

2007-008725

Klamath County, Oregon

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05/14/2007 08:44:45 AM

Fee: \$61.00

ALL TRANSACTIONS, ORS: 205.234

This cover sheet has been prepared by the person
Presenting the attached instrument for recording.
Any errors in this cover sheet DO NOT affect the
Transaction(s) contained in the instrument itself.

**THIS SPACE RESERVED FOR
COUNTY RECORDING USE ONLY**

AFTER RECORDING RETURN TO:

Wells Fargo Bank, N.A.
P.O. Box 31557 MAC B6955-015
Billings, MT 59107-9900

PRINT or TYPE ALL INFORMATION

The date of this Short Form Line of Credit Deed of Trust ("Security Instrument") is **APRIL 20, 2007**

1) NAME(S) OF THE TRANSACTION(S) required by ORS 205.234(a)

Short Form Line of Credit Deed of Trust

2) DIRECT PARTY / GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160

ERNEST KIRKPATRICK

3) INDIRECT PARTY / GRANTEE, required by ORS 205.125(1)(b) and ORS 205.160

Wells Fargo Bank, N.A.

4) TRUSTEE NAME and ADDRESS

Wells Fargo Financial National Bank, c/o Specialized Services, PO Box 31557 Billings, MT 59107

5) ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

ERNEST KIRKPATRICK , 4984 WOCUS RD, KLAMATH FALLS, OREGON 97601-9316

6) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

\$ 37,700.00

**7) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY CLERKS LEIN RECORDS,
ORS 205.121(1)(e)**

**8) THE AMOUNT OF THE CIVIL PENALTY or THE AMOUNT, INCLUDING PENALTIES, INTEREST AND OTHER
CHARGES FOR WHICH THE WARRANT< ORDER OR JUDGMENT WAS ISSUED. ORS 205.125(1)(c) and ORS 18.325**

9) Rerecorded to correct

Previously recorded as



Until a change is requested, all tax statements shall be sent to the following address:
ERNEST KIRKPATRICK
4984 WOCUS RD
KLAMATH FALLS, OREGON 97601-9316

Prepared by:
Wells Fargo Bank, N.A.
FELIX D'SILVA
DOCUMENT PREPARATION
18700 NW WALKER RD
BEAVERTON, OREGON 97006
866-537-8489

Return Address:
Wells Fargo Bank, N.A.
P.O. Box 31557 MAC B6955-015
Billings, MT 59107-9900

TAX ACCOUNT NUMBER
R429520

State of Oregon
REFERENCE #: 20071027300346

Space Above This Line For Recording Data
Account number: 651-651-1525757-0XXX

SHORT FORM LINE OF CREDIT DEED OF TRUST

(With Future Advance Clause)

1. **DATE AND PARTIES.** The date of this Short Form Line of Credit Deed of Trust ("Security Instrument") is APRIL 20, 2007 and the parties are as follows:

TRUSTOR ("Grantor"): ERNEST KIRKPATRICK AN UNMARRIED MAN, AS SURVIVOR JOINT TENANT.

whose address is: 4984 WOCUS RD, KLAMATH FALLS, OREGON 97601-9316

TRUSTEE: Wells Fargo Financial National Bank, c/o Specialized Services, PO Box 31557 Billings, MT 59107

BENEFICIARY ("Lender"): Wells Fargo Bank, N.A., 101 North Phillips Avenue, Sioux Falls, SD 57104

2. **CONVEYANCE.** For good and valuable consideration, the receipt and sufficiency of which is acknowledged, and to secure the Secured Debt (defined below) and Grantor's performance under this Security Instrument, Grantor irrevocably grants, conveys and sells to Trustee, in trust for the benefit of Lender, with power of sale, all of that certain real property located in the County of KLAMATH, State of Oregon, described as follows:
SEE ATTACHED EXHIBIT ✓

with the address of 4984 WOCUS RD, KLAMATH FALLS, OREGON 97601 and parcel number of R429520, together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, all

ORDEED-short, CDP.V1 (06/2002)



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EXHIBIT A

Reference: 20071027300346

Account: 651-651-1525757-0001

Legal Description:

