

AFTER RECORDING RETURN TO:

Parks & Ratliff, P.C.
620 Main Street
Klamath Falls OR 97601

GRANTOR'S NAME AND ADDRESS:

Kelly McCall, Paul B. Ross, and
Mary I. Hernandez, Successor Trustees of the
Ross Family Trust
1995 Proctor Rd.
Mosher, OR 97040

GRANTEE'S NAME AND ADDRESS:

Paul B. Ross
13625 Highway 39
Klamath Falls, OR 97603

SEND TAX STATEMENTS TO:

Paul B. Ross
13625 Highway 39
Klamath Falls, OR 97603

2022-003262

Klamath County, Oregon



00297044202200032620080085

03/16/2022 02:36:27 PM

Fee: \$117.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That KELLY McCALL, PAUL B. ROSS, AND MARY I. HERNANDEZ, SUCCESSOR TRUSTEES OF THE ROSS FAMILY TRUST, uad 04-26-2001, hereinafter called the grantors, for the consideration hereinafter stated, to grantor paid by **PAUL B. ROSS**, hereinafter called the 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 the County of Klamath, State of Oregon, described as follows, to-wit:

Lot 13 in Block 7 of First Addition to Cypress Villa, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Property ID No.: 564776
Map Tax Lot No.: 3909-012CC-04600

SUBJECT TO: 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.

TO HAVE AND TO HOLD THE SAME unto the 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 those of record 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 \$0.00. However, the actual consideration consists of or includes other property or value given or promised which is whole consideration; i.e., distribution of the assets of the Ross Family Trust, uad 04-26-21.

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 this 10 day of March, 2022.

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, SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTION 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

ROSS FAMILY TRUST, uad 04-26-2001

By: Kelly McCall
Kelly McCall, Successor Trustee

By: Paul B. Ross
Paul B. Ross, Successor Trustee

By: Mary I. Hernandez
Mary I. Hernandez, Successor Trustee

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 10 day of March, 2021, by Kelly McCall as Successor Trustee of the Ross Family Trust, uad 04-26-2001.

Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 9-13-2022

(Further acknowledgments appear on page 3)

STATE OF OREGON; County of Klamath) ss.



THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 10 day of March, 2021, by Paul B. Ross as Successor Trustee of the Ross Family Trust, uad 04-26-2001.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 9-13-2022

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 10 day of March, 2021, by Mary I. Hernandez as Successor Trustee of the Ross Family Trust, uad 04-26-2001.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 9-13-2022

**CERTIFICATION OF
ROSS FAMILY TRUST
uad April 26, 2001**

**CERTIFICATE OF TRUST
(ORS 130.860)**

1. Date of Existence and Execution of Trust.

The trust was executed on April 26, 2001, and is currently in existence.

2. Trustor/Trustees.

a. The Trustors are: Paul H. Ross and Michele M. Ross

b. The currently acting Trustees are: Kelly McCall, Mary I. Hernandez, and
Paul B. Ross

3. Trust Powers.

(a) **Retention of Property:** To retain any property for such period as the Trustees may deem desirable, whether or not such property is productive of any income and independent of any requirement of diversification.

(b) **Additions:** To receive additions to the assets of the trust from any source.

(c) **Business Participation:** To terminate or to continue or participate in the operation of any business enterprise, including a corporation, as sole proprietorship or a general or limited partnership, and to effect any form of incorporation, dissolution, liquidation, reorganization or other change in the form of the business enterprise, or to lend money or make a capital contribution to any such business enterprise.

(d) **Permissible Investments:** To invest and reinvest the assets of the Trust as the Trustee may determine to be in the best interests of the Trust, without limitation by any law applicable to investments by fiduciaries. The permitted investments and reinvestments may include securities, such as common or preferred stock, mortgages, notes, subordinated debentures and warrants of any corporation, and any common trust fund administered by a corporate fiduciary, or other property, real or personal, including savings accounts and deposits and interests in mutual or money market funds or investment trusts, annuities and insurance, whether or not such investments are unsecured or of a wasting nature.

