

2007-020512

Klamath County, Oregon



00036478200700205120070071

COVER SHEET

12/06/2007 03:06:36 PM

Fee: \$51.00

ORS: 205.234

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

After recording, return to:

1st American - 1080145

The date of the instrument attached is December 5, 2007.

1) NAMES(S) OF THE INSTRUMENT(S) required by ORS 205.234(a)

Trustees Deed

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

West States Venture Group

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

Smith Carol

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

\$ \_\_\_\_\_

5) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY CLERK'S LIEN RECORDS, ORS 205.121(1)(c)

\_\_\_\_\_

6) RE-RECORDED to correct: \_\_\_\_\_

Previously recorded as: \_\_\_\_\_

F51

338152

RE: Loan:  
Title # 3381502  
TS #: fc16731-5

## TRUSTEE'S DEED

THIS INDENTURE, Made this day December 4, 2007, between  
FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee

And

See Exhibit "A" Attached

Hereinafter called the second party;

Pursuant to said notice of sale, the undersigned trustee on 11/28/2007 at the hour of 10:00AM 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) (which was the day and hour set in the amended Notice of Sale) 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 \$120,210.76, 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:** WEST STATE'S VENTURE GROUP, LLC, as grantor(s), Executed and delivered to ASPEN TITLE & ESCROW, INC., As trustee, for the benefit of CAROL SMITH, TRUSTEE OF THE CAROL NINA WARFEL SMITH REVOCABLE TRUST, As beneficiary, a certain trust deed dated 07/07/2006, duly Recorded on 07/12/2006 AS DOCUMENT NO. M06-14066 AND RE-RECORDED ON 07/25/2006 AS DOCUMENT NO. M06-14904, in book/reel/volume No. xx, at page xxx, in the mortgage records of Klamath County, Oregon.

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 in the mortgage records of said County Recorded on 07/16/2007, as Instrument # 2007-12573, thereof to which reference now is made.

(RESERVED FOR RECORDER USE)

Grantor's Name and Address:  
FIRST AMERICAN TITLE  
INSURANCE COMPANY  
c/o ForeclosureLink, Inc.  
5006 Sunrise Blvd. #200  
Fair Oaks, CA 95628

STATE OF OREGON  
COUNTY OF Klamath

Grantee's Name and Address:  
CAROL SMITH, et al  
101 PANTHER GULCH ROAD  
WILLIAMS, OR 97544

I certify that the within instrument was  
received for record on the \_\_\_\_ day of  
\_\_\_\_  
At \_\_\_\_ o'clock \_\_\_\_ M.,  
recorded in Book/Reel/Volume No. \_\_\_\_  
\_\_\_\_ on Page \_\_\_\_ or  
as Fee / File / Instrument / Microfilm /  
Reception No. \_\_\_\_.

AFTER RECORDING RETURN TO:  
CAROL SMITH, et al  
101 PANTHER GULCH ROAD  
WILLIAMS, OR 97544

Witness my hand and seal of county  
affixed.

UNTIL REQUESTED SEND ALL TAX  
STATEMENTS TO:

NAME	TITLE
By _____	Deputy

Same as Grantee above

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 bylaw; 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 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 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).

NOW THEREFORE, in consideration of the said sum is 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:

SEE EXHIBIT "B" ATTACHED FOR LEGAL DESCRIPTION

Aka: 3844 DENVER AVENUE, KLAMATH FALLS, OREGON 97603  
Tax ID: R541818

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.

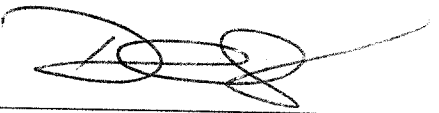
IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this documents; if the undersigned is a corporation, it has caused it's corporate name to be signed and its seal affixed hereto by an officer or another person duly authorized thereunto by order of its Board of Directors.

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: December 4, 2007

FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee



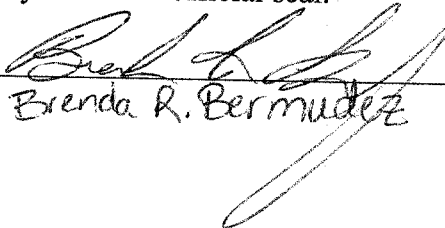
Name:  
Title: **DENNIS CANLAS**, Assistant Secretary

State of CA  
County of Orange

On 12/5/07, before me, the undersigned, <sup>Brenda R. Bermudez</sup> a Notary Public in and for said state, personally appeared **DENNIS CANLAS**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

  
Brenda R. Bermudez

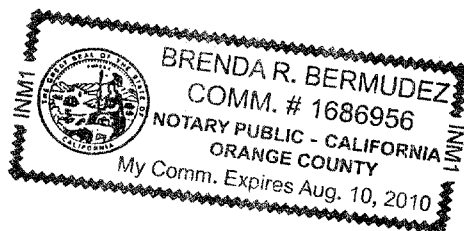


Exhibit "A"

Julie Lane an unmarried woman, as to an undivided \$5,000.00/\$100,000.00 interest; Fiserv Iss & Co, custodians FBO JoAnn Fairbanks IRA, as to an undivided \$10,000.00/\$100,000.00 interest; Ameriprise Financial, custodians FBO Carol Smith Profit Sharing Account No. 0011-3443-1876-8-002, as to an undivided \$3,000.00/\$100,000.00 interest; Leon F. Talesfore and Patricia R. Talesfore, custodians of the Leon F. Talesfore and Patricia R. Talesfore Revocable Trust created u/d 4/27/94, as to an undivided \$10,000.00/\$100,000.00 interest; Darleen Warfel, an unmarried woman, as to an undivided \$10,000.00/\$100,000.00 interest; Geraldine Arney, a married woman as her sole and separate property, as to an undivided \$5,000.00/\$100,000.00 interest; Fiserv Iss & Co., custodians FBO Josie Gavron IRA, as to an undivided \$7,000.00/\$100,000.00 interest; Charmie Brooks, an unmarried woman, as to an undivided \$20,000.00/\$100,000.00 interest; Ameriprise Financial, custodians FBO Robert Brooks Profit Sharing Plan, as to an undivided \$30,000.00/\$100,000.00 interest;

**Exhibit "B"**

Real property in the County of Klamath, State of Oregon, described as follows:

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING 330 FEET SOUTH AND 279.16 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON; THENCE EAST 137 FEET; THENCE SOUTH 274 FEET; THENCE NORTHWEST ALONG U.S.R.S. DITCH TO A POINT SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 203 FEET TO THE POINT OF BEGINNING.

Tax Parcel Number: R541818