

'02 OCT 31 PM3:02

Vol M02 Page 62881

After recording, return to:

Michael R. Silvey, Esq.
Successor Trustee
Foster Pepper & Shefelman LLP
101 SW Main St., 15th Floor
Portland, OR 97204

mtc 52297

State of Oregon, County of Klamath
Recorded 10/31/2002 3:02 p m.
Vol M02, Pg 62881-82
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

Until a change is requested, send
all tax statements to:

Washington Mutual Bank
Attn: Paul Douglas, SSC 0365
P O Box 91006
Seattle, WA 98111

TRUSTEE'S DEED

The true and actual consideration paid for this transfer is the sum of \$77,127.16.

THIS INDENTURE, made this 30 day of October, 2002, between MICHAEL R. SILVEY, Successor Trustee, hereinafter called trustee and WASHINGTON MUTUAL BANK, a Washington corporation, hereinafter called the second party;

WITNESSETH:

RECITALS: DINO HERRERA, an unmarried individual, as grantor, executed and delivered to MOUNTAIN TITLE COMPANY, an Oregon corporation, as trustee, for the benefit of WASHINGTON MUTUAL BANK, as beneficiary, a certain trust deed dated November 20, 1995, duly recorded on December 5, 1995, in the mortgage records of Klamath County, Oregon, as Microfilm Volume 95, Page 33274. Said trust deed was modified by Modification of Deed of Trust dated May 1, 1999 and recorded July 13, 1999, in Volume M99, Page 27962, Microfilm Records of Klamath County, Oregon. In the 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 grantor's 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 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 grantor's obligations was recorded in the mortgage records of the above county on October 26, 2000, in Volume M00, page 39085.

After the recording of the notice of default, as aforesaid, 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 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 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 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 one or more affidavits or proofs of service duly recorded prior to the date of sale in the

24.627

62882

official records of the above county, the affidavits and proofs, together with the 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, together with the Certificate of Non-Military Service attached hereto. 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 notice of sale, the undersigned trustee on October 22, 2002, at the hour of 10:30 a.m., of that day, in accord with the standard of time established by ORS 187.110, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon said trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of \$77,127.16, the second party being the highest and best bidder at such sale and the sum being the highest and best sum bid for the property.

NOW THEREFORE, in consideration of the 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 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:

Lots 7 and 8 in Block 13 of CHILOQUIN DRIVE ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

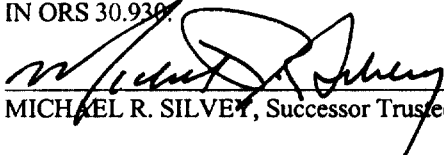
The Property is more commonly known as 646 S. Chiloquin Drive, Chiloquin, Klamath County, Oregon.

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 and whenever 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 the trust deed; the word "trustee" includes any successor trustee, the word beneficiary first named above, and the word "person" includes 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 corporate name to be signed and its seal affixed hereto by an officer of other person 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

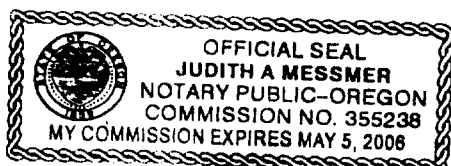

MICHAEL R. SILVEY, Successor Trustee

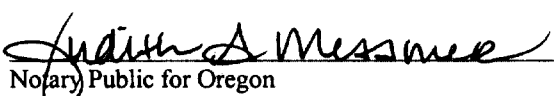
STATE OF OREGON

)
) ss.
)

County of Multnomah

This instrument was acknowledged before me on the 30 day of October, 2002, by MICHAEL R. SILVEY.




Notary Public for Oregon
My Commission Expires: 5-5-06