

04 FEB 4 AM 8:42

Vol M04 Page 06706

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 02/04/2004 8:42 a m
Vol M04 Pg 6706-7
Linda Smith, County Clerk
Fee \$ 26⁰⁰ # of Pgs 2

State of Oregon

Space Above This Line For Recording Data

REFERENCE#:20040097200776 ACCOUNT#:0651-651-2403412-1998

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 01/15/2004 and the parties are as follows:

TRUSTOR ("Grantor"):
ANTHONY F. SWAN AND JEANETTE M. RUTHERFORD, AS TENANTS BY THE ENTIRETY

whose address is: 347 PACIFIC TERR 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:

THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN THE COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS FOLLOWS:
LOT 1, BLOCK 43, HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

with the address of 347 PACIFIC TERR KLAMATH FALLS, OR 976012373 and parcel number of 00R373893, 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 \$ 25,000.00 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 01/15/2044.

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 N/A

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).

<u>Anthony F Swan</u>	<u>1/15/04</u>
ANTHONY F SWAN	Date
<u>Jeanette M Rutherford</u>	<u>1-15-04</u>
JEANETTE M RUTHERFORD	Date
_____	_____
Grantor	Date
_____	_____
Grantor	Date
_____	_____
Grantor	Date
_____	_____
Grantor	Date

ACKNOWLEDGMENT:

(Individual)

STATE OF Oregon, COUNTY OF Klamath } ss.

This instrument was acknowledged before me on 1-15-04 by Anthony F Swan
and Jeanette M Rutherford

[Signature]
(Signature of notarial officer)

5-21-04
Title (and Rank)

My Commission expires: 5-21-04



JIM TOASEY
NOTARY PUBLIC - OREGON
COMMISSION NO. 384031
COMMISSION EXPIRES 5/21/04

(Seal)