

NN

01 JUL 2 PM3:03

Vol M01 Page 32053
STATE OF OREGON,
County of _____ } ss.

Patrick J. Kelly, Attorney
717 NW 5th Street
Grants Pass, OR 97526

Trustee's Name and Address
Al Bruner
607 Avenue De Teresa
Grants Pass, OR 97526
Second Party's Name and Address

After recording, return to (Name, Address, Zip):
Patrick J. Kelly, Attorney
717 NW 5th Street
Grants Pass, OR 97526

Until requested otherwise, send all tax statements to (Name, Address, Zip):
Al Bruner
607 Avenue De Teresa
Grants Pass, OR 97526

SPACE RESERVED
FOR
RECORDER'S USE

I certify that the within instrument was received for recording on _____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of this County.

Witness my hand and seal of County affixed.

NAME TITLE
By _____, Deputy.

K56534

TRUSTEE'S DEED

THIS INDENTURE, Dated June 13, 2001

Patrick J. Kelly, hereinafter called trustee, and Al Bruner, hereinafter called the second party; WITNESSETH:
RECITALS: Rodgers Family Limited Partnership consisting of Alice Ann*, as grantor, executed and delivered to First American Title Insurance Co., as trustee, for the benefit of Al Bruner, as beneficiary, a certain trust deed dated February 17, 2000, recorded on February 17, 2000, in the Records of Klamath County, Oregon, in book/reel/volume No. M00 at page 5062, and/or as fee/file/instrument/microfilm/reception No. _____ (indicate which). In that trust deed, the real property therein and hereinafter described was conveyed by the grantor to the trustee to secure, among other things, the performance of certain obligations of the grantor to the beneficiary. The grantor thereafter defaulted in performance of the obligations secured by the 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 the default, the owner and holder of the obligations secured by the trust deed, being the beneficiary therein named, or the beneficiary's successor in interest, declared all sums so secured immediately due and owing. A notice of default containing an election to sell the real property and to foreclose the trust deed by advertisement and sale to satisfy the asserting grantor's obligations was recorded on January 25, 2001, in the Records of Klamath County, in book/reel/volume No. M01 at page 3051, and/or as fee/file/instrument/microfilm/reception No. _____ (indicate which), to which reference now is made.

After recording the notice of default, the undersigned trustee gave notice of the time for and place of sale of the real property, as fixed by the trustee and as required by law. Copies of the notice of sale were served pursuant to ORCP 7 D. (2) and 7 D. (3), or mailed by both first class and certified mail with return receipt requested, to the last known addresses of the persons or their legal representatives, if any, named in ORS 86.740 (1) and 86.740 (2)(a), at least 120 days before the date the property was sold. A copy of the notice of sale was mailed by first class and certified mail with return receipt requested to the last known address of the fiduciary or personal representative 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. Copies of the notice of sale were served upon occupants of the property described in the trust deed in the manner in which a summons is served pursuant to ORCP 7 D. (2) and 7 D. (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 addresses 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. The trustee published a copy of the notice of sale in a newspaper of general circulation in each county in which the real property is situated once a week for four successive weeks. The last publication of the notice occurred more than twenty days prior to the date of sale. The mailing, service and publication of the notice of sale are shown by affidavits and/or proofs of service duly recorded prior to the date of sale in the county records, those affidavits and proofs, together with the Notice of Default and Election to Sell and the notice of sale, being now referred to and incorporated in and made a part of this deed as if fully set forth herein. The undersigned trustee has no actual notice of any person, other than the persons named in those affidavits and proofs as having or claiming a lien on or interest in the real property, entitled to notice pursuant to ORS 86.740 (1)(b) or (1)(c).

The true and actual consideration for this conveyance is \$ 614,009.92 (Here comply with ORS 93.030.) Six
Hundred Fourteen Thousand Nine Dollars and 92/xx
(OVER)

K36

32054



The undersigned trustee, on June 12, 2001, at the hour of 11:30 o'clock, A.M., in accord with the standard of time established by ORS 187.110, (which was the day and hour to which the 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, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon the trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of \$ 614,009.92, the second party being the highest and best bidder at the sale, and that sum being the highest and best bid for the property.

