

2010-004415

Klamath County, Oregon



0008257620100044150050053

04/12/2010 03:20:59 PM

Fee: \$57.00

1st 1497042

TRUSTEE'S DEED

Loan No.: 501122698 Trustee Sale No.: OR0560313 Title No.: 4307948

THIS INDENTURE, made 04/02/2010, between **FIRST AMERICAN TITLE INSURANCE COMPANY, C/O Trustee Corps**, hereinafter called the first party and **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, hereinafter called the second party;

Pursuant to said notice of sale, the undersigned trustee on 04/02/2010 at 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 \$147,217.24 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: ANDREW M HILMES AND KRISTINA L HILMES, as grantor, executed and delivered to AMERITITLE, as trustee, for the benefit of BCK CAPITAL INC., as beneficiary, a certain trust deed dated 06/28/2006, duly Recorded on 07/06/2006 as Document No. M06-13702, 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 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 on 11/20/2009, as Instrument # 14939 in the mortgage records of Klamath County, to which reference now is made.

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(RESERVED FOR RECORDER USE)

Grantor's Name and Address:
**LSI TITLE COMPANY OF
OREGON, C/O TRUSTEE CORPS**
30 Corporate Park, Suite 400
Irvine, CA 92612

State of _____

County of _____

Grantee's Name and Address:
**FEDERAL NATIONAL
MOIRTGAGE ASSOCIATION**
5151 Corporate Drive
Troy, MI 48098

I certify that the within instrument was
received for record on the _____ day of
_____,
at _____ o'clock ____ M., and
recorded in book/reel/volume no. _____

AFTER RECORDING RETURN TO:
**FEDERAL NATIONAL
MOIRTGAGE ASSOCIATION**
5151 Corporate Drive
Troy, MI 48098

on page _____ or as fee/file
instrument/microfilm/reception no. _____

UNTIL REQUESTED, SEND ALL TAX
STATEMENTS TO:
**FEDERAL NATIONAL
MOIRTGAGE ASSOCIATION**
5151 Corporate Drive
Troy, MI 48098

TITLE
Record of Mortgages of said County.
Witness my hand and seal of County Affixed.

NAME _____

By _____ Deputy

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice to the grantor(s) and occupant(s) as required by and in accordance with sections 20 and 21 of Chapter 19, Oregon Laws 2008, (amending and/or supplementing ORS 86.705 to 86.795) by mailing said notice by both first class and certified mail with return receipt requested. The mailing of said notices is shown by an affidavit of mailing recorded prior to sale date. In addition, 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 bylaw; 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 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 EXHIBIT "A"

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 document; 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 verify approved uses.

*Delete words in parentheses if inapplicable.

Dated: APR 09 2010

FIRST AMERICAN TITLE INSURANCE COMPANY, as successor Trustee

By: Sophia Ochoa
Sophia Ochoa, Asst Sec

State of CALIFORNIA
County of ORANGE

On APR 09 2010 before me, Laura A. Kennedy, (name and title of the officer), personally appeared Sophia Ochoa, 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 acknowledgement 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 OR PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]

(Seal)



Exhibit "A"

Real property in the County of Klamath, State of Oregon, described as follows:

A PARCEL OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, WHICH LIES NORTH 331.4 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE NORTH 88° 57' EAST 98.55 FEET; THENCE NORTH 0° 43' WEST 331.3 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 88° 58' WEST ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 98.55 FEET TO THE WEST LINE OF SAID SOUTH HALF OF SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH ALONG SAID WEST LINE A DISTANCE OF 331.3 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THE SOUTH 30 FEET DEEDED TO KLAMATH COUNTY FOR WINTER AVENUE, BY DEED RECORDED SEPTEMBER 01, 1960 IN VOLUME 323 PAGE 683, DEED RECORDS OF KLAMATH COUNTY, OREGON.

Tax Parcel Number: R552244