



00092283201000126930040042

10/28/2010 03:29:09 PM

Fee: \$52.00

**After recording return to:**

John W. Weil, Successor Trustee  
1001 SW 5th Ave, Suite 2150  
Portland, OR 97204

**Until a change is requested**

**mail all tax statements to:**

Bank of New York Mellon  
c/o Vanderbilt Mortgage & Finance  
500 Alcoa Trail  
Maryville, TN 37804

**TRUSTEE'S DEED**

The true and actual consideration for this conveyance is \$65,488.07.

THIS INDENTURE made this 26th day of October, 2010, between John W. Weil, Successor Trustee, hereinafter called trustee, and Bank of New York Mellon Trust Company, National Association, with Vanderbilt Mortgage and Finance, Inc. as duly authorized servicer with power to act as attorney-in-fact and agent for and on behalf of The Bank of New York Mellon Trust Company, National Association as Trustee pursuant to Power of Attorney recorded with the Register of Blount County, Tennessee on October 28, 2009 as instrument number 603538 in Book 2248 at page 1047, hereinafter called the second party, WITNESSETH:

RECITALS: Roy A. Morrison and Shelly A. Morrison, as grantor, executed and delivered to John W. Weil, as successor trustee, in favor of Ford Consumer Finance Company, Inc., the beneficiary under that certain deed of trust dated June 24, 1996 and recorded June 28, 1996 in Book M96, Page 19245 in the Official Records of Klamath County, Oregon. The beneficial interest in the trust deed set forth next above was assigned to The Bank of New York Mellon Trust Company, National Association as Trustee by instrument recorded October 26, 2010 as Recording No. 2010-012596. In that deed of trust, 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 deed of trust 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 deed of trust, 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 deed of trust by advertisement and sale to satisfy the asserting grantor's obligation was recorded on April 13, 2010, in the Records of Klamath County, Oregon as Recording No. 2010-004496, 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 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) 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

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the trustee received knowledge of the disability, insanity or death of any such person. Copies of the notice of sale were served upon occupant(s) of the property described in the deed of trust 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 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 person(s) 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 \$65,488.07.

The undersigned trustee, on September 24, 2010, at the hour of 11:00 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 deed of trust, sold the real property in one parcel at public auction to the second party for the sum of \$65,488.07, 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, the receipt whereof is acknowledged, and by the authority vested in the trustee by the laws of the State of Oregon and by the deed of trust, 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 deed of trust, together with any interest the grantor or grantor's successors in interest acquired after the execution of the deed of trust in and to the following described real property, to-wit:

A parcel of land within that tract of real property recorded in Volume 259 at page 658 of Deed Records of Klamath County, Oregon, described therein as being situated in Sections 29 and 32, Township 39 South, Range 8 East of the Willamette Meridian said parcel of land being Parcel 2 of Partition #79-84, more particularly described as follows:

Beginning at the Northwest corner of the above mentioned tract of real property, which corner is recorded as being in an old established fence line distant 368 feet West, more or less, from the Northeast corner of the SE 1/4 of the SW 1/4 of Section 29, Township 39 South, Range 8 East of the Willamette Meridian; thence South 6° 21' East along the West boundary of said tract of real property a distance of 3289.58 feet to the true point of beginning of this description; thence North 67° 22' East, 658.62 feet; thence North 04° 11' 20" West 324.00 feet; thence South 70° 55' 45" West 660.53 feet; thence South 06° 21' East 362.00 feet to the point of beginning containing 5.00 acres, more or less, and being in Section 32, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING from the above described parcel, all that portion lying South of a line parallel with the South boundary thereof and 181.00 feet distant from said South boundary as measured along the East boundary.

TOGETHER WITH: the non-exclusive right of ingress and egress across a 60 foot strip of land more particularly described as follows:

Starting at the steel stake which marks the Northeast corner of that tract of land described in Volume M 66, page 7445 of Deed Records of Klamath County, Oregon; thence South 4° 11.3' East 317.41 feet along the Easterly line of the above described parcel to an iron pin; thence South 4° 11.3' East 546.30 feet to a steel stake lying on the Northerly right of way line of Oregon Highway 66 as constructed; thence North 72° 56.4' East 30.77 feet along said right of way line to a steel stake; thence North 4 degrees 11.3' West, 862.06 feet to a steel stake; thence South 74° 20.9' West 30.61 feet to a steel stake; thence South 74° 20.9' West 30.61 feet to the place of beginning of this description.