(e) **Dealing with Property:** To acquire, grant or dispose of property, including puts, calls and options, for cash or on credit, including maintaining margin accounts with brokers, at public or private sale, upon such terms and conditions as the

Trustee may deem advisable; and to manage, develop, improve, exchange, partition, change the character of, abandon property or other interest therein, or otherwise deal with property

- (f) **Borrowing Authority**: To borrow funds from any person, including the Trustee, guarantee indebtedness, or indemnify others in the name of the trust and to secure any such obligation by mortgage, pledge, security interest or other encumbrance, and to renew, extend or modify any such obligation for a term within or extending beyond the term of the trust. No lender shall be bound to see to or be liable for the application of the proceeds of any obligation, and no Trustee shall be personally liable for any obligation.
- (g) **Leasing Authority**: To make, renew, or amend for any purpose a lease as lessor or lessee for a term within or beyond the term of the Trust within or without the option to purchase.
- (h) **Natural Resources**: To enter into any arrangement or agreement, including a lease, pooling or unitization agreement, for exploration, development, operation, conservation and removal of minerals or other natural resources.
- (i) **Voting Rights**: To vote a security in person or by general or limited proxy, to participate in or consent to any voting trust, reorganization, dissolution, liquidation, or other action affecting any securities, and to deposit securities with and transfer title to a protective or other committee.
- (j) **Title to Assets**: To hold securities and other property in negotiable form or in the name of a nominee (including "street name" of a broker) or by deposit to a clearing corporation, with or without disclosure of the fiduciary relationship.
- (k) **Insurance**: To insure the assets of the Trust against any risk and the Trustee against liability with respect to third persons.
- (l) **Settlement of Disputes**: To pay or contest any debt or claim and to compromise, release and adjust any debt or claim and to submit any matter to arbitration.
- (m) **Payment of Expenses**: To pay any taxes, assessments, reasonable compensation of the fiduciary and other expenses incurred in the collection, management, care, protection and conservation of the estate.
- (n) **Principal and Income**: To allocate items of income or expenditure to either income or principal and to create reserves out of the income, all as provided by law, and to the extent not so provided to allocate or create reserves as the Trustee in his or her discretion deems appropriate, and the Trustee's decision made in good faith with respect thereto shall be binding and conclusive on all persons.

- (o) **Division of Trust:** To make any distribution or payment in kind or in cash, or partly in kind and partly in cash, and to cause any share to be composed of cash, property, or undivided interests in property different in kind from any other share, either pro rata or non pro rata, without regard to differences in the tax basis of such property and without the requirement of making any adjustment of the shares by reason of any action taken pursuant hereto.

Any division, allocation, apportionment or valuation of the property to distribute the assets to or among any of the trusts or beneficiaries shall be made by the Trustee, and the good faith determination of the Trustee shall be binding and conclusive on all parties.

- (p) **Litigation:** To prosecute or defend actions, suits, claims or proceedings for the protection or benefit of the estate and the Trustee in the performance of the Trustee's duties.
- (q) **Employment of Agents:** To employ agents, including attorneys, accountants, investment advisors, custodians, appraisers or others, to advise or assist the Trustee, and to delegate to them fiduciary powers, and to indemnify them against liability for positions taken in good faith and with reasonable basis.
- (r) **Corporate Fiduciary:** If any stock of a corporate Trustee or of any affiliate or successor of a corporate fiduciary shall be included in the assets of the estate, the Trustees shall have full authority in the Trustees' sole discretion and notwithstanding any regulation or rule of law to the contrary to retain the stock and any increases resulting from stock dividends and stock splits and from the exercise of purchase rights and the purchase of fractional shares needed to round out fractional share holdings that may arise concerning the stock. The Trustees shall vote the stock either directly or by proxy, except to the extent the Trustees are prohibited by law from voting the stock.
- (s) **Investment Transaction:** With regard to recording keeping for investment transactions, the Trustee need not provide copies of confirmations or similar notifications each time a trade or investment transaction occurs, but investment transactions shall be set forth in the Trustee's periodic account.
- (t) **Repairs and Improvements:** To make ordinary or extraordinary repairs or alterations in buildings or other structures, to demolish any improvements, to raze existing or erect new party walls or buildings.
- (u) **Business Personnel:** To elect or employ directors, officers, employees, partners or agents of any business, and to compensate such persons, whether or not any such person is a fiduciary, director, officer, partner or agent of a Trustee, or a beneficiary of the Trust.

