valorem real property taxes for the year 2018 and subsequent years, and to all restrictions, conditions, easements, leases, licenses and reservations, whether or not of record.

See Exhibit A attached hereto and made a part hereof.

The true consideration for this conveyance is \$2,151,508.00.

**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.**

IT IS UNDERSTOOD AND AGREED THAT GRANTOR DISCLAIMS ALL WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY AND THE IMPROVEMENTS LOCATED THEREON, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OR REPRESENTATIONS AS TO MATTERS OF TITLE (OTHER THAN GRANTOR'S WARRANTY OF TITLE AS SET FORTH IN THIS SPECIAL WARRANTY DEED). WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, GRANTEE HEREBY FURTHER ACKNOWLEDGES AND AGREES THAT WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE EXCLUDED FROM THE TRANSACTION CONTEMPLATED HEREBY, AS ARE ANY WARRANTIES ARISING FROM A COURSE OF DEALING OR USAGE OF TRADE. GRANTEE BY ACCEPTANCE OF THIS SPECIAL WARRANTY DEED ACKNOWLEDGES AND AGREES THAT GRANTEE HAS THOROUGHLY INSPECTED AND EXAMINED THE PROPERTY TO THE EXTENT DEEMED NECESSARY BY THE GRANTEE IN ORDER TO ENABLE GRANTEE TO EVALUATE THE PURCHASE OF THE PROPERTY, AND THAT GRANTEE IS PURCHASING THE PROPERTY ON AN "AS IS", "WHERE IS" AND "WITH ALL FAULTS" BASIS, AND THERE ARE NO ORAL AGREEMENTS, WARRANTIES OR REPRESENTATIONS COLLATERAL TO OR AFFECTING THE PROPERTY TO GRANTEE BY GRANTOR OR ANY THIRD PARTY.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK; NEXT PAGE IS SIGNATURE PAGE]**

Dated: September 10<sup>th</sup> 2019

**CD DG KLAMATH FALLS SOUTH, LLC,**  
a Texas limited liability company

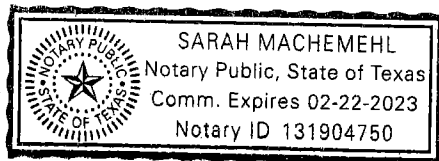
By: [Signature]  
Steve Rumsey, President

STATE OF TEXAS  
COUNTY OF DENTON

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of September, 2019, by Steve Rumsey, as President of CD DG Klamath Falls South, LLC, a Texas limited liability company, on behalf of the company, who did not take an oath and who:

☒ is/are personally known to me.  
☐ produced current \_\_\_\_\_ driver's license as identification.  
☐ produced \_\_\_\_\_ as identification.

(Notary Seal Must Be Affixed)



[Signature]  
Notary Public

Sarah Machemehl  
Name of Notary Printed  
My Commission Expires: 02-22-2023  
Commission Number: 131904750

## **EXHIBIT A**

Parcel 1 of Land Partition 35-17, being a partition of the lands shown on Survey No. 1939 and as described in Bargain and Sale Deed M05-67516 Recorded in the Klamath County Clerk's Office situated in the Southeast Quarter of Section 7, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and Recorded April 19, 2018 as document No. 2018-004755, Official Records of Klamath County, Oregon.