

'02 OCT 28 AM 10:43

State of Oregon, County of Klamath  
 Recorded 10/28/2002 10:43 a. m.  
 Vol M02, Pg 61275-77  
 Linda Smith, County Clerk  
 Fee \$ 3/00 # of Pgs 3

**TRUSTEE'S DEED**

oe  
 Grantor: William L. Sisemore, Trustee for Naomi Barkhurst, Julie Ann Israel & Arlene Norma Young

Grantee: Naomi Barkhurst, Julie Ann Israel & Arlene Norma Young

After recording, return & send tax statements  
 to:

Naomi Barkhurst, Julie Ann Israel, Arlene Norma Young  
2905 N. Killingsworth St  
Portland, OR 97217

Consideration:

**THIS INDENTURE**, made this 28th day of October, 2002, between William L. Sisemore, hereinafter called trustee, and Naomi Barkhurst, Julie Ann Israel & Arlene Norma Young, hereinafter called second party;

**WITNESSETH:**

**RECITALS:** David J. Clark, as grantor, executed and delivered to Aspen Title & Escrow, Inc., as trustee, for the benefit of Naomi Barkhurst and Julie Ann Israel and Arlene Norma Young, as beneficiary, a certain trust deed dated April 27, 2001, duly recorded on May 7, 2001, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M01 at page 20770. 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 June 20, 2002, in book/reel/volume No. M02, at page 35748 thereof, to which reference is now made.

After the recording of said notice of default, as aforesaid, 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.(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 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 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 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 the 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 proofs of service duly recorded on or prior to the date of sale in the official records of said county, said affidavits and proofs, 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 said notice of sale, the undersigned trustee on October 28, 2002, at the hour of 10:00 o'clock, A. M., of said day, in accord with the standard of time established by ORS 187.110, (which was the day and hour to which said 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, 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

second party for the sum of \$34,049.97, 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 \$34,049.97

**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 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:

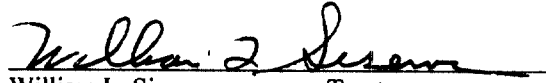
As shown on attached Exhibit "A"

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

In construing this instrument 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.

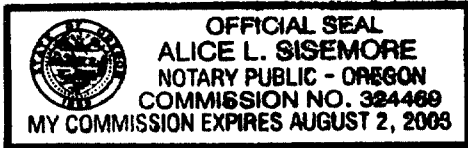
**THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.**

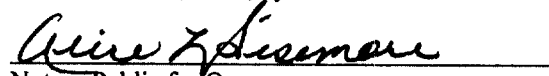
IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document.

  
William L. Sisemore, Trustee

STATE OF OREGON, County of Klamath ) ss

This instrument was acknowledged before me on October 28, 2002, by William L. Sisemore.



  
Notary Public for Oregon  
My Commission Expires: 08/02/2003

**PARCEL 1:**

**Exhibit A**

**61277**

A tract of land being in the SE 1/4 SE 1/4 of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at an iron pin which lies West along the Township line a distance of 373.0 feet and North 0° 45' West parallel to the East Township line a distance of 30.0 feet from the Southeast corner of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, and running thence: Continuing North 0° 45' West a distance of 208.7 feet to an iron pin; thence West parallel to the South Township line a distance of 144.4 feet to an iron pin; thence South 0° 45' East a distance of 208.7 feet to an iron pin which lies 30 feet North of the South Township line; thence East a distance of 144.4 feet, more or less, to the point of beginning.

TOGETHER WITH that portion of vacated public road adjoining that inured thereto by Order entered April 21, 1971 in Commissioner's Journal.

SAVE AND EXCEPT the West 5 feet as recorded in Warranty Deed recorded July 21, 1975 in Book M-75 at Page 8231

**PARCEL 2:**

A tract of land 25 feet by 25 feet, in the SE 1/4 SE 1/4 of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, together with pumping equipment thereon, more particularly described as follows:

Beginning at an iron pin which lies West along the Township line a distance of 258 feet and North 0° 45' West parallel to the East Township line a distance of 30 feet from the Southeast corner of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, and running thence West, parallel to and 30 feet North of the South Township line a distance of 90 feet to an iron pin which is the true point of beginning of this description; thence running North 0° 45' West a distance of 25 feet from an iron pin; thence West a distance of 25 feet to an iron pin; thence South 0° 45' East 25 feet to a line which is parallel to and 30 feet North of the East-West Township line; thence East along said line 25 feet to the point of beginning.

TOGETHER WITH that portion of vacated public road adjoining that inured thereto by Order entered April 21, 1971 in Commissioner's Journal.

**PARCEL 3:**

A tract of land in the SE 1/4 SE 1/4 of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at an iron pin which lies West along the Township line a distance of 258 feet and North 0° 45' West parallel to the East Township line a distance of 30 feet from the Southeast corner of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, and running thence West parallel to and 30 feet North of the South Township line, a distance of 90 feet to an iron pin; thence North 0° 45' West a distance of 25 feet to an iron pin; thence West a distance of 25 feet to an iron pin; thence North 0 degrees 45' West a distance of 183.7 feet to an iron pin; thence East parallel to the South Township line a distance of 130 feet to a point; thence South 0° 37' West a distance of 208.7 feet to a point which lies 30 feet North of the South Township line; thence West 10 feet, more or less, to the point of beginning.

TOGETHER WITH that portion of vacated public road adjoining that inured thereto by Order entered April 21, 1971 in Commission's Journal.