

UNTIL A CHANGE IS REQUESTED,  
ALL TAX STATEMENTS ARE TO BE  
SENT TO THE FOLLOWING ADDRESS:

Harvey L. Spears  
Gretchen E. Spears  
570 North Roberta  
Lakeview OR 97603

CONSIDERATION: \$15,555.02

Vol M02 Page 30009

**State of Oregon, County of Klamath**  
Recorded 05/21/2002 9:17 A.m.  
Vol M02, Pg 30009-11  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

TRUSTEE'S DEED

TRUSTEE: MICHAEL C. AROLA, Successor Trustee

GRANTEE: HARVEY L. SPEARS AND GRETCHEN E. SPEARS

RECITALS:

A. SHIRLEY G. McNEARY, Grantor, executed and delivered to WILLIAM SISEMORE, Trustee for the benefit of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, Beneficiary, a Trust Deed dated January 11, 1985 and recorded on January 15, 1985, in the Official Records of Klamath County, Oregon as Volume M85, Page 921 (the Trust Deed). In the Trust Deed, the following described real property (the Real Property) was conveyed by the Grantor to the Trustee to secure the performance of certain obligations to the Beneficiary:

All that portion of Block 26 of HILLSIDE ADDITION to the City of Klamath Falls, Oregon, lying South of the following described line: Commencing at the intersection of the centerlines of Shelley Street and Johnson Street; thence Southerly 952.78 feet, along the centerline of Johnson Street; thence Westerly 115.00 feet, at right angles to Johnson Street, to a  $\frac{1}{2}$ " rebar, said point being the True Point of Beginning; thence continuing on said line 105.30 feet to a  $\frac{1}{2}$ " rebar on the West line of Block 26.

Thereafter the Grantor defaulted in performance of the obligations secured by the Trust Deed. The default still existed at the time of sale by the Trustee to the Grantee.

B. MICHAEL C. AROLA was appointed Successor Trustee of the Trust Deed. The appointment was recorded on December 13, 2001 in the Official Records of Klamath County, Oregon as Volume M01, Page 63784.

C. The Beneficiary declared the Grantor of the Trust Deed to be in default. The reasons for the declaration of default, the Beneficiary's election to declare all sums due to it immediately due and the Beneficiary's election to foreclose the Trust Deed by advertisement and sale to satisfy the Grantor's obligations was recorded on December 13, 2001 in the Official Records of Klamath County, Oregon as Volume M01, Page 63785.

D. After recording the Notice of Default and Election to Sell, the Trustee gave notice of the time and place set for sale of the Real Property. Notice of the sale was given:

1. To all persons entitled to receive such notice by mailing the notice to them at their last known addresses by both first class mail and certified mail, return receipt requested. The notice was mailed to them more than 120 days before the Trustee conducted the sale. An Affidavit of Mailing of such notice was recorded in the Official Records of Klamath County, Oregon as Volume M02, Page 17212, prior to the day the Trustee conducted the sale.

2. To the occupants of the Real Property by personal service, more than 120 days prior to the day the Trustee conducted the sale. A Proof of Service was recorded in the Official records of Klamath County, Oregon as Volume M02, Page 17212, prior to the day the Trustee conducted the sale.

3. By publishing such notice in the Herald and News, a newspaper of general circulation in Klamath County, Oregon, once a week for four successive weeks. The last publication was more than 20 days prior to the day the Trustee conducted the sale. An Affidavit of Publication of such notice was recorded in the Official Records of Klamath County, Oregon as Volume M02, Page 17212, prior to the day the Trustee conducted the sale.

E. On the date of the Notice of Sale, the Trustee did not have actual notice of any person claiming an interest which was subsequent to the Trustee's interest in the Real Property, except for those persons named in the affidavits referred to in Recital D. of this deed.

F. On April 25, 2002, at 11:00 a.m. at the front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, the Trustee sold the Real Property in one parcel at public auction to the highest bidder for cash. The price bid was paid at the time of sale.

G. At no time during the period of time between the recording of the Notice of Default and Election to Sell and the date of the sale, was the real property described in and covered by the Trust Deed, or any interest therein owned by a person in the military service of the United States of America, a minor or an incapacitated person.

H. The true and actual consideration paid for this transfer is \$15,555.02.

I. In construing this instrument, whenever the context requires, the following shall apply:

1. References to a specific gender shall include the masculine, feminine and neuter genders.
2. Reference to the singular shall include the plural and vice versa.
3. References to the Trustee shall include any Successor Trustee.

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.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

In consideration of the sum paid by the Grantee in cash, the receipt of which is hereby acknowledged, the Trustee hereby conveys to the Grantee all interest which the Grantor had or had the power to convey at the time of Grantor's execution of the Trust Deed in and to the Real Property described herein, together with any interest the Grantor or the Grantor's successors in interest acquired after the execution of the Trust Deed.

Dated: April 29, 2002.

30011

Michael C. Arolo

MICHAEL C. AROLA  
Successor Trustee

STATE OF OREGON )  
 ) ss.  
COUNTY OF LANE )

The foregoing instrument was acknowledged before me on April 29, 2002, by MICHAEL C. AROLA, Successor Trustee



Notary Public for Oregon  
My Commission Expires: 11-23-03

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