



2022-003338
Klamath County, Oregon
03/18/2022 11:21:01 AM
Fee: \$112.00

AFTER RECORDING, RETURN TO:
Fidelity National Title Insurance Company
Attn: Cade Kauffman
2651 North Harwood, Suite 450
Dallas, Texas 75201

Until a change is requested,
send all tax statements to:
Klamath Falls Hotel LLC
10807 Laurel Street, Suite 100
Rancho Cucamonga, CA 91730

SPECIAL WARRANTY DEED

G6 HOSPITALITY PROPERTY LLC, a Delaware limited liability company (“**Grantor**”) conveys and specially warrants to Klamath Falls Hotel LLC, an Oregon limited liability company (“**Grantee**”), the real property at 5136 South 6th Street, Klamath Falls, OR 97603, described in the attached Exhibit A, free of encumbrances created or suffered by Grantor except as specifically set forth in the attached Exhibit B.

The true consideration for this conveyance is \$3,500,000.00.

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.

NOTWITHSTANDING ANYTHING TO THE CONTRARY, AS SET FORTH IN SECTION 3 OF THAT CERTAIN PURCHASE AND SALE AGREEMENT DATED NOVEMBER 29, 2021 BETWEEN GRANTOR AND GRANTEE'S PREDECESSOR-IN-INTEREST (THE "PURCHASE AGREEMENT"), WHICH IS HEREBY INCORPORATED BY REFERENCE AS IF HEREIN SET OUT IN FULL, EXCEPT FOR GRANTOR'S REPRESENTATIONS AND WARRANTIES SET FORTH IN THE PURCHASE AGREEMENT AND THE WARRANTY OF TITLE AS SET FORTH HEREIN, THE ASSETS CONVEYED HEREUNDER ARE CONVEYED BY SELLER AND ACCEPTED BY PURCHASER IN AN "AS IS" CONDITION "WITH ALL FAULTS" AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS OR GUARANTIES, EITHER EXPRESS OR IMPLIED, OF ANY KIND, NATURE, OR TYPE WHATSOEVER FROM OR ON BEHALF OF SELLER. SELLER HAS NOT, DOES NOT, AND WILL NOT MAKE ANY WARRANTIES OR REPRESENTATION, EXPRESS OR IMPLIED, INCLUDING, BUT IN NO WAY LIMITED TO, ANY WARRANTY OR CONDITION, MERCHANTABILITY, HABITABILITY OR FITNESS FOR A PARTICULAR USE, OR WITH RESPECT TO THE VALUE, PROFITABILITY OR MARKETABILITY OF THE ASSETS.

[Signature and acknowledgment page follows.]

DATED: February 8, 2022.

GRANTOR:

GRANTOR:

G6 HOSPITALITY PROPERTY LLC,
a Delaware limited liability company

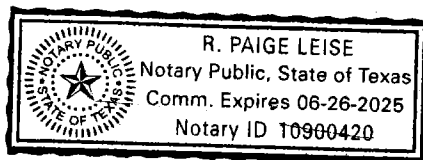
By: [Signature]
Name: Robert Paleschi
Title: CEO
Date: February 8, 2022

STATE OF TEXAS

§
§
§

COUNTY OF DENTON

This instrument was acknowledged before me on February 8, 2022, by Robert Paleschi as CEO of G6 Hospitality Property LLC, a Texas limited liability company, on behalf of said limited liability company.



[Signature]
Notary Public, State of Texas

My Commission expires: 06-26-2025

EXHIBIT A

Legal Description

Real property in the County of Klamath, State of Oregon, described as follows:

SEE ATTACHED

EXHIBIT A

LEGAL DESCRIPTION

A tract of land in Lots 3, 4, 5 and 11 of KIELSMEIER ACRES TRACTS, a plat of record in Klamath County, Oregon, said tract being more particularly described as follows:

Beginning at a point in Lot 4 which is North 89° 53' 55" West 130.00 feet and South 00° 12' 15" West 10.00 feet from the Northeast corner of said Lot 5, said point being on the Southerly right of way line of South Sixth Street; thence South 00° 12' 15" West, parallel with the East line of said Lot 4, a distance of 190.00 feet; thence South 45° 00' 00" East a distance of 15.51 feet; thence South 00° 12' 15" West, parallel with the East line of said Lot 4, a distance of 154.01 feet to the South line of said Lot 11; thence North 89° 52' 00" West along said line a distance of 178.00 feet; thence North 00° 12' 15" East a distance of 104.00 feet to the North line of said Lot 11; thence South 89° 52' 00" East along said North line a distance of 25.05 feet to a point North 89° 52' 00" West 30.00 feet from the Southeast corner of said lot 3; thence North 00° 12' 15" East, parallel with and 30 feet Westerly of the Easterly line of said Lot 3, a distance of 250.87 feet to a point on the Southerly right-of-way line of said South Sixth Street; thence South 89° 53' 55" East, 141.95 feet to the Point of Beginning, with the bearings based on the record of survey No. 1852

EXHIBIT B

Exceptions to Title

SUBJECT TO:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or which may be asserted by persons in possession thereof.
3. Easements, or claims thereof, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien, or right to a lien, for services, labor, material or equipment rental, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

Tax Information:

Taxes assessed under Code No. 041 Account No. 521849 Map No. 3909-002DB-04000

NOTE: The 2021-2022 Taxes: \$20,518.58, are Paid

Taxes assessed under Code No. 041 Account No. 14479 Map No. 3909-002DB-04000

NOTE: The 2021-2022 Taxes: \$1,809.53, are Paid

6. The property lies within the boundaries of South Suburban Sanitary District and is subject to any charges or assessments levied by said District and easements in connection therewith.
(No inquiry has been made)
7. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Enterprise Irrigation District.
(No inquiry has been made)
8. Special Assessment disclosed by the Klamath tax rolls:
For: Klamath Drainage District
9. Special Assessment disclosed by the Klamath tax rolls:
For: North Shasta Lighting

10. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.

11. Reservations as contained in Deed,
Recorded: June 16, 1927,
Volume: 77, page 168 deed records.
Affects Lots 4 and 5.

12. Reservations as contained in Deed,
Recorded: January 29, 1928,
Volume: 81, page 260 deed records.
Affects Lots 11 and 12.

13. Reservations as contained in Deed,
Recorded: January 15, 1929,
Volume: 81, page 601 deed records.
Affects Lot 3.

14. Limited access provisions contained in Deed from to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: July 13, 1964
Instrument No.: Volume 354 Page 414

15. Significant Observations as set out in ALTA/ACSM Survey. Height of Motel 6 sign exceeds Zoning requirements by +/- 2.8'.

16. Intentionally deleted.