

2010-009293

Klamath County, Oregon

After recording, return to:

Slothower & Petersen PC  
205 NW Franklin Ave  
Bend, OR 97701



00088300201000092930020029

08/06/2010 09:17:40 AM

Fee: \$42.00

Until a change is requested, tax statements shall be sent to: Michael B. Batlan , PO Box 3729, Salem, OR 97302-0729

### TRUSTEE'S DEED

THIS INDENTURE, made this 19<sup>th</sup> day of July, 2010, between **JIM N. SLOTHOWER**, hereinafter called trustee, and **MICHAEL B. BATLAN, TRUSTEE FOR THE BANKRUPTCY ESTATE OF PATRICK M. GISLER**, hereinafter called the second party; and the true and actual consideration paid for this transfer is **\$46,396.62**.

### RECITALS:

**STEPHEN CATON AND JESSICA L. CATON**, husband and wife, as grantor, executed and delivered to **AMERITITLE** as trustee, in favor of **PATRICK M. GISLER**, as beneficiary, a trust deed dated October 19, 2005, recorded October 24, 2005, in the Records of Klamath County, Oregon, at Book No. M05-Page 67230. 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 obligation 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. **JIM N. SLOTHOWER**, was appointed Successor Trustee by instrument recorded on February 10, 2010, in the Records of Klamath County, Oregon, at Book No. 2010 Page 002169.

By reason of the default, the owner and holder of the obligations secured by the trust deed, being the beneficiary therein named 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 February 10, 2010, in the Records of Klamath County, Oregon, at Book No. 2010 Page 002170, 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 Trustee's Notice of Sale and the Notice required by HB3630 (2008) Sections 20 and 21 (amending or supplementing ORS 86.705-86.795) were served pursuant to ORCP 7D.(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 copies of the Trustee's Notice of Sale and the Notice required by HB3630 (2008) Sections 20 and 21 were 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 Trustee's Notice of Sale and the Notice required by HB3630 (2008) Sections 20 and 21 were served upon occupants of the property (if any) 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 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 one or more affidavits or proofs of service duly recorded prior to the 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 interest in the real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c). Trustee hereby certifies that any valid request for information under 2003 OR Laws Ch 251 have been responded to within the time allowed by the statute. Trustee hereby certifies that notice required under Section 20 and 21, Chapter 19, Oregon Laws was given as required.

Pursuant to said Notice of Sale, the undersigned trustee on July 19, 2010, at the hour of 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 the trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of **\$46,396.62**, 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 23, DIAMOND MEADOWS, TRACT NO. 1384, according to the official  
Plat thereof on file in the office of the County Clerk of Klamath County, Oregon**

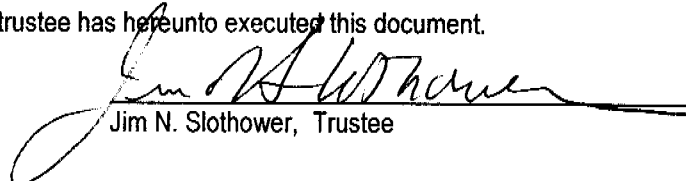
TO HAVE AND TO HOLD the same unto the second party and the second party's heirs, successors in interest and assigns forever.

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 of any other legal or commercial entity.

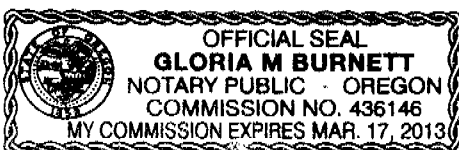
**THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT  
IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING  
THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE  
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.**

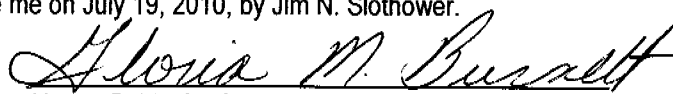
IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document.

STATE OF OREGON       )  
                                  ) ss.  
County of Deschutes    )

  
Jim N. Slothower, Trustee

This instrument was acknowledged before me on July 19, 2010, by Jim N. Slothower.



  
Gloria M. Burnett  
Notary Public for Oregon  
My Commission Expires: 03/17/2013