

State of Oregon, County of Klamath
 Recorded 02/05/2004 1:36 PM
 Vol M04 Pg 07006-009
 Linda Smith, County Clerk
 Fee \$ 36.00 # of Pgs 4

After recording return to:

Irwin Mortgage Corporation
 Attn: REO/Foreclosure Department
 P.O. Box 6107
 Indianapolis, IN 46240-6107
FIDELITY NATIONAL TITLE SERVICES

FILE NAME/Kane/544-X2635

Mail all tax statements to:

Irwin Mortgage Corporation
 fka Inland Mortgage Corporation
 P.O. Box 6107
 Indianapolis, IN 46240-6107
 Attn: REO / Foreclosure Department

3410237

Consideration: \$348,960.31

ATG 11/10/05

TRUSTEE'S DEED

THIS INDENTURE, made this 2nd day of February, 2004, between David Powell hereinafter called trustee, and Irwin Mortgage Corporation (Mortgage Electronic Registration Systems, Inc., its successors and assigns as nominee for for American Home Mortgage and Investment, Inc., and its successors and assigns, bid at trustee's sale as Irwin Mortgage Corporation) hereinafter called the second party;

WITNESSETH:

RECITALS: Robert F. Kane, a married person as grantor, executed and delivered to , as trustee, for the benefit of Mortgage Electronic Registration Systems, Inc. (MERS) as nominee for American Home Mortgage and Investments, Inc., as beneficiary, a certain trust deed dated February 7, 2003, duly recorded on February 12, 2003 in the mortgage records of Klamath County, Oregon, in book/reel/volume No. VOL M03 PAGE 08757. 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 September 25, 2003 as Book M-03, Page 71541, to which reference now is 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(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 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 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 January 28, 2004, at the hour of 11:00 o'clock a.m., 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 \$348,960.31, 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 \$348,960.31.

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:

See legal description attached hereto as Exhibit "A" and incorporated herein by this reference.

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 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.

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 or 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.



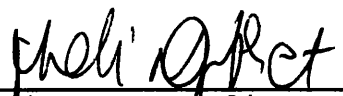
David Powell, Successor Trustee

STATE OF WASHINGTON)

) ss

COUNTY OF KING)

On this 2nd day of February, 2004, personally appeared David Powell who acknowledged that he signed the within foregoing instrument as his free and voluntary act and deed for the uses and purposes therein mentioned.



PRINTED NAME: Melissa Grospe Tervet
Notary Public for Washington
Residing at: King County
Commission expires: 1-16-06.



Exhibit "A"

A piece or parcel of land situate in portions of Government Lots 1 and 2 in Section 34, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the Southeasterly right of way line of U.S. Highway 97 as the same is presently located and constructed, from which point the meander corner of the 1858 Meander Line common to Sections 27 and 34, Township 40 South, Range 8 East of the Willamette Meridian bears North 15° 58' 10" West 174.6 feet distant; thence South 15° 58' 10" East along the adjusted 1858 Meander Line, as established during Record Survey No. 1938, 19.1 feet to Angle Point No. 1; thence South 31° 07' 05" West along said Meander Line 808.45 feet to Angle Point No. 2; thence South 23° 06' 50" East along said meander line 769.6 feet to Angle Point No. 3; thence South 5° 38' 20" West along said meander line 300.0 feet to a point; thence North 57° 38' West 931.63 feet to a point on the Southerly right of way line of U.S. Highway 97 as the same is presently located and constructed; thence North 32° 22' 00" East along said Southeasterly right of way line 1,641.36 feet to the point of beginning.

Said Parcel is also referred to as Parcel 1 of Land Partition 14-86.