

'03 JAN 29 AM 9:50

Vol M03 Page 05271

Recording Requested by:  
Wells Fargo Bank  
When Recorded Return to: Fidelity National LPS  
P. O. BOX 19523  
Irvine, CA 92623-9523  
Code: WFD

State of Oregon, County of Klamath  
Recorded 01/29/2003 9:50 AM  
Vol M03 Pg 05271-5273  
Linda Smith, County Clerk  
Fee \$ 31<sup>00</sup> # of Pgs 3

State of Oregon

Space Above This Line For Recording Data

REFERENCE#: 20030067000139ACCOUNT#: 0654-654-5774624-0001

## SHORT FORM LINE OF CREDIT DEED OF TRUST

(With Future Advance Clause)

1. **DATE AND PARTIES.** The date of this Short Form Line of Credit Deed of Trust ("Security Instrument") is 01/10/2003 and the parties are as follows:  
TRUSTOR ("Grantor"):

FRANCISCO J. PENA AND LUZ M. PENA, HUSBAND AND WIFE

whose address is:

1320 MARTIN ST KLAMATH FALLS, OR, 97601

TRUSTEE: Wells Fargo Financial National Bank  
c/o Specialize Service

401 West 24th Street, National City, CA 91950

BENEFICIARY ("Lender"): Wells Fargo Bank, N. A.  
P. O. BOX 31557  
BILLINGS, MT 59107

2. **CONVEYANCE.** For good and valuable consideration, the receipt and sufficiency of which is acknowledged, and to secure the Secured Debt (defined below) and Grantor's performance under this Security Instrument, Grantor irrevocably grants, conveys and sells to Trustee, in trust for the benefit of Lender, with power of sale, all of that certain real property located in the County of KLAMATH, State of Oregon, described as follows:

LOT 37, BLOCK 11, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, IN THE COUNTY OF KLAMATH, STATE OF OREGON, CODE 1 MAP 3809-33BA TL 11400.  
SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.

with the address of 222 EAST MAIN ST KLAMATH FALLS, OR 97601

and parcel number of 415688

, together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, all water and riparian rights, ditches, and water stock and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described above.

3. **MAXIMUM OBLIGATION AND SECURED DEBT.** The total amount which this Security Instrument will secure shall not exceed \$ 15,000.00 together with all interest thereby accruing, as set forth in the promissory note, revolving line of credit agreement, contract, guaranty or other evidence of debt ("Secured Debt") of even date herewith, and all amendments, extensions, modifications, renewals or other documents which are incorporated by reference into this Security Instrument, now or in the future. The maturity date of the Secured Debt is 01/15/2010 .

4. **MASTER FORM LINE OF CREDIT DEED OF TRUST.** By the delivery and execution of this Security Instrument, Grantor agrees that all provisions and sections of the Master Form Line of Credit Deed of Trust ("Master Form"), inclusive, dated **February 1, 1997** and recorded on February 10, 1997 as Instrument Number 32645 in Book M 97 at Page 4115 of the Official Records in the Office of the Recorder of Klamath County, State of Oregon, are hereby incorporated into, and shall govern, this Security Instrument.
5. **RIDERS.** If checked, the following are applicable to this Security Instrument. The covenants and agreements of each of the riders checked below are incorporated into and supplement and amend the terms of this Security Instrument.

☒ Third Party Rider

☒ Leasehold Rider

☒ Other \_\_\_\_\_

**SIGNATURES:** By signing below, Grantor agrees to perform all covenants and duties as set forth in this Security Instrument. Grantor also acknowledges receipt of a copy of this document and a copy of the provisions contained in the previously recorded Master Form (the Deed of Trust-Bank/Customer Copy).

Francisco Pena  
FRANCISCO J. PENA

Grantor

\_\_\_\_\_  
Date

Luz M. Pena  
LUZ M. PENA

Grantor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grantor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grantor

\_\_\_\_\_  
Date

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Grantor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grantor

\_\_\_\_\_  
Date

**ACKNOWLEDGMENT:**

(Individual)

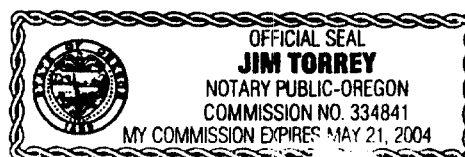
STATE OF Oregon, COUNTY OF Klamath } ss.

This instrument was acknowledged before me on 1-13-03 by Luz & Francisco Pena

[Signature]  
(Signature of notarial officer)

Notary Public  
Title (and Rank)

My Commission expires: 5-24-04



(Seal)

**ILLEGIBLE NOTARY SEAL DECLARATION**

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

Name of Notary: JIM TORREY

Commission Number: 334841

Commission Expires: MAY 31, 2004

Date & Place of Notary Execution: JAN 13, 2003 Klamath, OR

Date & Place of This Execution: JAN 14, 2003 Washington County, OR

April Chong Smith

**Signature**  
APRIL CHONG SMITH  
WELLS FARGO BANK, N.A.