

NOT 85844-KR

2009-012301
Klamath County, Oregon

TAX ACCOUNT NO. R611788



00072681200900123010060068

09/15/2009 02:01:39 PM

Fee: \$46.00

After recording return to:

Tabita Rodriguez

3900 Hilyard Ave., Apt. #705

Klamath Falls, OR 97603-6670

SEND TAX STATEMENTS TO:

Tabita Rodriguez

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS that the Bankruptcy Estate of Harry D. Leach and Katherine E. Leach, Bankruptcy Case No. 09-61421-aer-7, now pending in the United States Bankruptcy Court for the District of Oregon, by and through its duly appointed and acting Trustee, David Wurst, herein called "GRANTOR", acting in her capacity as Trustee and not individually by virtue of the power and authority given a bankruptcy trustee under the laws of the United States of America, for the consideration hereinafter stated, does hereby grant, bargain, sell, convey and release to Tabita Rodriguez, herein called "GRANTEE", and unto Grantee's successors and assigns all of the interest, if any, vested in the Debtor(s) in the subject property described herein, at the time of the filing of the above referenced bankruptcy case, and which passed to the Bankruptcy Estate by operation of law, and became subject to administration of the Trustee, together with all after acquired title of the Bankruptcy Estate, if any, all tenements, hereditaments, appurtenances thereunto belonging, or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE INCORPORATED
HEREIN**

SUBJECT TO AND EXCEPTING:

All liens, encumbrances, easements, or any other interest of record, of any type or nature.

The Trustee's power and authority to dispose of such property of the Bankruptcy Estate originates in 11 USC §363, and this transfer is made following notice to "interested persons" and an opportunity for hearing pursuant to such law.

The consideration for this transfer is \$ 22,000.00.

Grantor makes this conveyance without any warranties express or implied. This conveyance and release is intended to transfer all of the Bankruptcy Estate's interest, if any, in the subject property described herein, to the Grantee, in its existing condition, **AS IS**, without any warranties express or implied. Grantee's recording of this Deed indicates Grantee's acceptance of this conveyance and release upon that basis.

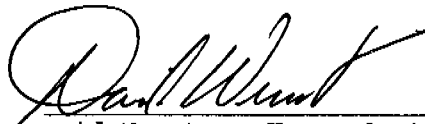
46Pmt

Grantor covenants that this Deed is to be absolute in effect as pertains to the Bankruptcy Estate and conveys whatever right, title and interest the Bankruptcy Estate may have in the described property. This conveyance and release is not intended to operate as a mortgage, trust deed, or security of any kind.

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.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

IN WITNESS WHEREOF, Grantor has executed this Deed this 8th day of September 2009.



David Wurst, Trustee for the Bankruptcy Estate
of Harry D. Leach and Katherine E. Leach

STATE OF OREGON)

County of Klamath)

ss.

This instrument was acknowledged before me on this 8th day of September 2009 by David Wurst, as Trustee, acting on behalf of the Bankruptcy Estate of Harry D. Leach and Katherine E. Leach.



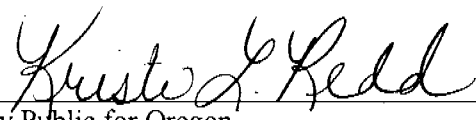

Notary Public for Oregon


EXHIBIT "A"
LEGAL DESCRIPTION

Lots 22 and 23 in Block 2, INDUSTRIAL ADDITION to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

September 04, 2009

Clerk, U.S. Bankruptcy Court

Below is an Order of the Court.


ALBERT E. RADCLIFFE
U.S. Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re)	
)	Case No. 09-61421-aer7
Harry Doyle Leach and)	
Katherine Elizabeth Leach,)	ORDER AUTHORIZING
)	TRUSTEE TO SELL
Debtors.)	PROPERTY
_____)	

THIS MATTER having come before the Court upon the Trustee's Notice of Intent to Sell Property at Private Sale, Compensate Real Estate Broker, and/or Pay Any Secured Creditor's Fees and Costs ["Notice"] a copy of which is attached hereto as Exhibit "A", and no objections having been filed, and the Court being fully advised,

IT IS HEREBY ORDERED that the Trustee is authorized to sell the real property described as:

Lots 22 and 23 in Block 2, INDUSTRIAL ADDITION, to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

to Tabita Rodriguez on the terms set forth in the Notice.