THE FOLLOWING DESCRIBED PROPERTY LOCATED IN THE COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS FOLLOWS: PARCEL 1 A PARCEL OF LAND SITUATED IN THE SE 1/4 SW 1/4 OF SECTION 7, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF THE RIGHT OF WAY OF THE OLD DALLES CALIFORNIA HIGHWAY, WHICH POINT BEARS NORTH 89 DEGREES 42 MINUTES WEST A DISTANCE OF 770.8 FEET AND THENCE NORTH 6 DEGREES 02 MINUTES EAST A DISTANCE OF 176.5 FEET FROM THE QUARTER SECTION CORNER COMMON TO SECTIONS 7 AND 18 TOWNSHIP AND RANGE AFORESAID, THE SAID POINT BEING AT THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED; THENCE NORTH 6 DEGREES 02 MINUTES EAST ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 114.4 FEET; THENCE NORTH 89 DEGREES 42 MINUTES WEST TO A POINT THAT IS SOUTH 89 DEGREES 42 MINUTES EAST 200 FEET FROM THE EASTERLY BOUNDARY LINE OF THE NEW THE DALLES-CALIFORNIA HIGHWAY; THENCE SOUTHERLY PARALLEL TO SAID EASTERLY BOUNDARY AND 200 FEET DISTANT THEREFROM A DISTANCE OF 113.8, MORE OR LESS, TO A POINT THAT IS NORTH 89 DEGREES 42 MINUTES WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 42 MINUTES EAST TO THE POINT OF BEGINNING. EXCEPTING THAT PORTION DESCRIBED AS FOLLOWS: COMMENCING AT THE ONE QUARTER CORNER COMMON TO SECTION 7 AND 18, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON; THENCE NORTH 89 DEGREES 42 MINUTES WEST 770.80 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE FORMER DALLES CALIFORNIA HIGHWAY, NOW A COUNTY ROAD; THENCE NORTH 06 DEGREES 02 MINUTES EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 280.90 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 89 DEGREES 42 MINUTES WEST 260.00 FEET; THENCE NORTH 06 DEGREES 02 MINUTES EAST 10.00 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES EAST, 260.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE AFOREMENTIONED COUNTY ROAD; THENCE SOUTH 06 DEGREES 02 MINUTES WEST 10.00 FEET TO THE POINT OF BEGINNING. PARCEL 2 A

Exhibit A, CDP.V1 07/2004



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PARCEL OF LAND SITUATED IN THE SE 1/4 SW 1/4 OF SECTION 7, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE OLD THE DALLES-CALIFORNIA HIGHWAY WHICH BEARS NORTH 89 DEGREES 42 MINUTES WEST 770.8 FEET AND NORTH 6 DEGREES 02 MINUTES EAST 20.1 FEET FROM THE QUARTER SECTION CORNER COMMON TO SECTIONS 7 AND 18 TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN; CONTINUING THENCE NORTH 6 DEGREES 02 MINUTES EAST A DISTANCE OF 156.4 FEET TO A POINT; THENCE NORTH 89 DEGREES 42 MINUTES WEST TO A POINT THAT IS SOUTH 89 DEGREES 42 MINUTES EAST 200 FEET FROM THE EASTERLY BOUNDARY OF THE NEW THE DALLES-CALIFORNIA HIGHWAY; THENCE SOUTHERLY PARALLEL TO AND 200 FEET DISTANT FROM SAID EASTERLY BOUNDARY A DISTANCE OF 155.63 FEET, MORE OR LESS, TO A POINT THAT IS NORTH 89 DEGREES 42 MINUTES WEST OF THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 42 MINUTES EAST, TO THE POINT OF BEGINNING. TOGETHER WITH THAT PORTION OF A VACATED ROAD AS DISCLOSED BY COUNTY COMMISSIONERS JOURNAL 20-411. PARCEL 3 A PARCEL OF LAND SITUATED IN THE SE 1/4 SW 1/4 OF SECTION 7, TOWNSHIP 38 SOUTH, RANGE 9, EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS ON THE WESTERLY LINE OF THE RIGHT OF WAY OF THE OLD THE DALLES-CALIFORNIA HIGHWAY, WHICH POINT BEARS NORTH 89 DEGREES 42 MINUTES WEST A DISTANCE OF 770.8 FEET AND THENCE NORTH 6 DEGREES 02 MINUTES EAST A DISTANCE OF 290.9 FEET FROM THE QUARTER SECTION CORNER COMMON TO SECTIONS 7 AND 18 TOWNSHIP AND RANGE AFORESAID; THENCE NORTH 89 DEGREES 42 MINUTES WEST TO A POINT WHICH IS SOUTH 89 DEGREES 42 MINUTES EAST 200 FEET FROM THE EASTERLY BOUNDARY LINE OF THE NEW THE DALLES-CALIFORNIA HIGHWAY WHICH POINT IS THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 42 MINUTES WEST A DISTANCE OF 200 FEET TO THE EASTERLY BOUNDARY LINE OF SAID HIGHWAY; THENCE SOUTHERLY ALONG SAID EASTERLY BOUNDARY TO A POINT WHICH IS NORTH 89 DEGREES 42 MINUTES WEST OF A POINT WHICH IS NORTH 89 DEGREES 42 MINUTES WEST 770.8 FEET AND NORTH 6 DEGREES 02 MINUTES EAST 20.1 FEET FROM SAID SECTION CORNER COMMON TO SECTIONS 7 AND 18; THENCE SOUTH 89 DEGREES 42 MINUTES EAST 200 FEET TO A POINT; THENCE NORTHERLY PARALLEL TO SAID EASTERLY BOUNDARY AND 200 FEET DISTANT THEREFROM TO THE POINT OF BEGINNING. EXCEPTING THAT PORTION CONVEYED TO THE STATE OF OREGON BY AND



