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Vol M05 Page 52551

State of Oregon, County of Klamath  
Recorded 07/11/05 11:22a m  
Vol M05 Pg 52551-53  
Linda Smith, County Clerk  
Fee \$ 31<sup>00</sup> # of Pgs 3

*pt 511636*  
**TRUSTEE'S DEED**

**THIS INDENTURE**, made this 7<sup>th</sup> day of July, 2005, between **JOHN R. HANSON**, hereinafter **SUCCESSOR TRUSTEE**, and **KEVIN SPRIGGS** and **TINA SPRIGGS**, husband and wife, hereinafter **GRANTEES**;

**RECITALS**

**NATHAN L. BIGBY** and **JANE BIGBY**, as **GRANTORS**, executed and delivered to **FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON**, an Oregon Corporation, as **TRUSTEE** for the benefit of **AZELINE WITT**, as **BENEFICIARY**. The Trust Deed is dated April 24, 2003, recorded on April 29, 2003, in Volume M03 at Page 27832 in the Official Records of Klamath County, State of Oregon.

John R. Hanson was appointed Successor Trustee pursuant to the Notice of Appointment of Successor Trustee dated the 11<sup>th</sup> day of November, 2004, and recorded on January 12, 2005, in Volume M05 at Page 02585 of the Official Records of Klamath County, Oregon.

The real property described in the Trust Deed was conveyed by the Grantor to the Trustee to secure, among other things, the performance of certain obligations secured by the Trust Deed as stated in the Notice of Default and the default was still in existence at the time of the Trustee's sale.

By reason of said default, the owner and holder of the obligations secured by said Trust Deed, being the Beneficiary therein named, or their successor-in-interest, declared all sums so secured immediately due and owing; a Notice of Default and Notice of Sale pursuant to ORS 86.735 and 86.745 containing the requisite statutory allegations, were recorded in the Official Records of Klamath County, Oregon. The Notice of Default and Election to Sell was recorded on January 12, 2005, in Volume M05 at Page 2587 in the Official Records of Klamath County, State of Oregon. The Notice of Sale was recorded on May 27, 2005, in Volume M05 at Page 39370-80 in the Official Records of Klamath County, State of Oregon.

After the recording of said Notice of Default and Notice of Sale, as aforesaid, the undersigned Successor Trustee gave notice of the time for and the place of sale of said real property as fixed by him and as required by law; copies of the Successor Trustee's said Notice of Default and Notice of Sale were served pursuant to ORCP 7D(3) or mailed

by both first class and certified mail with return receipt requested to the last known addresses of all persons or their legal representatives named in ORS 86.740(1); the notice prescribed in ORS 86.745 was served upon all 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 day the Successor Trustee conducted the sale pursuant to ORS 86.750(1). The Trustee caused to be published a copy of the Notice of Sale in a newspaper of general circulation in the county in which the property is situated once a week for four (4) successive weeks with the last publication being made more than 20 days prior to the date the Successor Trustee conducted the sale pursuant to ORS 86.750(2). On or before the date of the sale, the Successor Trustee recorded an Affidavit of Publication of the Notice of Sale in the Official Records in the county or counties in which the property described in the deed is situated pursuant to ORS 86.750(3). The undersigned Successor Trustee has and had no actual notice of any person, other than the persons named in said affidavits and proofs as having or claiming a lien on or in said described real property.

The undersigned Successor Trustee on June 29, 2005, at the hour of 10:00 a.m., of said day, Standard Time as established by Section 187.110, Oregon Revised Statutes, 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 said real property in one parcel at public auction to **KEVIN SPRIGGS and TINA SPRIGGS**, husband and wife, for the sum of thirty-eight thousand five hundred dollars (\$38,500.00).

**NOW, THEREFORE**, in consideration of the said sum so paid by the purchasers, the receipt whereof is acknowledged, and by the authority vested in said Successor Trustee by the laws of the State of Oregon and by said Trust Deed, the Successor Trustee does hereby convey unto the purchasers, **KEVIN SPRIGGS and TINA SPRIGGS**, all interest which the Grantor had or had the power to convey at the time of the 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:

A parcel of land situated in the SE 1/4 of the NE 1/4 of Section 25, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

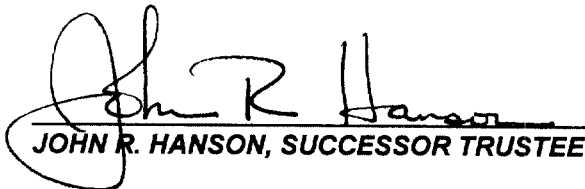
Beginning at a point on the Westerly right of way line of State Highway No. 39, said point being South 1,796.87 feet and South 89°47'00" West 30.00 feet from the Northeast corner of Section 25; running thence South 89°47'00" West 343.50 feet; thence South 193.47 feet to the lands described in Book 100 page 457, Deed records of Klamath County, Oregon; thence along the Northerly boundary of said — described lands, East 343.50 feet to the Westerly right of way line of State Highway No. 39; thence along said right of way line, North 194.76 feet to the point of beginning. (Being Parcel 3 of Partition No. 36-85)

**TO HAVE AND TO HOLD** the same unto the Grantee, 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, and the word "beneficiary" includes any successor in interest of the Beneficiary first named above.


**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.**

IN WITNESS WHEREOF, the undersigned Successor Trustee has hereunto set his hand.

  
JOHN R. HANSON, SUCCESSOR TRUSTEE

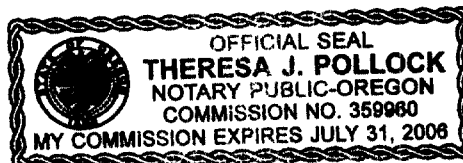
STATE OF OREGON       )  
                                      ) ss.  
County of Jackson     )

On this 7 day of July, 2005, before me personally appeared JOHN R. HANSON and acknowledged the foregoing instrument to be his voluntary act and deed.

  
Notary Public for Oregon  
Commission Expires: 7/31/06

**AFTER RECORDING RETURN TO:**

Mr. Kevin and Tina Spriggs  
4456 Arthur Street  
Klamath Falls, OR 97603



**SEND ALL TAX STATEMENTS TO:**

Mr. Kevin and Tina Spriggs  
4456 Arthur Street  
Klamath Falls, OR 97603