

2008-004965

Klamath County, Oregon



00043683200800049650090091

04/04/2008 09:21:39 AM

Fee: \$61.00

Until a change is requested, all tax statements shall be sent to the following address:

DENNIS V HOLL  
20617 DODDS HOLLOW RD  
MERRILL, OREGON 97633

Prepared by:

Wells Fargo Bank, N.A.  
CHERNAE R COBB, DOCUMENT PREPARATION  
1 HOME CAMPUS X23030-01C  
DES MOINES, IOWA 50328  
866-537-8489

When recorded mail to:

FIRST AMERICAN TITLE INSURANCE  
LENDERS ADVANTAGE  
1100 SUPERIOR AVENUE, SUITE 200  
CLEVELAND, OHIO 44114  
ATTN: FT1120

TAX ACCOUNT NUMBER

R-4111-00400-00400-000

[Space Above This Line For Recording Data]

## SHORT FORM LINE OF CREDIT TRUST DEED

MAXIMUM OBLIGATION Limit \$25,000.00  
REFERENCE #: 20080647300148

1421946  
Account number: 651-651-2431633-1XXX

### DEFINITIONS

Words used in multiple sections of this document are defined below. The Master Form Trust Deed includes other defined words and rules regarding the usage of words used in this document.

- (A) "Security Instrument" means this document, which is dated MARCH 19, 2008, together with all Riders to this document.
- (B) "Borrower" is DENNIS V HOLL AND KATHERINE HOLL, HUSBAND AND WIFE. Borrower is the trustor under this Security Instrument.
- (C) "Lender" is Wells Fargo Bank, N.A. Lender is a national bank organized and existing under the laws of the United States. Lender's address is 101 North Phillips Avenue, Sioux Falls, SD 57104.
- (D) "Trustee" is Wells Fargo Financial National Bank, c/o Specialized Services, PO Box 31557 Billings, MT 59107.
- (E) "Debt Instrument" means the loan agreement or other credit instrument signed by Borrower and dated

OREGON - SHORT FORM OPEN-END SECURITY INSTRUMENT  
HCWF#1018v1 (2/16/08)



(page 1 of 3 pages)

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**MARCH 19, 2008.** The Debt Instrument states that Borrower owes Lender, or may owe Lender, an amount that may vary from time to time up to a maximum principal sum outstanding at any one time of, **TWENTY-FIVE THOUSAND AND 00/100THS** Dollars (U.S. **\$25,000.00**) plus interest. Borrower has promised to pay this debt in Periodic Payments and to pay the debt in full not later than **seven (7) calendar days after April 19, 2048.**

(F) **"Property"** means the property that is described below under the heading "Transfer of Rights in the Property."

(G) **"Loan"** means all amounts owed now or hereafter under the Debt Instrument, including without limitation principal, interest, any prepayment charges, late charges and other fees and charges due under the Debt Instrument, and also all sums due under this Security Instrument, plus interest.

(H) **"Riders"** means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

☐ Leasehold Rider

☐ Third Party Rider

☐ Other(s) [specify] \_\_\_\_\_

N/A

(I) **"Master Form Trust Deed"** means the Master Form Line of Credit Trust Deed dated **June 14, 2007**, and recorded on **August 02, 2007**, as Instrument No. **2007-013662** in Book **n/a** at Page **n/a** of the Official Records in the Office of the Recorder of **Klamath** County, State of Oregon.

#### TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all future advances, renewals, extensions and modifications of the Debt Instrument, including any future advances made at a time when no indebtedness is currently secured by this Security Instrument; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Debt Instrument. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the

County \_\_\_\_\_ of **Klamath** :  
[Type of Recording Jurisdiction] [Name of Recording Jurisdiction]

**P.G.**  
~~A PARCEL OF LAND SITUATED IN THE STATE OF OREGON, COUNTY OF KLAMATH, WITH A STREET LOCATION ADDRESS OF 20617 DODDS HOLLOW RD, MERRILL, OR 97633 CURRENTLY OWNED BY DENNIS V HOLL AND KATHERI HOLL HAVING A TAX IDENTIFICATION NUMBER OF R-4111-00400-00400-000 AND FURTHER DESCRIBED AS P.P. 63-91 PARCEL 2 ACRES 5.00 POTENTIAL ADDITIONAL TAX LIABILITY (R891315). SEE ATTACHED EXHIBIT A~~ **P.G.**

which currently has the address of **20617 DODDS HOLLOW ROAD**  
[Street]  
**MERRILL**, Oregon **97633** ("Property Address"):  
[City] [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." The Property shall also include any additional property described in Section 20 of the Master Form Trust Deed.

