

After recording return to:

pt: STEPHEN R HOLMES AND RUBY N. HOLMES
4996 LAURELWOOD DR.
KLAMATH FALLS, OR 97603

State of Oregon, County of Klamath
Recorded 07/17/2002 9:23 a.m.
Vol M02, Pg 40486-88
Linda Smith, County Clerk
Fee \$ 31.00 # of Pgs 3

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

Same as above

TRUSTEE'S DEED

T.S. No. 019282461

THIS INDENTURE, made July 10, 2002 between FIRST AMERICAN TITLE INSURANCE COMPANY hereinafter called trustee, and STEPHEN R HOLMES AND RUBY N. HOLMES hereinafter called the second party;

WITNESSETH

RECITALS: THOMAS J MONK AND CYNTHIA M MONK, as grantor, executed and delivered to: ASPEN TITLE AND ESCROW, INC., AN OREGON CORPORATION, as Trustee, for the benefit of EVERGREEN MONEYSOURCE MORTGAGE COMPANY, A WASHINGTON CORPORATION, as beneficiary, a certain trust deed dated 08/12/1996, duly recorded on 08/19/1996 in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M96 at Page 25572 or as Recorder's fee/file/instrument/microfilm/reception No. 23423.

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 02/19/2002, in book/reel/volume No. MO2 at page 9610 thereof or as fee/file/instrument/microfilm/reception No. to which reference is now made.

After the recording of said notice of default, as aforesaid, FIRST AMERICAN TITLE INSURANCE COMPANY, 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

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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 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 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 proof of service duly recorded prior to the date of sale in the records of said county, 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 the said notice of sale, the undersigned trustee on 07/01/2002, at the hour of 10:00:00 AM, of said day, in accord with the standard of time established by ORS 187.110, 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 \$82,844.00, 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 \$82,844.00

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 the grantor's execution of said trust deed, together with any interest the said grantor or grantor's successors in interest acquired after the execution of said trust deed in and to the following described real property to-wit:

LOT 10, BLOCK 9, TRACT NO. 1064 FIRST ADDITION TO GATEWOOD IN THE COUNTY OF KLAMATH STATE OF OREGON. CODE 64 MAP 3909-2408 TL 5300

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

In constructing this instrument and wherever 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.

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BY 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 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.

FIRST AMERICAN TITLE INSURANCE COMPANY

Teri L. Thompson
TERI L THOMPSON

STATE OF CALIFORNIA **ASSISTANT SECRETARY**
 COUNTY OF Contra Costa SS

On 7-15-02 before me, the
 Undersigned, a Notary Public in and for the State,
 personally appeared

Teri L Thompson
 personally known to me (or proved to me on the
 basis of satisfactory evidence) to be the person(s)
 whose name(s) is/are subscribed to the within
 instrument and acknowledged to me that he/she/
 they executed the same in his/her/their
 signature(s) on the instrument the person(s), or
 the entity upon behalf of which the person(s) acted,
 executed this instrument.

WITNESS my hand and official seal.

A. A. Briggs

