

## RECORDING REQUESTED BY

State of Oregon, County of Klamath  
 Recorded 05/04/2005 10:51 A m  
 Vol M05 Pg 32060-63  
 Linda Smith, County Clerk  
 Fee \$ 36.00 # of Pgs 4

And when recorded mail to

George M. Redd *amt -KR*  
 5850 Mack Avenue  
 Klamath Falls, OR 97603

SPACE ABOVE THIS LINE FOR RECORDERS USE

## TRUSTEE'S DEED UPON SALE

T.S. No: L332753 Unit Code: L Loan #: 4800039505/253/COLE  
 Title #: 2497072  
 AP# 512118

THIS INDENTURE, Made April 22, 2005, between DAVID A. KUBAT, OSBA #84265 hereinafter called trustee, GEORGE M. REDD AND DEBRA L. HOPF, AS TENANTS IN COMMON, hereinafter called the second party;

Pursuant to said original/amended notice of sale, the undersigned trustee on April 22, 2005, at the hour of 10:00 A.M. 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 86.755 (2)) 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 said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$125,300.00, said second party being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property.

## WITNESSETH:

RECITALS: TAMI COLE as Grantor, executed and delivered to FIRST AMERICAN TITLE as Trustee, for the benefit of U.S. BANK, NATIONAL ASSOCIATION as Beneficiary.

Trust Deed Dated April 10, 2001, Recorded April 13, 2001, in the mortgage records of KLAMATH County, OREGON, in Book M01, Page 15606 or as Instr. No. ---. 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 grantor's 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 beneficiary's 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 December 3, 2004, in said mortgage records, as Instr. No. --- in Book M04 Page 83179; 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 the trustee 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

AMERITITLE, has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

360 am

TD#: L332753 OR Unit Code: L Loan #: 4800039505/253/COLE

requested, to the last-known address of the persons or their legal representatives, 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 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 ORS 86.750(1). If the foreclosure proceedings were stayed and released from the stay, copies of the Amended Notice of Sale in the form required by ORB 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 of service duly recorded prior to the date of sale in the official records of said county, said affidavits and 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 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 ORS 86.740 (1) (b) or (1) (c).

Grantor (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.

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 trustee 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 grantor's successors in interest acquired after the execution of said trust deed in and to the following described real property, to-wit:  
TRACT 43, YALTA GARDENS, ACCORDING TO THE OFFICIAL PLAT THEREOF  
ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY,  
OREGON.

The street or other common designation if any, of the real property described above is purported to be:

5240 BRYANT STREET, KLAMATH FALLS, OR 97603

The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

TD#:

TO HAVE AND TO HOLD the same unto the second party, 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; 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 executed this document; if the undersigned is a corporation, it has caused it's corporate name to be signed thereunto 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.

DATED: 4-22-05

DAVID A. KUBAT, OSBA #84265

By [Signature]

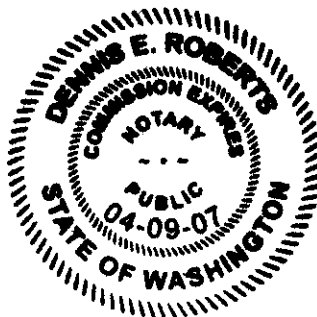
DAVID A. KUBAT, ATTORNEY AT LAW

STATE OF WASHINGTON )  
COUNTY OF KING )SS

On 4-22-05 before me, DENNIS E. ROBERTS  
personally appeared DAVID A. KUBAT

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.

Signature Dennis E. Roberts (Seal)



32063

**TD Service Company & Law Offices of Steven J. Melmet Inc.**

**"THE ALLIANCE"**

1820 E. First Street, Suite 210, P.O. Box 11988, Santa Ana, CA 92711-1988  
(714) 543-8372 . (800) 843-0260 . FAX (714) 541-4130  
wwwtdsf.com . www.melmetlaw.com

Date: March 11, 2005  
T.S. No: L332753 OR  
Unit Code: L  
Loan No: 4800039505/253/COLE

**CURRENT OCCUPANTS**

5240 BRYANT STREET  
KLAMATH FALLS, OR 97603

Dear Occupants:

This is to advise you that the property in the above referenced matter is scheduled to be sold at a Trustee's Sale on 4/11/05. According to ORS 86.755(5) the property must be vacated on or before the tenth (10th) day following the date of sale. Please vacate the property on or before that date.

If you have any questions, please contact an attorney.

Sincerely,

  
Crystal Espinoza  
Trustee's Sale Officer

The Fair Debt Collection Practices Act requires that we state the following:  
**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION WILL BE USED FOR THAT PURPOSE.**

CC:  
Lisa Rogers  
National Default Servicing  
Corporation  
2525 E. Camelback Road  
Suite 200  
Phoenix, AZ 85016

Cert Mail/RRR/First Class Mail