

1st 311673

Vol M04 Page 29741

After recording return to:  
 NATIONAL CITY HOME LOAN SERVICES, INC.  
 150 ALLEGHENY CENTER, IDC 24-050  
 PITTSBURGH PA 15212-5356

State of Oregon, County of Klamath  
 Recorded 05/13/2004 3:36 pm  
 Vol M04 Pg 29741-29744  
 Linda Smith, County Clerk  
 Fee \$ 36.00 # of Pgs 4

Until a change is requested all tax statements  
 shall be sent to the following address:

Same as above

2071528

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## TRUSTEE'S DEED

T.S. No. 1062506-09  
 Loan No. 1004008426

THIS INDENTURE, Made May 07, 2004, between CAL-WESTERN RECONVEYANCE CORPORATION, hereinafter called trustee, and NATIONAL CITY HOME LOAN SERVICES, INC. hereinafter called the second party;

### WITNESSETH:

Pursuant to said notice of sale, the undersigned trustee on May 06, 2004, at the hour of 1:00pm, 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 him by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$48,918.24, he 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 \$48,918.24.

RECITALS: PAUL WILLIAM WARSHAUER, AN UNMARRIED PERSON, as grantor, executed and delivered to AMERITITLE, as trustee, for the benefit of FIRST FRANKLIN FINANCIAL CORPORATION, as beneficiary, a certain trust deed dated November 29, 2000, duly recorded on December 15, 2000, in the mortgage records of KLAMATH County, Oregon, in book/reel/volume No M00 at page 45193, or as fee/file/instrument/microfilm/reception No. XX (indicate which). 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 his 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 his 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 January 02, 2004, in book/reel/volume No M04 at page 217, thereof or as fee/file/instrument/microfilm/reception No. XX (indicate which), to which reference now is made.

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**TRUSTEE'S DEED****29742**

Loan No: 1004008426  
T.S. No: 1062506-09

After the recording of said notice of default, as aforesaid, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by him 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).

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 his successors in interest acquired after the execution of said deed in and to the following described real property, to-wit:

PARCEL 1: BEGINNING AT THE QUARTER CORNER COMMON TO SECTION 31 AND 32, TOWNSHIP 37 SOUTH, RANGE 9 MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

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

In constructing this instrument and whenever the context so requires, the masculine gender includes the feminine and the neuter and 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.

TRUSTEE'S DEED

29743

Loan No: 1004008426  
T.S. No: 1062506-09

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers 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 CITIES OR COUNTIES PLANNING DEPARTMENT TO VERIFY APPROVED USES.

DATED: 05-10-04

CAL-WESTERN RECONVEYANCE CORPORATION

  
**Karre-Anne Steeps, A.V.P.**

STATE OF

COUNTY OF

On MAY 10 2004 before me, the undersigned,  
a Notary Public in and for said State, personally

appeared **Karre-Anne Steeps, A.V.P.**

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(this area for official Notary Seal)

Signature \_\_\_\_\_

**29744**

**Exhibit "A"**

Real property in the County of , State of Oregon, described as follows:

**Parcel 1:**

Beginning at the quarter corner common to Sections 31 and 32, Township 37 South, Range 9 East of the Willamette Meridian; thence North 89°49' West 1444.55 feet; thence North 1°10' East 20 feet to the Southeast corner of the herein described property; thence North 1°10' East 100 feet; thence North 89°49' West 735 feet, more or less, to a point on the Easterly right of way line of the Dalles-California Highway; thence Southerly along the Easterly right of way line of the Dalles-California Highway 106 feet, more or less, to a point which is North 89°49' West of the point of beginning; thence South 89°49' East 770 feet, more or less to the point of beginning and being all a part of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

**Parcel 2:**

A strip of ground 20 feet wide, which lies East of the Dalles-California Highway, along the South side of the SW ¼ of NE ¼ of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, beginning at a point which is North 89°49' West 1444.55 feet from the quarter corner common to Sections 31 and 32, said Township and Range, being a portion of the SW ¼ of NE ¼ of said Section 31.

**Tax Parcel Number:**