

2009-008542

Klamath County, Oregon



00068168200900085420050056

06/19/2009 03:37:38 PM

Fee: \$41.00

RE: Loan: 00009800309636

Title # 3986780

TS #: fc21505-5

### TRUSTEE'S DEED

1st 1343122

THIS INDENTURE, Made this day June 17, 2009, between  
FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee

And

THE BANK OF NEW YORK MELLON, AS TRUSTEE (FKA THE BANK OF NEW  
YORK) ON BEHALF OF CIT MORTGAGE LOAN TRUST 2007-1

Hereinafter called the second party;

Pursuant to said notice of sale, the undersigned trustee on 06/12/2009 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 \$182,950.00, 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:** SHAWN K. TAYLOR AND PATTY A. TAYLOR, as grantor(s), Executed and delivered to FIRST AMERICAN TITLE INSURANCE CO., As trustee, for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. SOLELY AS NOMINEE FOR LENDER, As beneficiary, a certain trust deed dated 05/25/2005, duly Recorded on 06/10/2005 AS VOL NO. M05 AT PAGE NO. 43425, 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

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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 01/26/2009, as Instrument # 2009-862, 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.  
4401 Hazel Ave, Ste 225  
Fair Oaks, CA 95628

STATE OF OREGON  
COUNTY OF Klamath

Grantee's Name and Address:  
THE BANK OF NEW YORK  
MELLON, AS TRUSTEE (FKA THE  
BANK OF NEW YORK) ON BEHALF  
OF CIT MORTGAGE LOAN TRUST  
2007-1  
715 S Metropolitan Ave  
Oklahoma City, OK 73108

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. \_\_\_\_\_

Witness my hand and seal of county  
affixed.

AFTER RECORDING RETURN TO:  
The Bank of New York Mellon, as  
Trustee  
715 S Metropolitan Ave  
Oklahoma City, OK 73108

NAME TITLE

By \_\_\_\_\_ Deputy

UNTIL REQUESTED SEND ALL TAX  
STATEMENTS TO:

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 by law; copies of the Trustee's Notice of Sale and the Notice as required by and in accordance with ORS Chapter 646 was provided to Grantor and successor in interest, if any 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 and the Notice as

required by and in accordance with ORS Chapter 646 was provided to Grantor and successor in interest, if any 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 ATTACHED FOR LEGAL DESCRIPTION.

Aka: 38112 HWY 97 N, CHILOQUIN, OR 97624  
Tax ID: R223680

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 verity approved uses.

DATED: June 17, 2009

FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee


  
Name/Title: **MARIA DELATORRE, ASST SEC**

State of CA  
County of Orange

On 6/18/09 before me, Laura A. Kennedy, Notary Public, personally appeared MARIA DE LA TORRE who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.





**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A portion of Government Lot 7, Section 4, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Starting at a point 20 feet North of the Southwest corner of Government Lot 7, thence running East 750 feet; thence running North 275.16 feet; thence West 750 feet; thence South 275.16 feet to the place of beginning.

TOGETHER WITH an appurtenant easement, recorded December 21, 1995, at Volume M95, page 34753, and re-recorded January 5, 1996 at Volume M96, page 416.