

2010-002334

Klamath County, Oregon



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02/16/2010 03:31:09 PM

Fee: \$52.00

TRUSTEE'S DEED

Thomas C. Tankersley,
Successor Trustee, Grantor

to
Eva M. Carter,
Grantee

SEND ALL TAX STATEMENTS TO:

Eva M. Carter
109 NW Baker Creek Road
McMinnville, OR 97128

AFTER RECORDING, RETURN TO:

Drabkin, Tankersley & Wright
P.O. Box 625; 701 NE Evans St
McMinnville, OR 97128

TRUSTEE'S DEED

THIS INDENTURE, made this 2nd day of February, 2010, between Thomas C. Tankersley ("Successor Trustee"), and Eva M. Carter ("Grantee");

Douglas Ivey and Sig-Britt Ivey, as grantors, executed and delivered to AmeriTitle, an Oregon corporation, as trustee, for the benefit of Robert I. Carter (now deceased) and Eva M. Carter, as husband and wife, as beneficiaries, a certain Trust Deed dated August 28, 2007, and duly recorded on August 31, 2007, in the Mortgage Records of Klamath County in Book 2007, Page 015480. The real property described in that Trust Deed and below was conveyed by the grantors to the trustee to secure, among other things, the performance of certain obligations of the grantors to the beneficiaries. The grantors defaulted in performance of the obligations secured by the Trust Deed as stated in the Notice of Default described below, and the default still existed at the time of the sale described below.

By reason of the default, the owner and holder of the obligations secured by the Trust Deed, the beneficiary, Eva M. Carter, 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 on August 20, 2009, in the Mortgage Records of Klamath County, Oregon, as Document #2009-011210, to which reference now is made.

After recording the Notice of Default, the 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 7D(2) and 7D(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), at least 120 days before the property was sold. The real property has no occupants. The Trustee published a copy of the Notice of Sale in a newspaper of general circulation in Klamath County 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 affidavit duly recorded prior to the date of sale in the county records on January 21, 2010, as Document # 2010-000809, that affidavit, which contains the Proofs of Service as exhibits, together with a Notice of Default and Election to Sell and the Notice of Sale, are incorporated in and made a part of this Deed. The 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 \$164,000 in the form of a bid on behalf of the beneficiary of amounts due.

The attorney for the Successor Trustee on February 2, 2010, at the hour of 11 o'clock, A.M., in accord with the standard 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 the Trustee by the Trust Deed, sold the real property at public auction to the Grantee for the sum of \$164,000, the Grantee 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 the sum bid by the Grantee as beneficiary, the receipt of which is acknowledged, and by the authority vested in the Successor Trustee by the laws of the State of Oregon and by the Trust Deed, the Successor Trustee hereby conveys unto the Grantee 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:

42 AMH

PARCEL 1

The South Half of the following described property:

Lots 12, 13, 14, 15, 16, 17 and 18 in Block 4 of IDLEREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2

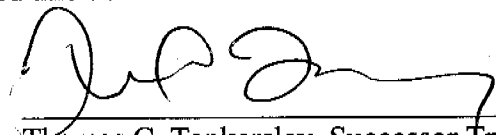
Lot 25 and Lot 26 in Block 1 of IDLEREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 THE 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

TO HAVE AND TO HOLD the same unto the Grantee, Grantee'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 the 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 a corporation or any other legal or commercial entity.

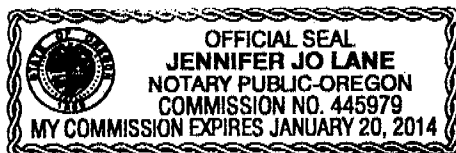
IN WITNESS WHEREOF, the Trustee has executed this document.



Thomas C. Tankersley, Successor Trustee

STATE OF OREGON)
) ss.
County of Yamhill)

This instrument was acknowledged before me on February 12th, 2010, by Thomas C. Tankersley.


NOTARY PUBLIC FOR OREGON