

MT079558  
TRUSTEE'S DEED

2007-018538  
Klamath County, Oregon



10/29/2007 03:28:15 PM

Fee: \$36.00

<b>Grantor's Name and Address:</b> David O. Bowles Cynthia C. Pettit 5419 Blue Heron Bonanza, OR 97623	<b>Grantee's Name and Address:</b> JLK Investments, Inc. Robert W. Cox, Trustee of the Hart Family Trust 502 W. Main Street, Suite 100 Wilderville, OR 97501
<b>Until a Change is Requested send all tax statements to:</b> JLK Investments, Inc. Robert W. Cox, Trustee of the Hart Family Trust 502 W. Main Street, Suite 100 Wilderville, OR 97501	<b>After Recording Return To:</b> STARK AND HAMMACK, P.C. 201 West Main Street, Suite 1B Medford, OR 97501

**THIS INDENTURE**, made this 26<sup>th</sup> day of October, 2007, between ERIC R. STARK, hereinafter called Successor Trustee, and JLK INVESTMENTS, INC., and ROBERT W. COX, TRUSTEE OF THE HART FAMILY TRUST, hereinafter called the Second Party.

**WITNESSETH:**

**RECITALS:** David O. Bowles and Cynthia C. Pettit, as Grantor, executed and delivered to AmeriTitle, an Oregon Corporation, as Trustee, in favor of JLK Investments, Inc., and Robert W. Cox, Trustee of the Hart Family Trust, as Beneficiary under that certain Trust Deed dated November 6, 2006, recorded November 13, 2006 as Volume 2006, page 022664, Microfilm Records of Klamath County, Oregon. In that trust deed the real property therein and hereinafter described was conveyed by the Grantor to the Trustee to secure, among other things, the performance of certain obligations of the Grantor to the Beneficiary. The Grantor 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.

By reason of the default, the owner and holder of the obligations secured by the 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 real property and to foreclose the trust deed by advertisement and sale to satisfy Grantor's obligations was recorded on October 22, 2007, Volume 2007, page 018174, Microfilm Records of Klamath County, Oregon, to which reference now is made.

30AMT

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 Trustee and as required by law. Copies of the Notice of Sale were served pursuant to ORCP7D(2) and 7D(3) or mailed by both first class and certified mail with return receipt requested, to the last known addresses of the persons, or their legal representatives, if any, named in ORS 86.740(1) and (2)(a), at least one hundred twenty days before the date the property was sold. The Successor Trustee published a copy of the Notice of Sale in a 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 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 the county records, 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 Successor 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 \$169,958.00.

An Agent for the undersigned Successor Trustee, on October 26, 2007, at the hour of 10:00 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 \$169,958.00, 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 Grantor had or had the power to convey at the time of Grantor's execution of the trust deed, together with any interest the Grantor or Grantor's successors in interest acquired after the execution of the trust deed in an to the following described real property, attached as Exhibit "A", and by this reference incorporated herein.

**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 "Grantors" includes any successor in interest to the Grantors, as well as each and all other persons owing an obligation, the performance of which is secured by the 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 a corporation and any other legal or commercial entity.

**IN WITNESS WHEREOF**, the undersigned Successor Trustee has hereunto executed this document.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.



ERIC R. STARK, Successor Trustee

STATE OF OREGON            )  
                                          ) ss  
County of Jackson        )

Before me, a Notary Public, personally appeared ERIC R. STARK, known to me to be the person who executed the foregoing instrument, and acknowledged to me that he signed the same as his free and voluntary act and deed.

WITNESS my hand and seal this 26<sup>th</sup> day of October, 2007.

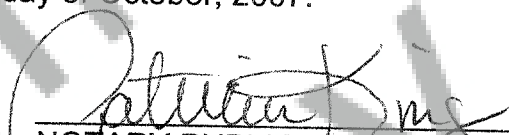
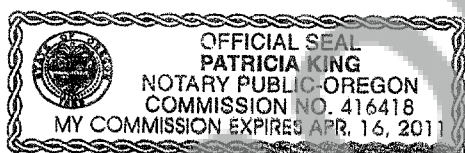
  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 4-16-2011

EXHIBIT "A"  
LEGAL DESCRIPTION

1

A parcel of land situated in the E1/2 NW1/4 of Section 7, Township 37 South, Range 15 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at the Section corner common to Sections 1 and 12, Township 37 South, Range 14 East of the Willamette Meridian, and Sections 6 and 7, Township 37 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon; thence South 00° 39' 20" West a distance of 658.03 feet to a 1/2 inch iron pin; thence North 89° 38' 38" East a distance of 1319.57 feet to a 1/2 inch iron pin; thence North 00° 05' 43" West a distance of 247.60 feet a 1/2 inch iron pin on the Southerly right of way line of State Highway No. 140 and the true point of beginning of this description; thence South 00° 05' 43" East a distance of 1563 feet, more or less; thence North 89° 37' 09" East a distance of 649 feet to a 1/2 inch iron pin; thence North 1179 feet, more or less, to a 1/2 inch iron pin on the Southerly right of way line of State Highway No. 140; thence Northwesterly along the Southerly right of way line of said State Highway No. 140 to the true point of beginning.

2

A parcel of land situated in the NE1/4 SW1/4 and SE1/4 NW1/4 of Section 7, Township 37 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon, more particularly as follows:

Beginning at the West corner of said Section 7; thence North along the West section line of said Section 7 a distance of 658 feet to a point; thence North 89° 37' 09" East a distance of 1337 feet to the true point of beginning for this description; thence continuing North 89° 37' 09" East 1320 feet, more or less, to a 1/2 inch iron pin; thence South 00° 10' 42.5" East a distance of 1315 feet, more or less to a 5/8 inch iron pin; thence South 89° 37' 04" West a distance of 1322 feet, more or less; thence North 00° 05' 43" West a distance of 1315 feet more or less to the true point of beginning.

PARCEL 3

Lot 12 in Block 50 of KLAMATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT, PLAT NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.