

|   |  |
|---|--|
| <b>RETURN TO:</b><br>Brandsness, Brandsness & Rudd,<br>P.C.<br>411 Pine Street<br>Klamath Falls, OR 97601 | <b>MAIL TAX STATEMENTS:</b><br>William and Barbara Peterson<br>HC Box 311<br>Chiloquin, OR 97624 |
|---|--|

State of Oregon, County of Klamath  
 Recorded 10/26/04 10:44 a m  
 Vol M04 Pg 72949-51  
 Linda Smith, County Clerk  
 Fee \$ 31.00 # of Pgs 3

Aspen 59132  
 - TRUSTEE'S DEED -

THIS INDENTURE, made October 22, 2004, between Andrew C. Brandsness, hereinafter called trustee, and William W. Peterson and Barbara F. Peterson, husband and wife, with full rights of survivorship, hereinafter called the second party;

WITNESSETH:

RECITALS: Maria Masloff, whose successor in interest is Tanya Masloff (aka Tatiana Masloff), as grantor, executed and delivered to Aspen Title & Escrow, Inc., as trustee, for the benefit of William W. Peterson and Barbara F. Peterson, as beneficiary, a certain trust deed dated November 20, 1989, duly recorded on February 7, 1990, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M90, at page 2630. 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 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 May 28, 2004, in Book/Vol. No. M04 at page 34389 thereof 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 him and as required by law; copies of the Notice of Sale were served pursuant to ORCP 7D(2) and 7D(e) 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 subsections (1) and (2)(a) of Section 86.740 Oregon Revised Statutes, at least 120 days before the date the property was sold, and the address of the guardian, conservator or administrator or executor of any person named in subsection (1) of ORS 86.740, 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 subsection(1) of Section 86.750 Oregon Revised Statutes. If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form required by subsection (6) of Section 86.755 Oregon Revised Statutes were mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) 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 said notice of default and election to sell and the 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 subsections (1)(b) or (1)(c) of ORS 86.740.

Pursuant to said notice of sale, the undersigned trustee on October 14, 2004, at the hour of 10:00 a.m. of said day, Standard Time as established by Section 187.110, Oregon Revised Statutes, 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 \$115,500 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 \$115,500.

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 trust deed in and to the following described real property, to-wit:

See Exhibit "A" attached hereto and made a part hereof, together with a 1979 Ridgewood Mobile Home, VIN 09L13952, Plate No. X154587

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

In construing 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.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand.

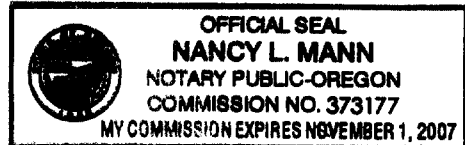
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED: October 22, 2004

Andrew C. Brandsness, Successor Trustee

STATE OF OREGON       )  
                                  ) ss.  
County of Klamath    )

Personally appeared before me this 22 day of October, 2004, Andrew C. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public for Oregon  
My Commission expires: 11-1-07

## Exhibit A

**PARCEL 1:**

A tract of land situated in the E 1/2 W 1/2 of Section 24, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron pin marking the C-W 1/16 corner of said Section 24; thence North 00° 03' 23" East, along the West line of the E 1/2 W 1/2 of said Section 24, 1495.37 feet to the centerline of Sand Creek; thence Easterly, along said centerline of Sand Creek, to the Westerly right of way line of State of Highway No. 97 (Dalles-California Highway); thence South 02° 22' 40" West, along said Westerly right of way line, 2165.04 feet to a 5/8 inch iron pin; thence South 89° 42' 56" West 485.22 feet to a 5/8 inch iron pin on the West line of the E 1/2 W 1/2 of said Section 24; thence North 00° 07' 04" East 659.04 feet to the point of beginning.

**PARCEL 2:**

A tract of land situated in the E 1/2 W 1/2 of Section 24, Township 31 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of the E 1/2 W 1/2 of said Section 24, said point marked by a 5/8 inch iron pin being South 00° 07' 04" West 659.04 feet from the C-W 1/16 corner of said Section 24; thence South 00° 07' 04" West along said West line, 671.12 feet to a 5/8 inch iron pin on the Northerly right of way line of Klamath County Road No. 3092 (Easement No. F 2992); thence South 81° 56' 23" East, along said Northerly right of way line, 460.50 feet to a 5/8 inch iron pin on the Westerly right of way line of State Highway No. 97 (Dalles-California Highway); thence North 02° 22' 40" East along said Westerly right of way line, 738.73 feet to a 5/8 inch iron pin; thence South 89° 42' 56" West 485.22 feet to the point of beginning, with bearings based on Survey No. 1706, as recorded in the office of the Klamath County Surveyor.