

State of Oregon, County of Klamath
Recorded 11/16/04 11:06 a m
Vol M04 Pg 78 775-78
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 4

After Recording Return to:
PPG Goebel, Inc.
o/c c/o Paul Goebel
1345 Pacific Terrace
Klamath Falls, OR 97601

'04 NOV 16 AM 11:06

TRUSTEE'S DEED

THIS INDENTURE, Made this 5th day of November, 2004, between Kelly D. Sutherland, hereinafter called trustee, and PPG Goebel, Inc., hereinafter called the second party;

WITNESSETH:

RECITALS: Lyle L. Deford and Lisa M. Deford, as tenants by the entirety, as grantor, executed and delivered to Amerititle, as trustee, for the benefit of Washington Mutual Bank, as beneficiary, a certain trust deed dated June 10, 1997, duly recorded on June 16, 1997, in the mortgage records of Klamath County, Oregon, in Volume No. M97 at Page 18424. 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 7, 2004, in Book No. MO4 at Page 00764, thereof.

SEND FUTURE TAX STATEMENTS TO:
PPG Goebel, Inc.
c/o Paul Goebel
1345 Pacific Terrace
Klamath Falls, OR 97601

CONSIDERATION AMOUNT: \$86,155.26

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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 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 representative, 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 persons; 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 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, 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 then 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). The Trustee hereby certifies that any valid requests for information under ORS 86.755 (8) have been responded to within the time allowed by statute.

Pursuant to said notice of sale, the undersigned trustee on November 3, 2004 at the hour of 11:00 AM, 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 86.775(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 real property in one parcel at public auction to the said second party for the sum of \$86,155.26, 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 \$86,155.26.

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 has 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 complete Legal Description attached hereto as Exhibit "A"

Commonly known as: 1333 Summers Lane, Klamath Falls, OR 97603

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.

KELLY D. SUTHERLAND,
Successor Trustee

By:

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.

STATE OF WASHINGTON)
County of Clark) SS.
)

The foregoing instrument was acknowledged before me this 5th day of November, 2004, by Kelly D. Sutherland, Successor Trustee.

~~Notary~~ Public for Washington.

My Commission Expires: 11/29/07

Lender Loan #: 8015422

EXHIBIT "A"

Lot 19, Block 3, SHADOW HILLS No. 1, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM the Northerly 44.1 feet thereof.

ALSO EXCEPTING THEREFROM the Southerly 12.73 feet of the Northerly 56.83 feet of Lot 19, Block 3, Shadow Hills No. 1 as shown on property line adjustment 19-96 County Survey 5894, filed May 17, 1996, on file in the Office of the Klamath County Engineer.

TOGETHER WITH that portion of street vacated by Ordinance No. 5852 recorded May 22, 1972, in Volume M72, Page 5439, Microfilm Records of Klamath County, Oregon, which inurred thereto.