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record as of the execution date of this Security Instrument. Borrower warrants and will defend generally the title to the



Property against all claims and demands, subject to any encumbrances of record.

# MASTER FORM TRUST DEED

By the execution and delivery of this Security Instrument, Borrower agrees that all of the provisions of the Master Form Trust Deed are hereby incorporated in their entirety into this Security Instrument. Borrower agrees to be bound by and to perform all of the covenants and agreements in the Master Form Trust Deed. A copy of the Master Form Trust Deed has been provided to Borrower.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it. Borrower also acknowledges receipt of a copy of this document and a copy of the Master Form Trust Deed.

Dennis V. Holl (Seal)  
DENNIS V HOLL -Borrower

Katherine Holl (Seal)  
KATHERINE HOLL -Borrower

For An Individual Acting In His/Her Own Right:

State of Oregon )

County of Klamath )

This instrument was acknowledged before me on 3/19/08 (date) by

Dennis V Holl  
Katherine Holl (name(s) of person(s))

(Seal, if any)

Katrina Hardman  
(Signature of notarial officer)

Notary  
Title (and Rank)

My commission expires: 10/15/09



OREGON - SHORT FORM OPEN-END SECURITY INSTRUMENT  
HCWF#1018v1 (2/16/08)



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EXHIBIT A

A PARCEL OF LAND SITUATED IN SECTION 4 AND SECTION 5,  
TOWNSHIP 41 SOUTH, RANGE 11 EAST, WILLAMETTE MERIDIAN MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 4, THENCE  
SOUTH 89 DEGREES 41 MINUTES 29 SECONDS EAST ALONG THE NORTH  
LINE OF SAID SECTION 4 1330.22 FEET TO A 5/8 INCH PIN MARKING  
THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE  
NORTHWEST ONE-QUARTER OF SAID SECTION 4, THENCE SOUTH ALONG  
THE EAST LINE OF THE SAID NORTHWEST ONE-QUARTER OF THE  
NORTHWEST ONE-QUARTER OF SAID SECTION 4, 28.26 FEET MORE OR  
LESS TO THE CENTERLINE OF AN EXISTING IRRIGATION DITCH THENCE  
WESTERLY, SOUTHERLY AND NORTHWESTERLY ALONG THE CENTERLINE OF  
SAID IRRIGATION DITCH THE FOLLOWING 28 BEARINGS AND  
DISTANCES: NORTH 79 DEGREES 10 MINUTES 00 SECONDS WEST 21.14  
FEET, SOUTH 88 DEGREES 11 MINUTES 51 SECONDS WEST 244.80  
FEET, SOUTH 70 DEGREES 31 MINUTES 56 SECONDS WEST 41.05 FEET,  
SOUTH 19 DEGREES 09 MINUTES 39 SECONDS WEST 53.17 FEET, SOUTH  
03 DEGREES 57 MINUTES 19 SECONDS WEST 157.00 FEET, SOUTH 08  
DEGREES 58 MINUTES 36 SECONDS WEST 95.04 FEET, SOUTH 12  
DEGREES 02 MINUTES 46 SECONDS WEST 184.67 FEET, SOUTH 05  
DEGREES 58 MINUTES 47 SECONDS WEST 119.32 FEET, SOUTH 09  
DEGREES 59 MINUTES 59 SECONDS WEST 200.35 FEET, SOUTH 14  
DEGREES 28 MINUTES 44 SECONDS WEST 83.51 FEET, SOUTH 26  
DEGREES 40 MINUTES 23 SECONDS WEST 30.85 FEET, SOUTH 54  
DEGREES 59 MINUTES 55 SECONDS WEST 74.65 FEET, SOUTH 87  
DEGREES 33 MINUTES 14 SECONDS WEST 72.87 FEET, NORTH 79  
DEGREES 18 MINUTES 30 SECONDS WEST 237.54 FEET, SOUTH 83  
DEGREES 18 MINUTES 50 SECONDS WEST 212.75 FEET, NORTH 84  
DEGREES 48 MINUTES 46 SECONDS WEST 207.72 FEET, SOUTH 86  
DEGREES 13 MINUTES 29 SECONDS WEST 75.78 FEET, NORTH 87  
DEGREES 19 MINUTES 34 SECONDS WEST 85.95 FEET, NORTH 68  
DEGREES 10 MINUTES 07 SECONDS WEST 123.78 FEET, NORTH 63  
DEGREES 40 MINUTES 52 SECONDS WEST 289.47 FEET, NORTH 21

