

04 DEC 7 AM 8:34

Vol M04 Page 83657

NEAL G. BUCHANAN

435 OAK AVE.

KLAMATH FALLS, OR 97601

Trustee's Name and Address

PETER R. O'NEIL AND ESTHER Y. O'NEIL

P.O. BOX 124

MIDLAND, OR 97634

Second Party's Name and Address

After recording, return to (Name, Address, Zip):

NEAL G. BUCHANAN

Until requested otherwise, send all tax statements to (Name, Address, Zip):

SECOND PARTY

State of Oregon, County of Klamath
Recorded 12/07/04 8:34 a m
Vol M04 Pg 83657-60
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

TRUSTEE'S DEED

THIS INDENTURE, Dated December 6, 2004

NEAL G. BUCHANAN

between
hereinafter
called trustee, and PETER R. O'NEIL AND ESTHER Y. O'NEIL, HUSBAND AND WIFE

hereinafter called the second party; WITNESSETH:

RECITALS: DOUG STAFF AND RENEE STAFF, HUSBAND AND WIFE

as grantor, executed and delivered to FIRST AMERICAN TITLE INSURANCE COMPANY as trustee, for the benefit

of PETER R. O'NEIL AND ESTER Y. O'NEIL, HUSBAND AND WIFE as beneficiary, a certain trust deed

dated December 28, 1999 (signed Dec. 30, 1999) recorded on December 30, 1999, in the Records of

Klamath County, Oregon, in book/reel/volume No. M99 at page 51314, and/or as fee/file/instru-

ment/microfilm/reception No. (indicate which). In that trust deed, the real property therein and hereinafter described

was conveyed by the grantor to the trustee to secure, among other things, the performance of certain obligations of the grantor to the

beneficiary. The grantor thereafter defaulted in performance of the obligations secured by the 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 the default, the owner and holder of the obligations secured by the trust deed, being the beneficiary therein

named, or the beneficiary's successor in interest, declared all sums so secured immediately due and owing. A notice of default con-

taining an election to sell the real property and to foreclose the trust deed by advertisement and sale to satisfy the asserting grantor's

obligations was recorded on July 16, 2004, in the Records of Klamath County,

in book/reel/volume No. M04 at page 46467, and/or as fee/file instrument/microfilm/reception No. (indicate which), to which reference now is made.

After recording the notice of default, the undersigned trustee gave notice of the time for and place of sale of the real prop-

erty, as fixed by the trustee and as required by law. Copies of the notice of sale were served pursuant to ORCP 7 D. (2) and 7 D. (3),

or mailed by both first class and certified mail with return receipt requested, to the last known addresses of the persons or their legal

representatives, if any, named in ORS 86.740 (1) and 86.740 (2)(a), at least 120 days before the date the property was sold. A copy

of the notice of sale was mailed by first class and certified mail with return receipt requested to the last known address of the fidu-

ciary or personal representative of any person named in ORS 86.740 (1), promptly after the trustee received knowledge of the dis-

ability, insanity or death of any such person. Copies of the notice of sale were served upon occupants of the property described in

the trust deed in the manner in which a summons is served pursuant to ORCP 7 D. (2) and 7 D. (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

addresses 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. The trustee published a copy of the

notice of sale in a newspaper of general circulation in each county in which the real property is situated once a week for four suc-

cessive weeks. The last publication of the notice occurred more than twenty days prior to the date of sale. The mailing, service and

publication of the notice of sale are shown by affidavits and/or proofs of service duly recorded prior to the date of sale in the county

records, those affidavits and proofs, together with the 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 deed as if fully set forth herein. The undersigned trustee has no actual notice of any

person, other than the persons named in those affidavits and proofs as having or claiming a lien on or interest in the real property,

entitled to notice pursuant to ORS 86.740 (1)(b) or (1)(c).

The true and actual consideration for this conveyance is \$ 241,124.31 (Here comply with ORS 93.030.)