**THROUGH ITS STATE HIGHWAY COMMISSION BY DEED DATED
JANUARY 30, 1941 AND RECORDED FEBRUARY 13, 1941 IN BOOK 135 AT
PAGE 326 OF DEED RECORDS OF KLAMATH COUNTY, OREGON.
TOGETHER WITH THAT PORTION OF A VACATED ROAD AS DISCLOSED
BY COUNTY COMMISSIONERS JOURNAL 20-411.**



water and riparian rights, ditches, and water stock and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described above.

3. **MAXIMUM OBLIGATION AND SECURED DEBT.** The total amount which this Security Instrument will secure shall not exceed \$ 37,700.00 together with all interest thereby accruing, as set forth in the promissory note, revolving line of credit agreement, contract, guaranty or other evidence of debt ("Secured Debt") of even date herewith, and all amendments, extensions, modifications, renewals or other documents which are incorporated by reference into this Security Instrument, now or in the future. The maturity date of the Secured Debt is APRIL 20, 2017.
4. **MASTER FORM LINE OF CREDIT DEED OF TRUST.** By the delivery and execution of this Security Instrument, Grantor agrees that all provisions and sections of the Master Form Line of Credit Deed of Trust ("Master Form"), inclusive, dated February 1, 1997 and recorded on 2/10/1997 as Instrument Number 32645 in Book M 97 at Page 4115 of the Official Records in the Office of the Recorder of KLAMATH County, State of Oregon, are hereby incorporated into, and shall govern, this Security Instrument.
5. **RIDERS.** If checked, the following are applicable to this Security Instrument. The covenants and agreements of each of the riders checked below are incorporated into and supplement and amend the terms of this Security Instrument.
- ☐ N/A Third Party Rider
- ☐ N/A Leasehold Rider
- ☐ N/A Other: N/A

SIGNATURES: By signing below, Grantor agrees to perform all covenants and duties as set forth in this Security Instrument. Grantor also acknowledges receipt of a copy of this document and a copy of the provisions contained in the previously recorded Master Form (the Deed of Trust-Bank/Customer Copy).

Ernest Kirkpatrick 4-20-07
Grantor **ERNEST KIRKPATRICK** Date

Grantor Date

Grantor Date

Grantor Date

Grantor Date

ORDEED-short, CDP.V1 (06/2002)



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Grantor	Date
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Grantor	Date
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Grantor	Date
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ACKNOWLEDGMENT:

For An Individual Acting In His/Her Own Right:

State of Oregon)

County of Clatsop)

This instrument was acknowledged before me on 4/20/07 (date) by

Earnest Kirkpatrick

(name(s) of person(s))



Katrina Hardman
(Signature of notarial officer)

Notary Personal Banker
Title (and Rank)

My commission expires: 10/5/09

SEE ATTACHED ACKNOWLEDGMENT



All-purpose Acknowledgment

STATE OF Oregon , COUNTY OF Klamath
On 4/20/07 before me, the undersigned, a Notary Public
in and for said State, personally appeared
ERNEST KIRKPATRICK

☐ 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 Katrina Hardman
Name (type or printed) KATRINA HARDMAN
My commission expires: 10/5/09