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EXHIBIT A  
(continued)

DEGREES 20 MINUTES 05 SECONDS WEST 70.45 FEET, NORTH 27  
DEGREES 55 MINUTES 15 SECONDS WEST 51.79 FEET, NORTH 37  
DEGREES 30 MINUTES 35 SECONDS WEST 117.87 FEET, NORTH 50  
DEGREES 40 MINUTES 51 SECONDS WEST 178.45 FEET, NORTH 40  
DEGREES 01 MINUTE 42 SECONDS WEST 218.59 FEET, NORTH 45  
DEGREES 59 MINUTES 58 SECONDS WEST 75.00 FEET, NORTH 60  
DEGREES 31 MINUTES 46 SECONDS WEST 86.28 FEET, NORTH 53  
DEGREES 44 MINUTES 25 SECONDS WEST 254.49 FEET, NORTH 47  
DEGREES 08 MINUTES 25 SECONDS WEST 44.43 FEET TO A POINT THAT  
IS LOCATED 30 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM  
THE NORTH LINE OF SAID SECTION 5, THENCE SOUTH 89 DEGREES 53  
MINUTES 10 SECONDS WEST PARALLEL TO AND 30 FEET SOUTHERLY,  
MEASURED AT RIGHT ANGLES, TO THE NORTH LINE OF SAID SECTION  
5, 127.17 FEET TO THE WEST LINE OF THE NORTHEAST ONE-QUARTER  
OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5, THENCE NORTH  
00 DEGREES 01 MINUTE 10 SECONDS WEST ALONG THE WEST LINE OF  
THE SAID NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER  
OF SAID SECTION 5, 30.00 FEET TO THE NORTH LINE OF SAID  
SECTION 5, THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS EAST  
ALONG THE NORTH LINE OF SAID SECTION 5, 1323.24 FEET TO THE  
POINT; AND THE EAST OF ONE-HALF OF THE EAST ONE HALF OF THE  
WEST ONE HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 33  
TOWNSHIP 40 SOUTH RANGE 11 EAST WILLAMETTE MERIDIAN  
CONTAINING 57.38 ACRES MORE OR LESS.

SITUATE IN THE COUNTY OF KLAMATH, STATE OF OREGON. SUBJECT  
TO:

EASEMENT FOR TRANSMISSION LINE, INCLUDING THE TERMS AND  
PROVISIONS THEREOF, GIVEN BY BERNACE WILSON AND HELEN WILSON,  
HUSBAND AND WIFE, TO THE CALIFORNIA OREGON POWER COMPANY, A  
COLIFORNIA CORPORATION, DATED MARCH 25, 1957, RECORDED MARCH  
29, 1957, IN DEED VOLUME 290 PAGE 521, RECORDS OF KLAMATH  
COUNTY, OREGON.

EASMENT FOR DRAIN DITCH, INCLUDING THE TERMS AND PROVISIONS

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EXHIBIT A  
(continued)

THEREOF, GIVEN BY RODNEY LYON AND MARIE LYON, HUSBAND AND WIFE, TO KLAMATH BASIN IMPROVEMENT DISTRICT DATED SEPTEMBER 5, 1973, RECORDED SEPTEMBER 11, 1973, IN DEED VOLUME M-73 PAGE 12218, RECORDS OF KLAMATH COUNTY, OREGON.