ORDER AUTHORIZING TRUSTEE TO SELL PROPERTY

David B. Mills
115 W. 8th Ave., #390
Eugene, Oregon 97401
Phone: (541) 484-1216
Fax: (541) 484-5326

#

PRESENTED BY:

/s/ David B. Mills

David B. Mills, OSB #77281
ATTORNEY AT LAW
115 W. 8th Ave., Suite 390
Eugene, Oregon 97401
(541) 484-1216

Attorney for Trustee

ELECTRONIC NOTICE VIA ECF:

The following are parties who will receive notice/service of Orders for this case via electronic transmission (email):

David B. Mills
Douglas V Osborne
US Trustee - Eugene
Gilbert B Weisman
David F. Wurst

MANUAL NOTICE VIA FIRST CLASS MAIL:

The following are parties who will receive notice/service of Orders for this case via First Class Mail :

AmeriTitle
300 Klamath Ave
Klamath Falls, OR 97601

Lu Gustaldi
403 Main St
Klamath Falls, OR 97601

ORDER AUTHORIZING TRUSTEE TO SELL PROPERTY

David B. Mills
115 W. 8th Ave., #390
Eugene, Oregon 97401
Phone: (541) 484-1216
Fax: (541) 484-5326

Case 09-61421-aer7 Doc 20 Filed 08/06/09
UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re
HARRY DOYLE LEACH
KATHERINE ELIZABETH LEACH

) Case No. 09-61421-aer7
)
) NOTICE OF INTENT TO Sell
) Property at Private Sale, Compensate
) Real Estate Broker, and/or Pay any
) Secured Creditor's Fees and Costs
) [NOTE: DO NOT use to sell personally
) identifiable information about individuals!]

Debtor(s)

1. An offer has been received by the trustee from TABITA RODRIGUEZ, whose relation to the debtor(s) is NO RELATION, to purchase the following estate property (NOTE: If real property, state street address here. Also attach legal description as an Exhibit to the original filed with the court): HOME AND REAL PROPERTY AT 1246 OWENS ST., KLAMATH FALLS OREGON, FURTHER DESCRIBED AS:

Lots 22 and 23 in Block 2, INDUSTRIAL ADDITION, to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

for the sum of \$ 22,000.00 upon the following terms: CASH, \$500.00 EARNEST MONEY RECEIVED, REMAINING \$21,500.00 CASH AT CLOSING.

2. Gross sales price: \$ 22,000.00. All liens on the property total: \$13,975.02 plus interest, of which the trustee believes a total of \$ 0.00 need not be paid as secured claims (because the lien is invalid, avoidable, etc., the lienholder consents to less than full payment, or part or all of the underlying debt is not allowable). Secured creditor(s) also seek(s) reimbursement of \$ 1531.58 for fees and costs. Total sales costs will be: \$ 1700.. All tax consequences have been considered and it presently appears the sale will result in net proceeds to the estate after payment of valid liens, fees, costs and taxes of approximately: \$ 4,793.40.

3. [If real property] The court appointed real estate broker, LU GASTALDI, FISHER NICHOLSON REALTORS, LLC, will be paid 3%, (VALERIE MOREHOUSE, BUYER'S AGENT WILL ALSO RECEIVE 3%).

NOTICE IS GIVEN that the trustee will sell the property, reimburse for any secured creditor's fees and costs, and compensate any real estate broker upon the above terms and without further notice unless within 22 days of either the date in the "FILED" stamp above OR, if none, the Trustee's date below, the trustee receives a bid exceeding the above offer by at least \$2500.00 (and upon the same or more favorable terms to the estate), or an interested party BOTH: (1) files a written objection to the sale, the reimbursement of fees and costs or broker's compensation, setting forth the specific grounds for such objection, with the Clerk of Court (i.e., if the 5-digit portion of the Case No. begins with "3" or "4", mail to 1001 SW 5th Ave. #700, Portland OR 97204; OR, if it begins with "6" or "7", mail to 405 E 8th Ave #2600, Eugene OR 97401), AND (2) serves a copy thereof on the trustee, DAVID F. WURST, at POB 610, MEDFORD, OR 97501.

If no objection is filed, but the trustee receives any upset bids in the manner required above within 22 days of either the date in the "FILED" stamp above OR, if none, the Trustee's date below, the trustee will notify all persons who have expressed an interest in purchasing the above property of the date, time and place of a meeting at which the trustee will conduct an auction and sell the property to the highest bidder without further notice.

FOR FURTHER INFORMATION CONTACT: DAVID F. WURST 541-773-6761 or
ATTORNEY FOR THE ESTATE, DAVID B. MILLS, 541-484-1216

DATE: 08/06/09

/s/ David F. Wurst

Trustee

760 (12/1/08)