'05 MAR 9 PM1:20

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS ARE TO BE SENT TO THE FOLLOWING ADDRESS: Beverley Miles 1205 Pacific Terrace Klamath Falls OR 97601

CONSIDERATION: \$97,000.00

Wai MO5 Page 15646

State of Oregon, County of Klamath Recorded 03/09/2005 1:20 P n Vol M05 Pg 150-48 Linda Smith, County Clerk Fee \$3100 # of Pgs 3

TRUSTEE'S DEED

TRUSTEE: NANCY K. CARY, Successor Trustee

Returned @ Counter

GRANTEE: BEVERLEY MILES, a married woman

RECITALS:

A. SHIRLEY L. COMPTON, Grantor, executed and delivered to WILLIAM L. SISEMORE, Trustee for the benefit of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, Beneficiary, a Trust Deed dated April 2, 1998 and recorded on April 2, 1998, in the Official Records of Klamath County, Oregon as Volume M-98, Page 10820 (the Trust Deed). In the Trust Deed, the following described real property (the Real Property) was conveyed by the Grantor to the Trustee to secure the performance of certain obligations to the Beneficiary:

As described on the attached Exhibit A.

Thereafter the Grantor defaulted in performance of the obligations secured by the Trust Deed. The default still existed at the time of sale by the Trustee to the Grantee.

- B. NANCY K. CARY was appointed Successor Trustee of the Trust Deed. The appointment was recorded on March 25, 2004 in the Official Records of Klamath County, Oregon as Volume M04, Page 16769.
- C. The Beneficiary declared the Grantor of the Trust Deed to be in default. The reasons for the declaration of default, the Beneficiary's election to declare all sums due to it immediately due and the Beneficiary's election to foreclose the Trust Deed by advertisement and sale to satisfy the Grantor's obligations was recorded on October 14, 2004 in the Official Records of Klamath County, Oregon as Volume M04, Page 69958.
- D. After recording the Notice of Default and Election to Sell, the Trustee gave notice of the time and place set for sale of the Real Property. Notice of the sale was given:
- 1. To all persons entitled to receive such notice by mailing the notice to them at their last known addresses by both first class mail and certified mail, return receipt requested. The notice was mailed to them more than 120 days before the Trustee conducted the sale. An Affidavit of Mailing of such notice was recorded in the Official Records of Klamath County, Oregon as Volume M04, Page 5095, prior to the day the Trustee conducted the sale.
- 2. To the occupants of the Real Property by personal or substituted service, more than 120 days prior to the day the Trustee conducted the sale. A Proof of Service was recorded in the Official records of Klamath County, Oregon as Volume M04, Page 5095, prior to the day the Trustee conducted the sale.
- 3. By publishing such notice in the <u>Herald and News</u>, a newspaper of general circulation in Klamath County, Oregon, once a week for four successive weeks. The last publication was more than 20 days prior to the day the Trustee conducted the sale. An Affidavit of Publication of such notice was recorded in the Official Records of Klamath County, Oregon as Volume M04, Page 5095, prior to the day the Trustee conducted the sale.
- E. On the date of the Notice of Sale, the Trustee did not have actual notice of any person claiming an interest which was subsequent to the Trustee's interest in the Real Property, except for those persons named in the affidavits referred to in Recital D. of this deed. The Trustee hereby certifies that any valid requests for information under 2003 OR Laws Ch 251 have been responded to within the time allowed by the statute.



- F. On February 24, 2005, at 11:00 a.m. at the front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, the Trustee sold the Real Property in one parcel at public auction to the highest bidder for cash. The price bid was paid at the time of sale.
- G. At no time during the period of time between the recording of the Notice of Default and Election to Sell and the date of the sale, was the real property described in and covered by the Trust Deed, or any interest therein owned by a person in the military service of the United States of America, a minor or an incapacitated person.
 - H. The true and actual consideration paid for this transfer is \$97,000.00.
 - I. In construing this instrument, whenever the context requires, the following shall apply:
 - 1. References to a specific gender shall include the masculine, feminine and neuter genders.
 - 2. Reference to the singular shall include the plural and vice versa.
 - 3. References to the Trustee shall include any Successor Trustee.

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.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

In consideration of the sum paid by the Grantee in cash, the receipt of which is hereby acknowledged, the Trustee hereby conveys to the Grantee all interest which the Grantor had or had the power to convey at the time of Grantor's execution of the Trust Deed in and to the Real Property described herein, together with any interest the Grantor or the Grantor's successors in interest acquired after the execution of the Trust Deed.

Dated: March 1, 2005.

NANCY K. CARY
Successor Trustee

STATE OF OREGON

) ss.

COUNTY OF LANE

The foregoing instrument was acknowledged before me on March 1, 2005, by NANCY K. CARY, Successor Trustee.

OFFICIAL SEAL
CAROL B MART
NOTARY PUBLIC-OREGON
COMMISSION NO. 373622

MY COMMISSION EXPIRES NOV 23, 2007

Notary Public for Oregon

My Commission Expires: 11-23-07

EXHIBIT "A"

Lot 9, Block 1, Tract No. 1031, SHADOW HILLS SUBDIVISION - 1, in the County of Klamath, State of ORegon. SAVING AND EXCEPTING the following described parcel:

Beginning at the Southeast corner of said Lot 9; thence North 08 degrees 54' 14" East, along the East line of said Lot 9, 94.13 feet to the Northwest corner of Lot 14 of said Block 1; thence North 73 degrees 56' 00" West 6.50 feet; thence South 30 degrees 20' 13" West 33.03 feet; thence South 19 degrees 49' 00" West 34.50 feet; thence South 08 degrees 16' 08" West 31.55 feet to a point on the South line of said Lot 9; thence along the arc of a curve to the right (radius point bears South 03 degrees 14' 02" West 250.00 feet and central angle equals 05 degrees 40' 12") 24.74 feet to the point of beginning, with bearings based on said "Tract No. 1031 Shadow Hills -1",

CODE 63 MAP 3809-35CB TL 1300