ALSO SUBJECT TO AN EASEMENT 30 FEET IN WIDTH, MEASURED AT RIGHT ANGLES FOR PURPOSES OF INGRESS AND EGRESS LYING NORTHERLY, NORTHEASTERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE, BEGINNING AT A POINT ON THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5, FROM WHICH THE NORTHWEST CORNER OF SAID NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 5 BEARS NORTH 00 DEGREES 01 MINUTE 10 SECONDS WEST 30.00 FEET, THENCE FROM SAID POINT OF BEGINNING NORTH 89 DEGREES 53 MINUTES 10 SECONDS 127.17 FEET EAST, THENCE SOUTH 47 DEGREES 08 MINUTES 25 SECONDS EAST 44.43 FEET, THENCE SOUTH 53 DEGREES 44 MINUTES 25 SECONDS EAST 254.49 FEET, THENCE SOUTH 60 DEGREES 31 MINUTES 46 SECONDS EAST 86.28 FEET, THENCE SOUTH 45 DEGREES 59 MINUTES 58 SECONDS EAST 75.00 FEET, THENCE SOUTH 40 DEGREES 01 MINUTES 42 SECONDS EAST 218.59 FEET, THENCE SOUTH 50 DEGREES 40 MINUTES 51 SECONDS EAST 178.45 FEET, THENCE SOUTH 37 DEGREES 30 DEGREES 35 SECONDS EAST 117.87 FEET, THENCE SOUTH 27 DEGREES 55 MINUTES 15 SECONDS EAST 51.79 FEET, THENCE SOUTH 21 DEGREES 20 MINUTES 05 SECONDS EAST 70.45 FEET, THENCE SOUTH 63 DEGREES 40 MINUTES 52 SECONDS EAST 289.47 FEET, THENCE SOUTH 68 DEGREES 10 MINUTES 07 SECONDS EAST 123.78 FEET, THENCE SOUTH 87 DEGREES 19 MINUTES 34 SECONDS EAST 85.95 FEET, THENCE NORTH 86 DEGREES 13 MINUTES 29 SECONDS EAST 75.78 FEET, THENCE SOUTH 84 DEGREES 48 MINUTES 46 SECONDS EAST 207.72 FEET, THENCE NORTH 83 DEGREES 18 MINUTES 50 SECONDS EAST 212.75 FEET, THENCE SOUTH 79 DEGREES 18 MINUTES 30 SECONDS EAST 237.54 FEET, THENCE NORTH 87 DEGREES 33 MINUTES 14 SECONDS EAST 72.87 FEET, THENCE NORTH 54 DEGREES 59 MINUTES 55 SECONDS EAST 74.65 FEET, THENCE NORTH 26 DEGREES 40 MINUTES 23 SECONDS EAST 30.85 FEET, THENCE NORTH 14 DEGREES 28 MINUTES 44

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EXHIBIT A  
(continued)

SECONDS EAST 83.51 FEET, THENCE NORTH 09 DEGREES 59 MINUTES 59 SECONDS EAST 200.35 FEET, THENCE NORTH 05 DEGREES 58 MINUTES 47 SECONDS EAST 119.32 FEET, THENCE NORTH 12 DEGREES 02 MINUTES 46 SECONDS EAST 184.67 FEET, THENCE NORTH 08 DEGREES 58 MINUTES 36 SECONDS EAST 95.04 FEET, THENCE NORTH 03 DEGREES 57 MINUTES 19 SECONDS EAST 157.00 FEET, THENCE NORTH 19 DEGREES 09 MINUTES 39 SECONDS EAST 53.17 FEET, THENCE NORTH 70 DEGREES 31 MINUTES 56 SECONDS EAST 41.05 FEET, THENCE NORTH 88 DEGREES 11 MINUTES 51 SECONDS EAST 244.80 FEET, THENCE SOUTH 79 DEGREES 10 MINUTES 00 SECONDS EAST 21.14 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 4 SAID POINT BEING FURTHER DESCRIBED AS BEING LOCATED SOUTH 28.26 FEET FROM THE NORTHEAST CORNER OF THE SAID, NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 4.

