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NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



2009-016190

Klamath County, Oregon



00077274200900161900070070

12/29/2009 10:52:33 AM

Fee: \$67.00

William M. Ganong, Attorney at Law  
514 Walnut Avenue  
Klamath Falls OR 97601

Trustee's Name and Address  
David J. and Lisa D. Goodfellow  
5818 Mack Avenue  
Klamath Falls OR 97603

Second Party's Name and Address

After recording, return to (Name, Address, Zip):

William M. Ganong, Attorney at Law  
514 Walnut Avenue  
Klamath Falls OR 97601

Until requested otherwise, send all tax statements to (Name, Address, Zip):

David J. Goodfellow/Lisa D. Goodfellow  
5818 Mack Avenue  
Klamath Falls OR 97603

SP/

RE

## TRUSTEE'S DEED

THIS INDENTURE, Dated December 23, 2009, between William M. Ganong, Attorney at Law, hereinafter called trustee, and David J. Goodfellow and Lisa D. Goodfellow

hereinafter called the second party; WITNESSETH:

RECITALS: Ryan Garrett and Diane Garrett, as grantor, executed and delivered to William M. Ganong, as Successor Trustee, ~~as trustee~~ for the benefit of David J. Goodfellow and Lisa D. Goodfellow, as beneficiary, a certain trust deed dated December 17, 2008, recorded on December 24, 2008, in the Records of

Klamath County, Oregon, in ☒ book ☐ reel ☐ volume No. 2008 at page 016819, and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. (indicate which). 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 obligations 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.

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 asserting grantor's obligations was recorded on July 14, 2009, in the Records of Klamath County, in ☒ book ☐ reel ☐ volume No. 2009 at page 009547, and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. (indicate which), 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 7 D. (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 in accordance with ORS 86.750(1) upon occupants of the property described in the trust deed at least 120 days before the date the property was sold. 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 each 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 date of 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 or interest in the real property, entitled to notice pursuant to ORS 86.740 (1)(b) or (1)(c).

The true and actual consideration for this conveyance is \$ 145,433.10 (Here comply with ORS 93.030.)

(OVER)



The undersigned trustee, on December 22, 2009, at the hour of 10:00 o'clock, A. M., in accord with the standard of time established by ORS 187.110, (which was the day and hour to which the 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, 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 \$145,433.10, 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 3, Block 62, Lakeview Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Klamath County Assessor's Account Nos.

R-3809-029BA-04400-000 and Property ID Nos. R185524

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 and any other legal or commercial entity.

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 any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

\* Delete words in parentheses if inapplicable.

STATE OF OREGON, County of Klamath ) ss.

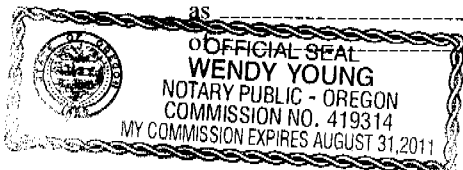
This instrument was acknowledged before me on December 23, 2009

by William M. Ganong, Successor Trustee

This instrument was acknowledged before me on \_\_\_\_\_

by \_\_\_\_\_

as \_\_\_\_\_



Wendy Young  
Notary Public for Oregon  
My commission expires 8.31.2011

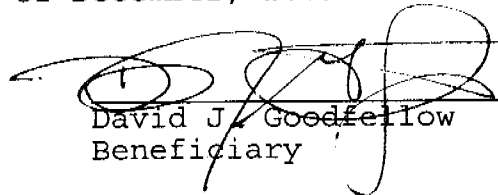
CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON, County of Klamath) ss.

THIS IS TO CERTIFY That I am one of the present beneficiaries of that certain trust deed in which Ryan Garrett and Diane Garrett, as grantor, conveyed to William M. Ganong, as successor trustee, certain real property in Klamath County, Oregon, which trust deed was dated December 17, 2008 and recorded December 24, 2008 in the mortgage records of said county, in Book 2008 at page 016819; thereafter the trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was sold at the trustee's sale on December 22, 2009; to the best of my knowledge and belief, I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended. I was unable to determine if Ryan Garrett or Diane Garrett are in the military because I do not know their social security numbers, which are needed in order to conduct a search. A copy of the website instructions is attached as Exhibit A.

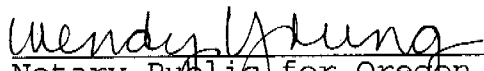
In construing this certificate, the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

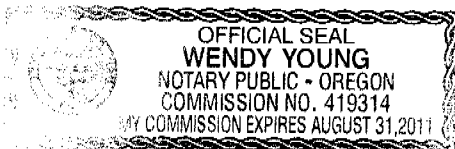
Dated this 13 day of December, 2009.

  
\_\_\_\_\_  
David J. Goodfellow  
Beneficiary

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on December 23, 2009 by David J. Goodfellow, as Beneficiary.

  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 8.31.2011



**DMDC**

# Service Members Civil Relief Act (SCRA) Web Site

SCRA Home

## Background Information Benefits and Features of the SCRA Web Site Detailed Help

*Below is general information about the nature and purpose of the SCRA web site as well as detailed instructions on features. Also carefully read the SCRA Privacy Act Statement and Privacy and Security Notice at Privacy Notice*

### Background Information

The Service Members Civil Relief Act (SCRA) web site is hosted by the Defense Manpower Data Center (DMDC), an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database. The DEERS database is the official source of data on eligibility for military medical care and other eligibility systems. The DoD strongly supports the enforcement of the Service Members Civil Relief Act [50 USCS Appx. §§ 501 et seq] (formerly the Soldiers' and Sailors' Civil Relief Act of 1940).