(OVER)

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The undersigned trustee, on December 3, 2004, at the hour of 1:00 o'clock, P. M., in accord with the standard of time established by ORS 187.110, (which was the day and hour to which the 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, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon the trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of \$241,124.31, the second party being the highest and best bidder at the sale, and that sum being the highest and best bid for the property.

NOW, THEREFORE, in consideration of that sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in the trustee by the laws of the State of Oregon and by the 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 the trust deed, together with any interest the grantor or grantor's successors in interest acquired after the execution of the trust deed in and to the following described real property, to-wit:

SEE THE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the same unto the second party and the 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; "grantor" includes any successor in interest to the grantor, as well as each and every other person owing an obligation, the performance of which is secured by the trust deed; "trustee" includes any successor trustee; "beneficiary" includes any successor in interest of the beneficiary first named above; and "person" includes a 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 name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Neal G. Buchanan
NEAL G. BUCHANAN

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on _____,

by _____,

This instrument was acknowledged before me on 12-6-04,

by Neal G. Buchanan,

as _____,

of _____.



Marsha Cobine
Notary Public for Oregon
My commission expires 11-7-07

EXHIBIT "A"

DESCRIPTION OF PROPERTY

A parcel or piece of land situate in the SE1/4 SW1/4 of Section 30, Township 39 South, Range 9 E.W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning at the point of intersection of the Section line marking the Southerly boundary of Section 30, Township 39 South, Range 9 E.W.M. with a line parallel to and fifty (50.0) feet distant at right angles Southeasterly from the center line of the Klamath Falls-Midland section of U.S. 97 Highway, as the same is presently located and constructed, and from which point of intersection the Southwesterly corner of said section 30 bears South $89^{\circ}42'30''$ West 827.1 feet distant; thence North $36^{\circ}49'30''$ East parallel to the center line of said highway 1071.5 feet to a $3/4$ " iron pipe and the true point of beginning of this description; thence North $89^{\circ}41'10''$ East along the centerline of an existing irrigation ditch, as the same is presently located and constructed 943.8 feet to a point; thence North $1^{\circ}54'40''$ East 300.0 feet to a $5/8$ " aluminum capped iron pin; thence North $88^{\circ}30'50''$ West along an existing fence 711.8 feet to a $5/8$ " aluminum capped iron pin at the intersection with the Southeasterly highway right of way fence; thence South $36^{\circ}50'$ West along said right of way fence 404.1 feet, more or less, to the true point of beginning.

NE

83660

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON,

County of Klamath

} ss.

THIS IS TO CERTIFY That I am the attorney for the trustee for the beneficiary in that certain trust deed in which Doug Staff and Renee Staff, husband and wife, as grantor, conveyed to First American Title Company, as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated December 28, 1999, and recorded December 30, 1999, in the mortgage records of said county, in book/reel/volume M99 at page 51314 or as fee/file/instrument/microfilm/reception No. (indicate which); thereafter a notice of default with respect to said trust deed was recorded July 16, 2004 ~~xx~~, in book/reel/volume M04 at page 46467 of said mortgage records, or as fee/file/instrument/microfilm/reception No. (indicate which); thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was sold at the trustee's sale on December 3, 2004 ~~xx~~; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined by the Servicemembers Civil Relief Act (SCRA) (20u3).

In construing this certificate the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

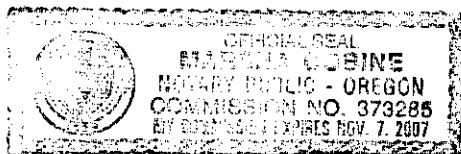
STATE OF OREGON,

County of Klamath

} ss:

NEAL G. BUCHANAN

This instrument was acknowledged before me on December 6, 2004, by Neal G. Buchanan



Notary Public for Oregon

My commission expires 11-7-07

CERTIFICATE OF NON-MILITARY SERVICE

Re Trust Deed from

Grantor

to

Trustee

AFTER RECORDING RETURN TO

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON

County of _____

} ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock M, and recorded in book/reel/volume _____ on page _____, or as fee/file/instrument/microfilm/reception No. _____ of the _____ Records of said County.

NAME

TITLE

By _____

Deputy