AND ALSO

A PARCEL OF LAND SITUATED IN SECTION 4 AND SECTION 5, TOWNSHIP 41 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 4, THENCE SOUTH 89 DEGREES 41 MINUTES 29 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 4, 1330.22 FEET TO A 5/8 INCH PIN MARKING THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4; THENCE SOUTH ALONG THE EAST LINE OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4, 28.26 FEET, MORE OR LESS TO THE CENTERLINE OF AN EXISTING IRRIGATION DITCH THENCE WESTERLY, SOUTHERLY AND NORTHWESTERLY ALONG THE CENTERLINE OF SAID IRRIGATION DITCH, THE FOLLOWING BEARINGS AND DISTANCES, NORTH 79 DEGREES 10 MINUTES 00 SECONDS WEST 21.14 FEET, SOUTH 88 DEGREES 11 MINUTES 51 SECONDS WEST 244.80 FEET, SOUTH 70 DEGREES 31 MINUTES 56 SECONDS WEST 41.05 FEET, SOUTH 19 DEGREES 09

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EXHIBIT A  
(continued)

MINUTES 39 SECONDS WEST 53.17 FEET, SOUTH 03 DEGREES 57  
MINUTES 19 SECONDS WEST 157.00 FEET, SOUTH 08 DEGREES 58  
MINUTES 36 SECONDS WEST 95.04 FEET, SOUTH 12 DEGREES 02  
MINUTES 46 SECONDS WEST 184.67 FEET, SOUTH 14 DEGREES 28  
MINUTES 44 SECONDS WEST 83.51 FEET SOUTH 26 DEGREES 40  
MINUTES 23 SECONDS WEST 30.85 FEET, SOUTH 54 DEGREES 59  
MINUTES 55 SECONDS EAST WEST 74.65 FEET, SOUTH 87 DEGREES 33  
MINUTES 14 SECONDS WEST 72.87 FEET, NORTH 79 DEGREES 18  
MINUTES 30 SECONDS WEST 287.54 FEET, SOUTH 83 DEGREES 18  
MINUTES 50 SECONDS WEST 212.75 FEET NORTH 84 DEGREES 48  
MINUTES 46 SECONDS WEST 207.72 FEET, SOUTH 86 DEGREES 13  
MINUTES 29 MINUTES WEST 75.78 FEET, NORTH 87 DEGREES 19  
MINUTES 34 SECONDS WEST 85.95 FEET, NORTH 68 DEGREES 10  
MINUTES 07 SECONDS WEST 123.78 FEET, NORTH 63 DEGREES 55  
MINUTES 15 SECONDS WEST 51.79 FEET, NORTH 37 DEGREES 30  
MINUTES 35 SECONDS WEST 117.87 FEET, NORTH 50 DEGREES 40  
MINUTES 51 SECONDS WEST 178.45 FEET, NORTH 40 DEGREES 01  
MINUTE 42 SECONDS WEST 218.59 FEET, NORTH 45 DEGREES 59  
MINUTES 58 SECONDS WEST 75.00 FEET, NORTH 60 DEGREES 31  
MINUTES 46 SECONDS WEST 86.28 FEET, NORTH 53 DEGREES 44  
MINUTES 25 SECONDS WEST 254.49 FEET, NORTH 47 DEGREES 08  
MINUTES 25 SECONDS WEST 44.43 FEET, TO A POINT THAT IS  
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MINUTES 10 SECONDS WEST PARALLEL TO AND 30 FEET SOUTHERLY,  
MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID SECTION 5,  
127.17 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE  
NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 5, THENCE  
NORTH 00 DEGREES 01 MINUTE 10 SECONDS WEST ALONG THE WEST  
LINE OF THE SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID  
SECTION 5, 30.00 FEET TO THE NORTH LINE OF SAID SECTION 5,  
THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS EAST ALONG THE  
NORTH LINE OF SAID SECTION 5, 1323.24 FEET TO THE POINT OF  
BEGINNING.

AND THE EAST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE

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EXHIBIT A  
(continued)

SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 SOUTH, RANGE 11 EAST  
OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

SITUATE IN THE COUNTY OF KLAMATH, STATE OF OREGON.

Permanent Parcel Number: R105227  
DENNIS V. HOLL AND KATHERINE HOLL, AS TENANTS BY THE ENTIRETY

20617 DODDS HOLLOW ROAD, MERRILL OR 97633  
Loan Reference Number : 20080647300148  
First American Order No: 14219446  
Identifier: FIRST AMERICAN LENDERS ADVANTAGE

 HOLL  
14219446

OR

FIRST AMERICAN ELS  
DEED OF TRUST

