



05/21/2009 03:26:48 PM

Fee: \$31.00

Send tax statements to:

Carol Williams  
c/o Larry Jones  
2777 Pinerock Drive  
Eugene, OR 97403

**ATE 66315**  
After recording, return to:

Michael P. Kearney, P.C.  
Attorney at Law  
800 Willamette Street, Suite 800  
P.O. Box 1758  
Eugene, OR 97440-1758

### TRUSTEE'S DEED

**DATED:** May 19, 2009

**PARTIES:** Michael P. Kearney, Attorney at Law, hereafter called "Trustee",

**AND:** Lee E. Rubenstein and Julie D. Rubenstein, husband and wife, as to an undivided 50/174th interest; Blazer Construction Company Inc., an Oregon corporation, as to an undivided 64/174th interest; Langton Living Trust, dated August 23rd, 2000, as to an undivided 48/174th interest; and Brooke Bryant Living Trust dated September 21st, 2002, as to an undivided 12/174th interest, hereinafter called "Grantees".

### RECITALS

JASON FISHER, as Grantor, and PACIFIC NORTHWEST TITLE OF OREGON, INC., an Oregon corporation, as Trustee, and Lee E. Rubenstein and Julie D. Rubenstein, husband and wife, as to an undivided 50/174th interest; Blazer Construction Company Inc., an Oregon corporation, as to an undivided 64/174th interest; Langton Living Trust, dated August 23rd, 2000, as to an undivided 48/174th interest; and Brooke Bryant Living Trust dated September 21st, 2002, as to an undivided 12/174th interest, as Beneficiary, granted a certain trust deed recorded January 25, 2008 in the Klamath County Deeds and Records, Book 2008, Page 1054.

A Substitution of Trustee was recorded on December 30, 2008 as Reception No. 2008-016937, which provides that Michael P. Kearney, Attorney at Law, was substituted as Trustee under such Trust Deed.

In such trust deed, the real property described was conveyed by Grantor to Trustee to secure, among other things, the performance of certain obligations of the Grantor to the Beneficiary. The Grantor thereafter defaulted in Grantor's performance of the obligation secured by the trust deed as stated in the notice of default hereafter mentioned and such default still existed at the time of the sale hereafter described.

By reason of such 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 Grantor's obligations was recorded in the Klamath County Official Records on December 31, 2008 as Reception No. 2008-16938.

After the recording of 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 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 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 address of the 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 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 such notice occurred more than 20 days prior to the date of the sale. The mailing, service and publication of such 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 Douglas County, such affidavits and proofs, together with the 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 than the persons named in such affidavits and proofs as having or claiming a lien on or interest in the described real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

Pursuant to such Notice of Sale, the undersigned Trustee on May 18, 2009 at the hour of 10:00 o'clock a.m., in accord with the standard of time established by ORS 187.110, and at the place so fixed for the 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 beneficiaries under the trust deed referenced herein for the sum of \$193,805.47, said beneficiaries being the highest and best bidder at such sale and such sum being the highest and best sum bid for the property. The true and actual consideration paid for this transfer is the sum of \$193,805.47.

NOW THEREFORE, in consideration of the receipt of the foregoing, 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 Lee E. Rubenstein and Julie D. Rubenstein, husband and wife, as to an undivided 50/174th interest; Blazer Construction Company Inc., an Oregon corporation, as to an undivided 64/174th interest; Langton Living Trust, dated August 23rd, 2000, as to an undivided 48/174th interest; and Brooke Bryant Living Trust dated September 21st, 2002, as to an undivided 12/174th interest, all interest which the Grantor had or had the power to convey at the time of Grantor's execution of such 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:

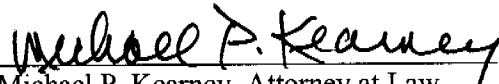
Lots 1, 2 and 3, Block 44, MALIN SUPPLEMENTAL PLAT, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

CODE: 013 MAP: 4112-016DA TL: 03100 KEY:124136

TO HAVE AND TO HOLD the same unto Lee E. Rubenstein and Julie D. Rubenstein, husband and wife, as to an undivided 50/174th interest; Blazer Construction Company Inc., an Oregon corporation, as to an undivided 64/174th interest; Langton Living Trust, dated August 23rd, 2000, as to an undivided 48/174th interest; and Brooke Bryant Living Trust dated September 21st, 2002, as to an undivided 12/174th interest, their heirs, successors-in-interest and assigns forever.

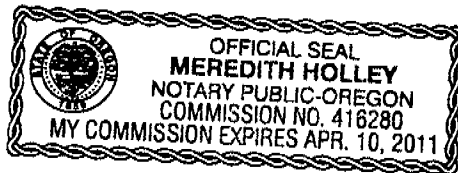
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

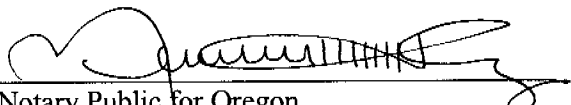
DATED this 19<sup>th</sup> day of May, 2009.

  
Michael P. Kearney, Attorney at Law,  
TRUSTEE

STATE OF OREGON                    )  
  : ss.  
County of Lane                    )

This instrument was acknowledged before me on May 19, 2009, by Michael P. Kearney, Attorney at Law.



  
Notary Public for Oregon  
My Commission Expires: 04-10-2011