

2008-007377

Klamath County, Oregon



00046488200800073770050058

05/20/2008 10:03:42 AM

Fee: \$41.00

## RECORDING COVER SHEET

### 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 B6955-013  
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 14, 2008**

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

DAVID FAWCETT

DEENA J. GONZALEZ-FAWCETT

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:

DAVID D FAWCETT , 3550 SUMMERS LN, KLAMATH FALLS, OREGON 97603-7412

6) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030  
\$ 80,000.00

7) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY CLERKS LIEN 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) Recorded to correct  
Previously recorded as

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



(page 1 of 4 pages)

Documents Processed 04-14-2008, 12:59:15

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

DAVID D FAWCETT  
3550 SUMMERS LN  
KLAMATH FALLS, OREGON 97603-7412

Prepared by:

Wells Fargo Bank, N.A.  
JULIE CANNON, DOCUMENT PREPARATION  
1 HOME CAMPUS  
DES MOINES, IOWA 50328  
800-443-3486

Return Address:

Wells Fargo Bank, N.A.  
Attn: Document Mgt.  
P.O. Box 31557  
MAC B6955-013  
Billings, MT 59107-9900

TAX ACCOUNT NUMBER

R541907

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[Space Above This Line For Recording Data]

## SHORT FORM LINE OF CREDIT TRUST DEED

REFERENCE #: 20080917300154

Account number: 651-651-2454783-1XXX

### 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 APRIL 14, 2008, together with all Riders to this document.
- (B) "Borrower" is DEENA J. GONZALEZ-FAWCETT, SINGLE AND AND DAVID FAWCETT, SINGLE. 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 APRIL

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HCWF#1018v1 (2/16/08)



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**14, 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, **EIGHTY THOUSAND AND 00/100THS** Dollars (U.S. **\$80,000.00**) 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 May 14, 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]:

☐ **N/A** Leasehold Rider

☐ **N/A** Third Party Rider

☐ **N/A** 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]

#### SEE ATTACHED EXHIBIT

which currently has the address of 3550 SUMMERS LN  
[Street]  
KLAMATH FALLS, Oregon 97603 ("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

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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.

David Fawcett (Seal)  
DAVID FAWCETT -Borrower

Deena J. Gonzalez Fawcett (Seal)  
DEENA J. GONZALEZ FAWCETT -Borrower

For An Individual Acting In His/Her Own Right:

State of Oregon )  
County of Klamath )

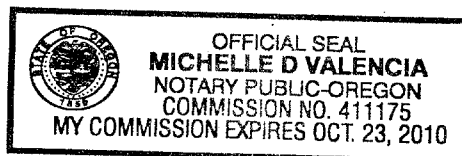
This instrument was acknowledged before me on April 14, 2008 (date) by  
David Fawcett, Deena J Gonzalez - Fawcett  
(name(s) of person(s))

(Seal, if any)

[Signature]  
(Signature of notarial officer)

Notary (Personal Banker)  
Title (and Rank)

My commission expires: 10-23-2010



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## EXHIBIT A

Reference: 20080917300154

Account: 651-651-2454783-1998

### Legal Description:

**THAT CERTAIN REAL PROPERTY SITUATED IN KLAMATH COUNTY, STATE OF OREGON, DESCRIBED AS FOLLOWS, TO-WIT: A TRACT OF LAND SITUATED IN THE SE 1/4 NE 1/4 OF SECTION 10, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, SAID TRACT BEING A PORTION OF TRACT DESCRIBED IN DEED FROM PETRICK TO MCNEALY RECORDED IN VOLUME M-71 AT PAGE 12811, DEED RECORDS OF KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN LOCATED 655 FEET SOUTH AND 30 FEET WEST OF THE SOUTHEAST CORNER OF THE NE 1/4 NE 1/4 OF SAID SECTION 10, SAID POINT, LYING ON THE WEST BOUNDARY OF SUMMERS LANE; THENCE WEST ALONG THE NORTH LINE OF THE ABOVE DESCRIBED TRACT A DISTANCE OF 237.0 FEET; THENCE SOUTH A DISTANCE OF 85.0 FEET TO A POINT; THENCE EAST A DISTANCE OF 237.0 FEET, MORE OR LESS, TO THE WEST RIGHT OF WAY LINE OF SUMMERS LANE; THENCE NORTH 85.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.**