### Benefits and Features of the SCRA Web Site

The SCRA web site provides an ability to verify whether an individual is currently serving on active duty in the US military. The Service Members Civil Relief Act provides important safeguards to members on active duty in the area of financial management including rental agreements, security deposits, eviction, installment contracts, credit card interest rates, mortgages, civil judicial proceedings, and income tax payments. This web site helps Service members verify they are serving on active duty and are therefore eligible for the protections of the SCRA. Historical information is not available through this web site.

Users input required personal data about an individual and submit the query. The web site returns a "certificate" stating DMDC possesses or does not possess information indicating the individual is currently serving on active duty. There is no charge for the certificate.

On the certificate, DMDC reports back the personal information entered into the query form by the user; no other personal data on the individual is provided on the certificate.

See "Detailed Help on SCRA Features" below for how information is used in the verification process.

### Web Site Digital Certificate

This web site encrypts all internet communications between your computer and the DMDC SCRA Web Site using SSL standards set by the Department of Defense. Under normal circumstances, SCRA web pages are automatically encrypted using a DoD certificate public key. If the certificate is not installed on

your computer, you may experience security alerts from your Browser. The certificate is required to be used to send Privacy Act data in an encrypted form across the internet. The SCRA web site is using a standard DoD certificate, but most web browsers don't come with the DoD certificates already installed. The best and most secure solution is for the user to install all of the DoD's public certificates in their web browser. That can be done by following the Public Key instructions at <http://dodpki.c3pki.chamb.disa.mil/rootca.html>. These are the official instructions provided by the Defense Information Systems Agency (DISA), which handles such security matters for the DoD. For corporations, businesses or individuals with a local systems administrator, we recommend that installation of the DoD certificate be handled at the IT policy level through coordination with the local systems administrator. Once these certificates are installed, your browser should not display security warnings, as the certificate will be recognized by the user's browser.

### User Access

Access to the SCRA web site is not restricted. However, the intent of the SCRA web site is to handle individual queries by users to generate individual reports.

Each provided Social Security Number (SSN), last name, and date of birth are recorded with the requesting client IP address, Report ID, and timestamp for audit purposes. The application is not set up to handle automated scripts; DMDC identifies automated scripts at a threshold of 1000 hits per hour and may reserve the right to turn off access to IP addresses generating high traffic levels if these levels would deny access to individual users.

**Alternative Method: Active Duty Verification by Email** For historical information, or if you do not have sufficient personal information to use this web site, you may verify an individual's active duty status through the Military Services. Contact information for each Service Headquarters is listed on this "defenseink.mil" web site: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

### General Web Site Assistance

For general web site assistance, you may contact the DMDC by mail. **NEVER** send personally identifying information via unencrypted email, nor in an unprotected format.

Defense Manpower Data Center  
Attn: Military Verification  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

### Detailed Help on SCRA Features

The user interface has two features: (A) a simple data entry / query screen; and (B) a report/certificate page.

#### (A) Query Screen Search Criteria and Guidelines.

1. Required Input: Enter valid SSN and Last Name, OR valid Last Name and Date of Birth.
2. To avoid mismatches, all data must be entered twice.
3. Last name is:
  - not case-sensitive
  - matched on first 3 letters if provided with valid SSN
  - matched on complete name if provided with date of birth but without an SSN (an exact match of last name is required)
  - listed on the certificate exactly as entered in the query screen.

4. First name and middle name:
  - are optional
  - assist to more specifically identify an individual
  - are listed on the certificate exactly as entered in the query screen
5. Date of Birth:
  - must be greater than December 1899
  - must include four-digit year (YYYY) and month
  - is used to help uniquely identify an individual
  - is not listed on the certificate.
6. Click "Lookup"; the certificate is generated in a new browser window.

*Input must match a unique person in DEERS for DMDC to certify that the individual is on Active Duty. Although statistically improbable, it is possible that multiple active duty matches may exist based on the provided information. The DMDC cannot provide verification of active duty status in this case. To ensure that this does not happen, always provide a Date of Birth if you have this information.*

**(B) Certificate Page.**

1. To execute a certificate, complete all the fields in the Query Screen, then click "Lookup."
  - A second browser window opens with the certificate.
  - Print using your browser's Print button or File/Print commands.
2. The certificate itself displays:
  - Certificate Date and Time.
  - Last Name, and first/middle names (if provided).
  - A statement about whether DMDC possesses or does not possess information regarding whether the individual is currently on active duty. In the latter case, there are a variety of statements possible depending how much information is able to be matched with a DMDC record.
    - 1) Example 1: "Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty." (No other information is provided.)
    - 2) Example 2: "Based on the social security number you have provided, the individual is currently on Active Duty. However, the last name, or partial Date of Birth, or both provided do not match the individual against whom the social security number is assigned."
  - Signature by the Director, DMDC.
  - A unique report identifier ("Report ID") on the bottom of the page.
3. To make additional certificates, go back to the main window, click "Erase" and enter new information.

**Versions**

- DEERS 1-01 06/01/2009: Added Housing Economic Recovery Act Status.
- DEERS 2.00.005 07/24/2007: Content changes to Privacy Notice and Help.
- DEERS 2.00.004 07/27/2006: Director's signature changed.
- DEERS 2.78.003 04/01/2006: Added Last Name + DoB Search capability. Require matching input.
- DEERS 2.78.001 01/17/2006: Added warning to certificate pertaining to erroneous input.

- o DEERS 2.77.003 06/09/2005: Active Duty Report based on SSN only.
- o DEERS 2.77.002 06/01/2005: Date of Birth required. Partial match allowed.
- o DEERS 2.77.001 04/01/2005: Initial Release

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