



ATC 04047178

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

Countrywide Home Loans, Inc.

P.O. Box 10216

Van Nuys, CA 91410-0216

Loan No. 9130827

After recording return to:

PRESTON GATES & ELLIS, LLP

5000 Columbia Center, 701 Fifth Avenue

Seattle, WA 98104

RE: 17183-40336/Micheal P. & Robbin E. Anderson

### TRUSTEE'S DEED

THIS INDENTURE, Made this August 21, 1998, between Lucy E. Kivel, hereinafter called trustee, and Countrywide Home Loans, Inc., hereinafter called the second party;

### WITNESSETH:

RECITALS: Micheal P. Anderson and Robbin E. Anderson, as grantor, executed and delivered to Aspen Title & Escrow, Inc., as trustee, for the benefit of Countrywide Home Loans, Inc., as beneficiary, a certain trust deed dated 07/22/97, duly recorded on 07/30/97, in the mortgage records of Klamath County, Oregon, in Book M-97, Page 24368. In said trust deed the real property therein and hereinafter described was conveyed by said grantor to said trustee to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in grantor's performance of the obligations secured by said trust deed as stated in the notice of default hereinafter mentioned and such default still existed at the time of the sale hereinafter described.

By reason of said default, the owner and holder of the obligations secured by said trust deed, being the beneficiary therein named, or beneficiary's successor in interest, declared all sums so secured immediately due and owing; a notice of default, containing an election to sell the said real property and to foreclose said trust deed by advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on February 9, 1998, in Book M-98, Page 4169, Recorder's Fee No. 52892, to which reference now is made.

After recording of said notice of default, as aforesaid, the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by the trustee and as required by law; copies of the Trustee's Notice of Sale were served pursuant to ORCP 7D.(2) and 7D.(3) or mailed by both first class and certified mail with return receipt requested, to the last-known address of the persons or their legal representatives, if any, named in ORS 86.740(1) and (2)(a), at least 120 days before the date the property was sold, and the Trustee's Notice of Sale was mailed by first class and certified mail with return receipt requested, to the last-known address of the guardian, conservator or administrator or executor of any person named in ORS 86.740(1), promptly after the trustee received knowledge of the disability, insanity or death of any such person; the Notice of Sale was served upon occupants of the property described in the trust deed in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3) at least 120 days before the date the property was sold, pursuant to ORS 86.750(1). If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and to the address provided by each person who was present at the time and place set for the sale which was stayed within 30 days after the release from the stay. Further the trustee published a copy of said notice of sale in a newspaper of general circulation in each county in which the said real property is situated, once a week for four successive weeks; the last publication of said notice occurred more than twenty days prior to the date of such sale. The mailing, service and publication of said notice of sale are shown by one or more affidavits or proofs of service duly recorded prior to the date of sale in the official records of said county, said affidavits and proofs, together with the said notice of default and election to sell and the trustee's notice of sale, being now referred to and incorporated in and made a part of this trustee's deed as fully as if set out herein verbatim. The undersigned trustee has no actual notice of any person, other than the persons named in said affidavits and proofs as having or claiming a lien on or interest in said described real property, entitled to notice pursuant to ORS 86.740(1)(B) OR (1)(c).

Pursuant to said notice of sale, the undersigned trustee on August 21, 1998, at the hour of 3:30pm, of said day, in accord with the standard of time established by ORS 187.110, (which was the day and hour to which said sale was postponed as permitted by ORS 86.755(2)) (which was the day and hour set in the amended Notice of Sale)\* and at the place so fixed for sale, as aforesaid, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon said trustee by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$136,787.70, said second party being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$136,787.70.

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said trust deed, the trustee does hereby convey unto the second

party all interest which the grantor had or had the power to convey at the time of grantor's execution of said trust deed, together with any interest the said grantor or his successors in interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

A portion of the W 1/2 SE 1/4 of Section 36, Township 36 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon (COMPLETE LEGAL DESCRIPTION ATTACHED)

Property Address: 36160 Highway 140 East, Beatty, OR 97621

TO HAVE AND TO HOLD the same unto the second party, second party's heirs, successors-in-interest and assigns forever.

In construing this instrument and whenever the context so requires the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said trust deed; the word "trustee" includes any successor trustee, the word "beneficiary" includes any successor in interest of the beneficiary first named above, and the word "person" includes corporation and any other legal or commercial entity.

IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document; if the undersigned is a corporation, it has caused its corporate name to be signed and its seal affixed hereto by an officer or other person duly authorized thereunto by order of its Board of Directors.

THIS INSTRUMENT WILL 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.

STATE OF OREGON,

County of Multnomah

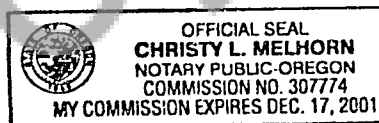
This instrument was acknowledged before me on August 24, 1998, by Lucy E. Kivel

Christy L. Melhorn  
Notary Public for Oregon

(SEAL)

My commission expires: 12-17-01

Lucy E. Kivel  
Lucy E. Kivel, Trustee



## EXHIBIT "A"

A portion of the W 1/2 SE 1/4 of Section 36, Township 36 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

## PARCEL 1:

Commencing at the Southeast corner of the W 1/2 of the SE 1/4 of Section 36, Township 36 South, Range 11 East of the Willamette Meridian; thence along the East boundary of the W 1/2 of the SE 1/4 of said Section, North 0 degrees 25' 34" East, 446.48 feet to the true point of beginning; thence continuing along said East boundary North 0 degrees 25' 34" East, 368.60 feet to the South boundary of State Highway #140; thence along said highway boundary, South 48 degrees 52' 30" West, 523.57 feet; thence South 86 degrees 27' 30" East, 392.40 feet to the true point of beginning.

## PARCEL 2:

Beginning at the Southeast corner of the W 1/2 of the SE 1/4 of Section 36, Township 36 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence along the East boundary of the W 1/2 of the SE 1/4 of said Section, North 0 degrees 25' 34" East, 446.48 feet; thence North 86 degrees 27' 30" West, 392.40 feet to the South boundary of State Highway #140; thence along said highway boundary, South 48 degrees 52' 30" West, 711.39 feet to the South boundary of Section 36; thence along the South boundary of said Section South 89 degrees 49' 30" East, 924.21 feet to the point of beginning.

CODE 8 MAP 3611-3600 TL 1100

Lucy E. Kivel  
Preston Gates & Ellis LLP  
5000 Columbia Center  
701 Fifth Avenue  
Seattle, WA 98104  
17183-40336/Micheal P. & Robbin E.  
Anderson  
GRANTOR'S NAME AND ADDRESS

Countrywide Home Loans, Inc.,  
P.O. Box 10225  
Van Nuys, CA 91410-0225  
Loan #9130827/Micheal P. & Robbin E.  
Anderson  
GRANTEE'S NAME AND ADDRESS

STATE OF OREGON, )

County of Klamath )

I certify that the within instrument was received for record on the 26th day of August, 19 98 at 3:35 o'clock P. M., and recorded in book/reel/volume No. M98, Page 31437 Record of Deeds of said county.

Witness at my hand and seal of County affixed.

Bernetha G. Letsch, Co. Clerk

Name Title

By  
Deputy

*Kathleen Ross*

Fee: \$45.00