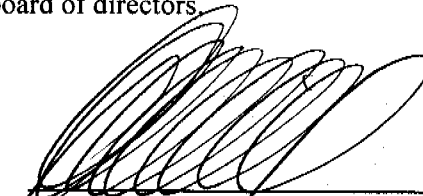
TO HAVE AND TO HOLD the same unto the second party and the second party's heirs, successors in interest and assigns forever.

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 deed of trust; "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.

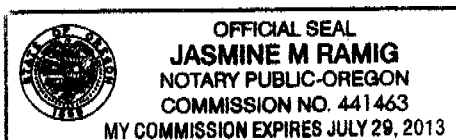
DATED: October 26, 2010.

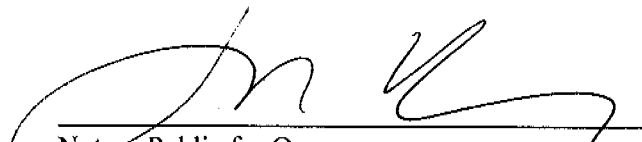
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

  
John W. Weil, Successor Trustee

STATE OF OREGON, County of Multnomah ) ss.

This instrument was acknowledged before me on October 26, 2010, by John W. Weil.



  
Notary Public for Oregon

Roy & Shelly Morrison, Grantors  
12869 Hwy 66  
Klamath Falls, OR 97601

**After recording return to:**

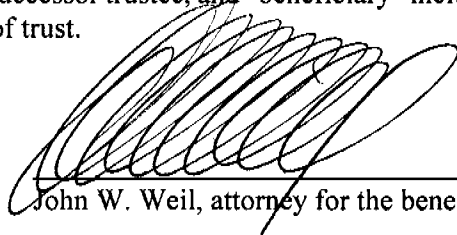
John W. Weil, Successor Trustee  
1001 SW 5th Ave, Suite 2150  
Portland, OR 97204

**CERTIFICATE OF NONMILITARY SERVICE**

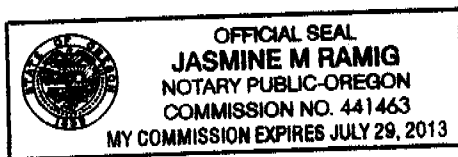
STATE OF OREGON     )  
                                      ) ss.  
County of Multnomah   )

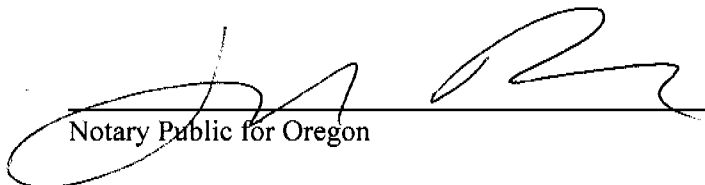
THIS IS TO CERTIFY that I am the attorney for the beneficiary under that certain deed of trust in which Roy A. Morrison and Shelly A. Morrison, as grantor, executed and delivered to John W. Weil, as successor trustee, in favor of Ford Consumer Finance Company, Inc., the beneficiary under that certain deed of trust dated June 24, 1996 and recorded June 28, 1996 in Book M96, Page 19245 in the Official Records of Klamath County, Oregon. The beneficial interest in the trust deed set forth next above was assigned to The Bank of New York Mellon Trust Company, National Association as Trustee by instrument recorded October 26, 2010 as Recording No. 2010-012596. The deed of trust was duly foreclosed by advertisement and sale, and the real property covered by the deed of trust was sold at the trustee's sale on September 24, 2010. I reasonably believe that, at no time during the period of three months and one day immediately preceding the date of the sale, and including the day thereof, was the real property described in and covered by the deed of trust, 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.

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

  
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John W. Weil, attorney for the beneficiary

This instrument was acknowledged before me on October 26, 2010.



  
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Notary Public for Oregon