NOW, THEREFORE, in consideration of that sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in the trustee by the laws of the State of Oregon and by the 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 the trust deed, together with any interest the grantor or grantor's successors in interest acquired after the execution of the trust deed in and to the following described real property, to-wit:

SEE EXHIBIT "A"

*Rodgers, I.F. Rodgers and Lorraine G. Rodgers.

TO HAVE AND TO HOLD the same unto the second party and the 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; "grantor" includes any successor in interest to the grantor, as well as each and every other person owing an obligation, the performance of which is secured by the trust deed; "trustee" includes any successor trustee; "beneficiary" includes any successor in interest of the beneficiary first named above; and "person" includes a 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 name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

PATRICK J. KELLY

* Delete words in parentheses if inapplicable.

STATE OF OREGON, County of Josephine



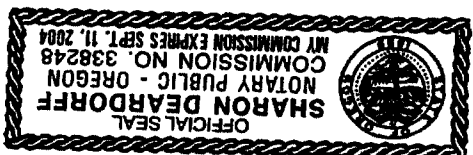
This instrument was acknowledged before me on June 13, 2001 ss.

Patrick J. Kelly

This instrument was acknowledged before me on _____

as _____

of _____



Sharon Deardorff
Notary Public for Oregon

My commission expires 9-11-04

EXHIBIT "A"

DESCRIPTION OF PROPERTY

PARCEL ONE:

Township 40 South, Range 11 East of the Willamette Meridian

Section 4: S $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$; Government Lot 20; W $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 5: Government Lots 17 and 18, N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: N $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 10: W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 15: W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 40 South, Range 11 East of the Willamette Meridian

Section 8: S $\frac{1}{2}$ NE $\frac{1}{4}$; and the NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 16: NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; E $\frac{1}{2}$

Reserving therefrom a right of way for road and utility purposes 30 feet on each side of the centerline of that existing road running Northwesterly through the West half of Section 9 and the East half of Section 8

And further reserving therefrom a right of way for ingress and egress, road and utility purposes over that existing road that runs through the Northwest quarter of the Northwest quarter.

NE

32056

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON,

County of Josephine

SS.

THIS IS TO CERTIFY That I am the Successor Trustee
 Beneficiary in that certain trust deed in which Rodgers Family Limited Partnership consisting of Alice
 Ann Rodgers, I.F. Rodgers & Lorraine G. Rodgers, as grantor, conveyed to First American Title
 Insurance Co. as trustee, certain real property in Klamath County, Oregon;
 which said trust deed was dated February 17, 2000, and recorded February 17, 2000,
 in the mortgage records of said county, in book/reel/volume M00 at page 5062
 as fee/file/instrument/
 microfilm/reception No. (indicate which); thereafter a notice of default with respect to said trust deed
 was recorded January 25, 2001, in book/reel/volume M01 at page 3051
 of said mortgage records, as fee/file/instrument/
 microfilm/reception No. (indicate which); thereafter the
 said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was
 sold at the trustee's sale on June 12, 2000, I reasonably believe at no time during the period of
 three months and one day immediately preceding the day of said sale and including the day thereof, was the real prop-
 erty described in and covered by said trust deed, or any interest therein, owned by a person in the military service as
 defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

In construing this certificate the singular includes the plural, the word "grantor" includes any successor in
 interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any
 successor in interest to the beneficiary named in said trust deed.

STATE OF OREGON,

County of Josephine

PATRICK J. KELLY

SS:

This instrument was acknowledged before me on June 13, 2001
 by Patrick J. Kelly



Notary Public for Oregon

My commission expires 9-1-04

CERTIFICATE OF NON-MILITARY SERVICE

Re Trust Deed from
Rodgers

Grantor

to
First American Title Co.

Trustee

AFTER RECORDING RETURN TO

PATRICK J. KELLY
ATTORNEY AT LAW
717 NW 5th ST.
GRANTS PASS, OR 97526

(DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUNTIES
WHERE USED.)

STATE OF OREGON

County of

SS.

I certify that the within instrument
 was received for record on the day
 of, 19....., at
 o'clock M., and recorded
 in book/reel/volume on page
, or as fee/file/instrument/
 microfilm/reception No.,
 of the

State of Oregon, County of Klamath

Recorded 07/02/01 at 3:03 p.m.

In Vol. M01 Page 32053

Linda Smith,

County Clerk Fee \$ 36⁰⁰

ty