

2008-015958

Klamath County, Oregon



00056921200800159580050059

12/02/2008 08:47:21 AM

Fee: \$41.00

After recording, return to:

Jim N. Slothower
Slothower & Petersen PC
205 NW Franklin Ave
Bend, OR 97701

Until a change is requested, tax statements shall be sent to: American Cash Equities,
1470 NW First St. Bend, OR 97701

TRUSTEE'S DEED

THIS INDENTURE, made this 24th day of November, 2008, between Jim N. Slothower, hereinafter called trustee, and American Cash Equities, Inc., an Oregon corporation, hereinafter called the second party;

RECITALS:

John Olander and Darlene Olander, as grantor, executed and delivered to AmeriTitle, an Oregon corporation, as trustee, for the benefit of American Cash Equities, Inc., an Oregon corporation, as beneficiary, a certain trust deed dated July 7, 2004, recorded July 23, 2004 in the Microfilm Records of Klamath County, Oregon in Volume M04 at Page 48275. 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 obligation 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. Jim N. Slothower was appointed successor trustee by instrument recorded May 15, 2008 in the Microfilm Records of Klamath County, Oregon in Volume 2008 at page 007175.

By reason of the default, the owner and holder of the obligations secured by the trust deed, being the beneficiary therein named, or the 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 the grantor's obligations was recorded on May 15, 2008, in the Microfilm Records of Klamath County, Oregon, Oregon, in Volume M04 at Page 007176, to which reference now is made.

After recording the notice of default, the undersigned 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 ORCP 7D.(2) and 7 D.(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 86.740 (2)(a), at least 120 days before the date the property was sold. A

copy of the notice of sale was mailed by first class and certified mail with return receipt requested to the last known address of the fiduciary or personal representative 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. Copies of the notice of sale were 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) or an affidavit of non-occupancy has been duly recorded. If the foreclosure proceedings were stayed and released from the stay, copies of an amended notice of sale in the form required by ORS 86.755(6) were mailed by registered or certified mail to the last known addresses 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. The trustee published a copy of the notice of sale in a newspaper of general circulation in the 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 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 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 interest in the real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

Attached hereto as Exhibits 1 and 2 respectively are a Trustees Affidavit of Non-Occupancy and a Certificate of Non-Military Service.

The true and actual consideration for this conveyance is \$33,474.75.

The undersigned trustee, on November 17, 2008 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 trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of \$33,474.75, 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 trustee by the laws of the State of Oregon and by the trust 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 the trust deed, together with any interest the grantor or grantor's successors in interest acquired after the execution of the trust deed in and to the following described real property, to-wit:


Lot 47 in DIAMOND PEAKS, Tract No. 1355, according to
the official plat thereof on file in the office of the County Clerk
of Klamath County, Oregon

TO HAVE AND TO HOLD the same unto the second party and the 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; "grantor" includes any successor in interest to the grantor, as well as
each and every other person owing an obligation, the performance of which is secured
by the trust deed; "trustee" includes any successor trustee; "beneficiary" includes any
successor in interest of the beneficiary first named above; and "person" includes a
corporation of any other legal or commercial entity.

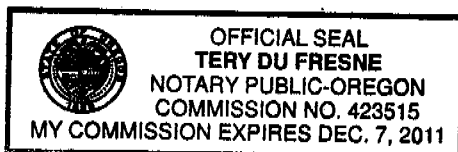
**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS,
IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF
THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF
APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING 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.**

IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this
document. If the undersigned is a corporation, it has caused its name to be signed and
its seal, if a corporation, it has caused its name to be signed and its seal, if any, affixed
by an officer or other person duly authorized to do so by order of its board of directions.


Jim N. Slothower
Successor Trustee

STATE OF OREGON)
)ss.
County of Deschutes)

This instrument was acknowledged before me on November 24, 2008, by Jim N.
Slothower.



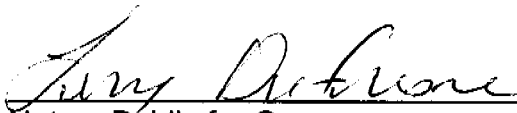

Notary Public for Oregon
My Commission Expires: 12/7/11

EXHIBIT 2

**AFTER RECORDING,
RETURN TO:**

Jim N. Slothower
Slothower & Petersen
205 NW Franklin Ave.
Bend, OR 97701


STATE OF OREGON } ss CERTIFICATE OF
County of Deschutes } NON-MILITARY SERVICE

I, JIM N. SLOTHOWER, being duly sworn, state as follows:

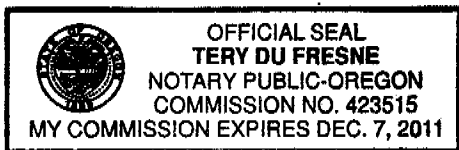
1. I am the attorney for beneficiary on the trust deed in which John Olander and Darlene Olander, as grantor, executed and delivered to AmeriTitle, an Oregon corporation, as trustee, for the benefit of American Cash Equities, Inc., an Oregon corporation, as beneficiary, a certain trust deed dated July 7, 2004, recorded July 23, 2004 in the Microfilm Records of Klamath County, Oregon in Volume M04 at Page 48275. . Thereafter, the trust deed was duly foreclosed by advertisement and sale, and the real property covered by the trust deed was sold at trustee's sale on November 17, 2008.

2. I reasonably believe that, at no time during the period of three months and one day immediately preceding the day of the sale, and including the day thereof, was the real property described in and covered by the trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the Soldier's and Sailor's Civil Relief Act of 1940, as amended.

DATED this 24th day of November, 2008.


Jim N. Slothower

SUBSCRIBED AND SWORN to before me this 24 day of November, 2008.



Notary Public of Oregon
My Commission Expires: 12/31/11

EXHIBIT 1

AFTER RECORDING,
RETURN TO:

Jim N. Slothower
Slothower & Petersen
205 NW Franklin Ave
Bend, OR 97701

STATE OF OREGON }
County of Deschutes } ss TRUSTEE'S AFFIDAVIT OF
 NON-OCCUPANCY

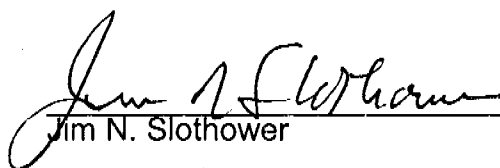
I, JIM N. SLOTHOWER, being duly sworn, state as follows:

1. I am the successor trustee of a deed of trust dated July 7, 2004, recorded July 23, 2004, in Book No. M04 at page 48275 of the Klamath County Official Records, Oregon, encumbering the property described as:

Lot 47 in DIAMOND PEAKS, Tract No. 1355, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

2. I hereby certify that on November 17, 2008, the above described real property was not occupied.

DATED this 24th day of November, 2008.


Jim N. Slothower

SUBSCRIBED AND SWORN to before me this 24 day of November, 2008.




Notary Public
My Commission Expires: 12/7/11