

2009-012060

Klamath County, Oregon



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09/09/2009 02:09:26 PM

Fee: \$26.00

ATE 66517

## TRUSTEE'S DEED

THIS INDENTURE, made September 4, 2009, between Northwest Trustee Services, Inc., hereinafter called the Trustee and The Bank of New York Mellon Trust Company, National Association f/k/a The Bank of New York Trust Company, N.A., as successor to JPMorgan Chase Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC2, hereinafter called the second party;

## RECITALS:

RECITALS: Catherine Weiser, as grantors, executed and delivered to: Amerititle, as trustee, for the benefit of Wilmington Finance, a division of AIG Federal Savings Bank, as beneficiary, a trust deed dated 01/10/05, duly recorded on 01/14/05 in the mortgage records of Klamath County, Oregon in Vol M05 Page 03035 and subsequently assigned to JP Morgan Chase Bank National Association as Trustee for the MLMI SURF Trust Series 2005-BC2 by Assignment recorded as M05 Page 72045. In the trust deed, the real property described below ("Property") was conveyed by the grantor to the trustee to secure, among other things, the performance of the grantor's obligations to the beneficiary. The grantor thereafter defaulted in the performance of those obligations and such default(s) still existed at the time of the trustee's sale of the Property described below.

Because of the default(s), the record beneficiary under the trust deed or its predecessor declared all sums secured by the trust deed immediately due and owing; therefore, a Notice of Default, containing an election to sell the Property and to foreclose the trust deed by advertisement and sale to satisfy grantor's obligations owed to the beneficiary was recorded in the mortgage records of the county in which the Property is located on 02/17/09, in 2009-002346.

After recording the Notice of Default, the trustee gave notice to the grantor(s) and/or occupants pursuant to the requirements of section 20 and 21, Chapter 19, Oregon laws 2008 ("Bill") by mailing said notice by both first class and certified mail with return receipt requested. Trustee gave notice of the time for and place of sale of the Property 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 Trustee's Notice of Sale was served upon occupants of the Property 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 was stayed and released from stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed within thirty days after release from stay by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and any person requesting notice who was present at the time and place set for the sale which was stayed. Further, the trustee published a copy of the Trustee's Notice of Sale in a newspaper of general circulation in each county in which the Property is located, once a week for four successive weeks; the last publication of Notice of Trustee's Sale occurred more than twenty days prior to the date of sale. Compliance with the Bill and the mailing, service and publication of the Trustee's Notice of Sale are evidenced by one or more affidavits or proofs of service duly recorded prior to the date of sale in the official records of the county in which the Property is located.

Northwest Trustee Services, Inc.  
P.O. Box 997, Bellevue, WA 98009-0997

Grantor's Name and Address

The Bank of New York Mellon Trust Company, National  
Association f/k/a The Bank of New York Trust Company,  
N.A., as successor to JPMorgan Chase Bank, National  
Association, as Trustee

14523 SW Millikan Way, Suite 200, Beaverton, OR 97005

Grantee's Name and Address

After Recording Return to:

Northwest Trustee Services, Inc.

Attn: Post Sale Dept.

P.O. Box 997, Bellevue, WA 98009-0997 7345.21330

Until a change is required all tax statements shall be sent to:

The Bank of New York Mellon Trust Company, National  
Association f/k/a The Bank of New York Trust Company,  
N.A., as successor to JPMorgan Chase Bank, National  
Association, as Trustee

14523 SW Millikan Way, Suite 200, Beaverton, OR 97005

FOR COUNTY USE:

Consideration: \$136,565.00

\$26 ATE

Pursuant to the Notice of Trustee's Sale, one or more due public proclamations of the sale's postponement and/or an Amended Notice of Trustee's Sale, the trustee -- on August 31, 2009, at 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 said trustee by the trust deed -- sold the Property in one parcel at public auction to The Bank of New York Mellon Trust Company, National Association f/k/a The Bank of New York Trust Company, N.A., as successor to JPMorgan Chase Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC2 for the sum of \$136,565.00, The Bank of New York Mellon Trust Company, National Association f/k/a The Bank of New York Trust Company, N.A., as successor to JPMorgan Chase Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC2 being the highest and best bidder at the sale. The true and actual consideration paid for this transfer is the sum of \$136,565.00

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 VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930