

34 DEC 28 PM 2:07

Vol M04 Page 88738

RECORDING INFORMATION:

Grantor's Name & Address:

Lewis P. Laird and Donna R. Laird
PO Box 267
Crescent, OR 97733

Beneficiary's Name & Address:

Intermountain Community Bank
98 South Oregon Street
Ontario, OR 97914

Until a change is requested, all tax statements to:

Ernest Sessom
1960 Lawrence St.
Klamath Falls, OR 97601

After Recording Return to (Name, Address, Zip): Ernest Sessom, 1960 Lawrence St., Klamath Falls, OR 97601

State of Oregon, County of Klamath
Recorded 12/28/04 2:07 P m
Vol M04 Pg 88738-39
Linda Smith, County Clerk
Fee \$ 210.00 # of Pgs 2

TRUSTEE'S DEED

THIS INDENTURE, Made this 23rd day of December, 2004, between SCOTT K. WARNER, as Successor Trustee, and ERNEST SESSOM, hereinafter called Second Party; WITNESSETH:

RECITALS:

LEWIS P. LAIRD and DONNA R. LAIRD, as Grantors, executed and delivered to KLAMATH COUNTY TITLE COMPANY (now known as First American Title Company), as Trustee, for the benefit of RICHARD W. HOCKEMA and MARLENE HOCKEMA, as Beneficiaries, a certain Trust Deed dated March 14, 1997, recorded March 17, 1997, in Volume M97, Page 7752, Microfilm Records of Klamath County, Oregon. The beneficial interest in said Trust Deed was assigned to Orchard Federal Savings Bank by assignment, recorded October 6, 1998, in Volume M98, Page 36780, Microfilm Records of Klamath County, Oregon. The beneficial interest of Household Finance Corporation, successor in interest to Household Bank, f.s.b, successor in interest to Orchard Federal Savings Bank, in said Trust Deed was assigned to Intermountain Community Bank, a Division of Panhandle State Bank, by assignment, recorded April 29, 2004, in Volume M04, Page 26064, Microfilm Records of Klamath County, Oregon. In that Trust Deed, the real property therein and hereinafter described was conveyed by the Grantors to the Trustee to secure, among other things, the performance of certain obligations of the Grantors to the Beneficiaries. The Grantors 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.

Appointment of Successor Trustee appointing Scott K. Warner of Yturri Rose LLP as Successor Trustee by the Beneficiary was recorded August 2, 2004, in Volume M04, Page 50535, Microfilm Records of Klamath County, Oregon.

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 containing an election to sell the real property and to foreclose the Trust Deed by advertisement and sale to satisfy the asserting Grantors obligations was recorded on August 2, 2004, in Volume M04, Page 50536, and re-recorded August 6, 2004, in Volume M04, Page 51653, Microfilm Records of Klamath County, Oregon, to which reference now is made.

After recording the Notice of Default, the undersigned Successor Trustee gave notice of the time for and place of sale of the real property, as fixed by the Successor Trustee and as required by law. Copies of the 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 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 fiduciary or personal representatives 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. 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 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 addresses of those persons listed in ORS 86.740 and ORS 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 the newspaper of general circulation in each County in which the real property is situated once a week for four successive weeks. The last publication of the notice occurred more than twenty (20) 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 Volume M04, Page 82730 and in Volume M04, Page 82732. 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 \$34,192.53.

25

The undersigned Trustee, on December 20, 2004, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, 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 Successor Trustee by the Trust Deed, sold the real property in one parcel at public auction to the Second Party for the sum of \$34,192.53, 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 Successor Trustee by the laws of the State of Oregon and by the Trust Deed, the Successor Trustee does hereby convey unto the Second Party all interest which the Grantors had or had the power to convey at the time of Grantors' execution of the Trust Deed, together with any interest the Grantors or Grantors' successors in interest acquired after the execution of the Trust Deed in and to the following described real property, to-wit:

A portion of Lot 1, Block 1, PINNEY'S ACRES, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Lot 1; thence North 40 degrees 38'35" East, 311.99 feet to a 5/8 inch iron rod; thence South 89 degrees 21'15" East, 107.50 feet to a 5/8 inch iron rod; thence South 00 degrees 38'45" West, 288.78 feet to an iron rod on the South line of said Lot 1; thence North 89 degrees 17'00" West, along the South line of said lot, 308.03 feet to the point of beginning.

TOGETHER WITH access easement as contained in Warranty Deed, dated January 6, 1981, recorded January 12, 1981, in Volume M81, page 476, Deed Records of Klamath County, Oregon, as follows:

A 30 foot wide strip of land for access lying adjacent to and easterly from the West line of the above described parcel bound on the North and South by the respective North and South property lines of said parcel.

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 Successor 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.

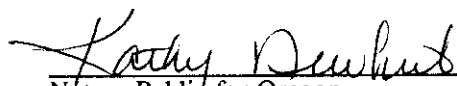
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO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


Scott K. Warner, Successor Trustee

State of Oregon)
) ss.
County of Malheur)

This instrument was acknowledged before me on the 23rd day of December, 2004, by Scott K. Warner, Successor Trustee of the above-described Deed of Trust.




Notary Public for Oregon
My Commission expires: 2-9-05