## WHEN RECORDED, RETURN TO:

David R. Ambrose, Esq. Ambrose Law Group 222 SW Columbia, Suite 1670 Portland, OR 97201-6616

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## TRUSTEE'S DEED

The Grantor, David R. Ambrose, as successor trustee ("Trustee") under that Deed of Trust, as hereinafter particularly described, in consideration of the premises and payment recited below, hereby grants and conveys, without warranty, to: Lime Financial Services, Ltd., Grantee, that real property, situated in the County of Klamath, State of Oregon, described as follows:

The following described real property situate in Klamath County, Oregon:

Twenty five acres, more or less, being located in Section 36, Township 24 South, Range 8 East of the Willamette Meridian, more specifically known as the Southerly 400 feet of that portion of the NE 1/4 SW 1/4 lying Northwesterly of the Klamath Northern Railroad right-of-way.

AND ALSO INCLUDING that portion of the SE 1/4 SW 1/4 lying Northwesterly of the Klamath Northern Railroad right-of-way.

SAVING AND EXCEPTING THEREFROM the following parcels:

PARCEL NO. 1: Any portion thereof conveyed for railroad right-of-way; and also

PARCEL NO. 2: Beginning at the intersection of the South line of Section 36, T. 24 S., R. 8 E.W.M., with the west line of the Gilchrist Railroad; thence west along said South line a distance of 1000 feet to a point; thence north at right angles to said South line a distance of 200 feet to a point; thence east parallel to said South line, and at a distance 200 feet therefrom, a distance of 1170 feet more or less, to a point on the Westerly line of said railroad; thence southwesterly along said Westerly right of way line a distance of 240 feet, more or less, to the point of beginning; and also

PARCEL NO. 3: Beginning at the South quarter corner of Section 36, T. 24 S., R. 8 E.W.M., Klamath County, Oregon; thence North 89°17'00" West, 1407.87 feet along the South line of Section 36 to the westerly right of way of the Klamath Northern Railroad; thence North 39°40'16" East, 257.19 feet along the Westerly right of way of aforesaid railroad to the true point of beginning; thence North

89°17'00" West, 615.00 feet; thence North 0°43'00" East, 295.00 feet; thence South 89°17'00" East 853.50 feet to the westerly right of way of said railroad; thence South 39°40'16" West, 379.35 feet along said right of way to the true point of beginning; and also

PARCEL NO. 4: A 60 foot right of way along the northerly boundary of above described property from the Klamath Northern Railroad right of way westerly to the NW 1/4 SW 1/4 of Section 36, T. 24 S., R.8.E.W.M., to provide roadway ingress, egress and for the installation and maintenance of public or private utilities to said appurtenant properties lying in the NW 1/4 SW 1/4 and NE 1/4 SW 1/4 and SW 1/4 SW 1/4 of said Section 36,

## **RECITALS:**

- 1. This conveyance is made pursuant to the powers, including the power of sale, conferred upon said Trustee by that certain Deed of Trust between Galen R. McConnell and Marietta J. McConnell, as Grantors, to First American Title Insurance Company of Oregon, as Trustee, and Lime Financial Services, Ltd., as Beneficiary, dated July 5, 2000, recorded July 6, 2000, in Volume M00, at page 24780, records of Klamath County, Oregon (the "Deed of Trust").
- 2. The Deed of Trust was executed to secure, together with other undertakings and obligations set forth in the Deed of Trust, the payment of a promissory note in the sum of \$285,000.00 with interest thereon, according to the terms thereof, in favor of Lime Financial Services, Ltd. (the "Note"), and to secure any other sums of money which might become due and payable under the terms of the Deed of Trust.
- 3. The Deed of Trust provides that the real property conveyed there is not used principally for agricultural or farming purposes.
- 4. Default having occurred and the obligations secured and/or covenants of the Grantor, as set forth in the Notice of Default and Election to Sell ("Notice to Sell") described below, which the terms of the Deed of Trust make operative the power to sale, the Trustee caused to be recorded and served a Notice of Default and Election to Sell ("Notice to Sell") dated February 6, 2001, recorded February 8, 2001 in Volume M01, at page 5124, records of Klamath County, Oregon.
- 5. The Trustee, in its aforesaid Notice to Sell, fixed the place of sale as the county courthouse steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, a public place, at 10 o'clock a.m. on June 25, 2001, and in accordance with law caused copies of the statutory Notice to Sell to be transmitted by mail to all persons entitled thereto and either posted or served in accordance with law; further, the Trustee caused the copy of said Notice to Sell to be published in a legal newspaper in Klamath County, Oregon, in which the property is situated, for four consecutive weeks beginning April 27, 2001, with the last date of publication occurring more than 20 days prior to the date of the ultimate sale.
- 6. During foreclosure, no action was pending on any obligations secured by the Deed of Trust.

- 7. All legal requirements and all provisions of the Deed of Trust have been complied with, as to acts to be performed and notices to be given, as provided in ORS 86.705, et seq.
- 8. The defaults specified in the Notice to Sell not having been cured five days prior to the date of Trustee's Sale and said obligations secured by the Deed of Trust remaining unpaid, on June 25, 2001, the date of sale, which was not less than 120 days from the date of recording the Notice of Default, the Trustee then and there sold at public auction to said Grantee, the highest bidder therefore, the property hereinafter described for the sum of \$324,849.45 (by the satisfaction of the obligation then secured by the Deed of Trust, together with all fees, costs and expenses as provided by statute).

DATED this 39 day of June, 2001.

David R. Ambrose, Successor Trustee

STATE OF OREGON

) ss.

County of Multnomah)

This Instrument was acknowledged before me on this <u>29</u> day of June, 2001, by David R. Ambrose, as Successor Trustee.

Notary Public for the State of Oregon

My Commission expires: April 10, 2005



State of Oregon, County of Klamath Recorded 07/02/01 at 3:03 ρ. m. In Vol. M01 Page 32050 Linda Smith, County Clerk Fee\$ 3/∞