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4. **Mailing Address.**

The mailing address of the Trustees is:

Kelly McCall
1995 Proctor Rd.
Mosier, OR 97040

Paul B. Ross
13625 Hwy 30
Klamath Falls, OR 97603

Mary I. Hernandez
63007 Shinglehouse Rd.
Coos Bay, OR 97420

5. **Revocability.** The trust is irrevocable.

6. **Modification or Amendment.** The trust may not be either modified or amended.

7. **Trust Taxpayer Identification Number.**

The Disclaimer Trust's federal EIN number is: **87-6794786**

8. **Title to Trust Assets.**

Title to the Trust assets should be taken in the name of: **KELLY McCALL, PAUL B. ROSS, and MARY I. HERNANDEZ, TRUSTEES OF THE ROSS FAMILY TRUST, dated April 26, 2001.** .

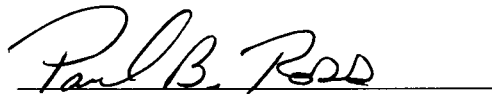
9. **Statement of Current Status.**

As of this date, the Trust has not been revoked, modified or amended in any manner that would cause the representations contained in the Certification to be incorrect.

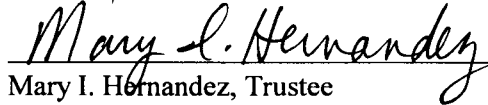
THE ABOVE IS CERTIFIED TO BE TRUE AND ACCURATE this 10 day of March, 2022.



Kelly McCall, Trustee



Paul B. Ross, Trustee

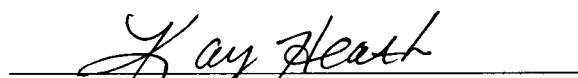


Mary I. Hernandez, Trustee

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING INSTRUMENT was acknowledged before me this 10 day of March, 2022, by Kelly McCall, as Trustee of the Ross Family Trust, u.a.d. 04-26-2001.




NOTARY PUBLIC FOR OREGON
My Commission expires: 9-13-22

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING INSTRUMENT was acknowledged before me this 10 day of March, 2022, by Paul B. Ross, as Trustee of the Ross Family Trust, u.a.d. 04-26-2001.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 9-13-2022

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING INSTRUMENT was acknowledged before me this 10 day of March, 2022, by Mary I. Hernandez, as Trustee of the Ross Family Trust, u.a.d. 04-26-2001.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 9-13-2022

DECLARATION OF COUNSEL

I, NATHAN J. RATLIFF, under penalty of perjury, hereby declare that:

1. I am an attorney at law, practicing with the firm of Parks & Ratliff, P.C., of 620 Main Street, Klamath Falls, Oregon 97601.

2. I have examined the Ross Family Trust agreement dated April 26, 2001 (the "Trust Agreement").

3. I prepared the within Certification of Trust at the behest of Kelly McCall, Paul B. Ross, and Mary I. Hernandez, after determining that it was appropriate to do so under the terms and conditions of the Trust Agreement, and in accordance with Oregon law.

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

DATED: March 10, 2022.

Nathan J. Ratliff
Nathan J. Ratliff, OSB #064269