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ASPEN 52706

Vol M01 Page 44859



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

Trustee's Name and Address

Ruth Woolhiser, Trustee
1925 McKenzie Drive
Medford, OR 97501

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):

Ruth Woolhiser, Trustee
1925 McKenzie Drive
Medford, OR 97501

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,
County of _____

ss.

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.

TRUSTEE'S DEED

THIS INDENTURE, Dated August 29, 2001
Patrick J. Kelly

successor Ruth Woolhiser, Trustee for the Woolhiser Family Trust, hereinafter
called trustee, and _____, hereinafter
hereinafter called the second party; WITNESSETH:

RECITALS: Maynard Herting & Luana Herting, husband and wife _____, as grantor, executed and
delivered to Aspen Title & Escrow, Inc. _____, as trustee, for the benefit
of Ruth Woolhiser, Trustee for the Woolhiser Family Trust _____, as beneficiary, a certain trust deed
dated April 26, 2000, recorded on April 27, 2000*, in the Records of
Klamath _____ County, Oregon, in book/reel/volume No. M00 at page 14739, 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 con-
taining 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 March 26, 2001, in the Records of Klamath _____ County,
in book/reel/volume No. M01 at page 11975, 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 prop-
erty, 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 fidu-
ciary or personal representative of any person named in ORS 86.740 (1), promptly after the trustee received knowledge of the dis-
ability, 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 suc-
cessive 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 \$ 41,716.50 (Here comply with ORS 93.030.) **Forty -**
One Thousand Seven Hundred Sixteen Dollars and 50/xx

(OVER)

21A



The undersigned trustee, on August 27, 2001, at the hour of 10:30 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 \$41,716.50, 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:

Lot 37, TRACT 1318, GILCHRIST TOWNSITE, in the County of Klamath, State of Oregon.
Code 48, Map 2409-19DA, Taxlot 3200.

*Re-recorded 5-11-00 in Vol. M00, Pg 17134, in the official records of Klamath County, Oregon.

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.

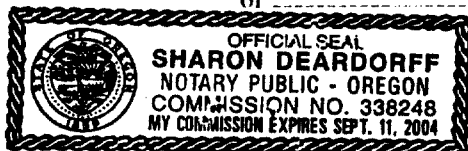

PATRICK J. KELLY

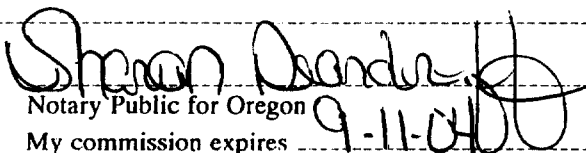
* Delete words in parentheses if inapplicable.

STATE OF OREGON, County of Josephine) ss.

This instrument was acknowledged before me on August 29, 2001,
by Patrick J. Kelly

This instrument was acknowledged before me on _____,
by _____,
as _____,
of _____




Notary Public for Oregon
My commission expires 9-11-04

NE

44861

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON,

County of Josephine

SS.

THIS IS TO CERTIFY That I am the Sucessor Trustee

~~beneficiary~~ in that certain trust deed in which Maynard Herting & Luana Herting, husband and wife

Inc.

as grantor, conveyed to Aspen Title & Escrow,

as trustee, certain real property in Klamath County, Oregon;

which said trust deed was dated April 26, 2000, and recorded April 27, 2000*,

in the mortgage records of said county, in book/entry/volume M00 at page 14739

XXXXXX (indicate which); thereafter a notice of default with respect to said trust deed

was recorded March 26, 2001, in book/entry/volume M01 at page 11975

XXXXXX (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 August 27, 2001, 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

SS:

PATRICK J. KELLY

This instrument was acknowledged before me on August 29, 2001, XXXX

by Patrick J. Kelly

*Re-recorded 5-11-00 in Vol. M00, Pg 17134,
in the official records of Klamath County,
Oregon.

Notary Public for Oregon

My commission expires 9-11-01



CERTIFICATE OF NON-MILITARY SERVICE

Re Trust Deed from
Herting

Grantor

to
Aspen Title & Escrow, Inc.

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

SS.

State of Oregon, County of Klamath
Recorded 09/04/01 at 2:48 p. m.
In Vol. M01 Page 44859
Linda Smith,
County Clerk Fee \$ 31.00