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Vol M04 Pg 70982-85  
Linda Smith, County Clerk  
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State of Oregon

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REFERENCE#:20042437200459 ACCOUNT#:0650-650-5506921-1998

## 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 09/27/2004 and the parties are as follows:

TRUSTOR ("Grantor"):  
ERNEST KIRKPATRICK

whose address is: 4984 WOCUS RD 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:  
SEE ATTACHED EXHIBIT

with the address of 4984 WOCUS ROAD KLAMATH FALLS, OR 97601  
and parcel number of 00R429520, 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 \$ 28,000.00 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

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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 09/27/2044.

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).

Ernest Kirkpatrick  
ERNEST KIRKPATRICK

Grantor

9-28-04

Date

Grantor

Date

Grantor

Date

Grantor

Date

Grantor

Date

Grantor

Date

**ACKNOWLEDGMENT:**

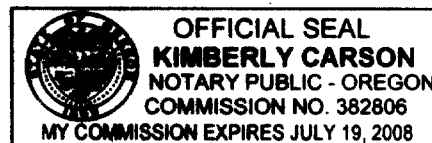
(Individual)

STATE OF Oregon, COUNTY OF Klamath } ss.

This instrument was acknowledged before me on 9-28-04 by Ernest Kirkpatrick

Kimberly Carson  
(Signature of notarial officer)

Title (and Rank)



My Commission expires: 7-19-08

(Seal)

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**Exhibit A**

Reference #: 20042437200459

Acct #: 0650-650-5506921-1998

PARCEL 1 A PARCEL OF LAND SITUATED IN THE SE 1/4 SW 1/4 OF SECTION 7, TOWNSHIP 38 SOUTH, RANGE 9 EAST EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF THE RIGHT OF WAY OF THE OLD DALLAS CALIFORNIA HIGHWAY, WHICH POINT BEARS NORTH 89 DEGREES 42 WEST A DISTANCE OF 770.8 FEET AND THENCE NORTH 6 DEGREES 02 EAST A DISTANCE OF 176.5 FEET FROM THE QUARTER SECTION CORNER COMMON TO SECTION 7 AND 18 TOWNSHIP AND RANGE AFORESAID, THE SAID POINT BEING AT THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED; THENCE NORTH 6 DEGREES 02 EAST ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 114.4 FEET; THENCE NORTH 89 DEGREES 42 MIN WEST TO A POINT THAT IS SOUTH 89 DEGREES 42 MIN EAST 200 FEET FROM THE EASTERLY BOUNDARY LINE OF THE NEW THE DALLES-CALIFORNIA HIGHWAY; THENCE SOUTHERLY PARALLEL TO SAID EASTERLY BOUNDARY AND 200 FEET DISTANT THEREFROM A DISTANCE OF 113.8, MORE OR LESS, TO A POINT THAT IS NORTH 89 DEGREES 42 MIN WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 42 MIN EAST TO THE POINT OF BEGINNING. EXCEPTING THAT PORTION DESCRIBED AS FOLLOWS: COMMENCING AT THE ONE QUARTER CORNER COMMON TO SECTIONS 7 AND 18, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON; THENCE NORTH 89 DEGREES 42 MIN WEST 770.80 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE FORMER DALLES CALIFORNIA HIGHWAY, NOW A COUNTY ROAD; THENCE NORTH 06 DEGREES 02 EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 280.90 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 89 DEGREES 42 MIN WEST 260.00 FEET; THENCE NORTH 06 DEGREES 02 EAST 10.00 FEET; THENCE SOUTH 89 DEGREES 42 MIN EAST 260.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE AFOREMENTIONED COUNTY ROAD; THENCE SOUTH 06 DEGREES 02 MIN WEST 10.00 FEET TO THE POINT OF BEGINNING. PARCEL 2 A PARCEL OF LAND SITUATED IN THE SE 1/4 SW 1/4 OF SECTION 7, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF OLD THE DALLES-CALIFORNIA HIGHWAY WHICH BEARS NORTH 89 DEGREES 42 MIN WEST 770.8 FEET AND NORTH 6 DEGREES 02 EAST 20.1 FEET FROM THE QUARTER SECTION CORNER COMMON TO SECTIONS 7 AND 18 TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN; CONTINUING THENCE NORTH 6 DEGREES 02 EAST A DISTANCE OF 156.4 FEET TO A POINT; THENCE NORTH 89 DEGREES 42 MIN WEST TO A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 42 MIN EAST, TO THE POINT OF BEGINNING. TOGETHER WITH THAT PORTION OF A VACATED ROAD AS DISCLOSED BY COUNTY COMMISSIONERS JOURNAL 20-411. PARCEL 3 A PARCEL OF LAND SITUATED IN THE SE 1/4 SW 1/4 OF SECTION 7, TOWNSHIP 38 SOUTH, RANGE 9, EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS ON THE WESTERLY LINE OF THE RIGHT OF WAY OF THE OLD THE DALLES-CALIFORNIA HIGHWAY, WHICH POINT BEARS NORTH 89 DEGREES 42 MIN WEST A DISTANCE OF 770.8 FEET AND THENCE NORTH 6 DEGREES 02 MIN EAST A DISTANCE OF 290.9 FEET FROM THE QUARTER SECTION CORNER COMMON TO SECTIONS 7 AND 18 TOWNSHIP AND RANGE AFORESAID; THENCE NORTH 89 DEGREES 42 MIN WEST TO A POINT WHICH IS SOUTH 89 DEGREES 42 MIN EAST A FEET FROM THE EASTERLY BOUNDARY LINE OF THE NEW DALLES-CALIFORNIA HIGHWAY WHICH POINT IS THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 42 MIN WEST A DISTANCE OF 200 FEET TO THE EASTERLY BOUNDARY LINE OF SAID HIGHWAY; THENCE SOUTHERLY ALONG SAID EASTERLY BOUNDARY TO A POINT WHICH IS NORTH 89 DEGREES 42 MIN WEST OF A POINT, WHICH IS NORTH 89 DEGREES 42 MIN WEST 770.8 FEET AND NORTH 6 DEGREES 02 EAST 20.1 FEET FROM SAID SECTION CORNR COMMON TO SECTIONS 7 AND 18; THENCE SOUTH 89 DEGREES 42 MIN EAST 200 FEET TO A POINT; THENCE NORTHERLY PARALLEL TO SAID EASTERLY BOUNDARY AND 200

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FEET DISTANT THEREFROM TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON BY AND THROUGH ITS STATE HIGHWAY COMMISSION BY DEED DATED JANUARY 30, 1941 AND RECORDED FEBRUARY 13, 1941 IN BOOK 135 AT PAGE 326 OF DEED RECORDS OF KLAMATH COUNTY, OREGON.