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11/09/2010 10:17:45 AM

Fee: \$47.00

After recording return to:

Charles J. Huber, Successor Trustee
Attorney At Law
Cosgrave Vergeer Kester LLP
805 SW Broadway, 8th Floor
Portland, Oregon 97205

Until a change is requested, all tax statements
shall be sent to the following address:

Charles E. Hart.
Trustee of the Charles E. Hart Trust
620 Cabana Lane
Lake Oswego, Oregon 97034

TRUSTEE'S DEED

This Trustee's Deed is made by Charles J. Huber, as successor trustee (the "**Trustee**") in favor of Charles E. Hart, as trustee of the Charles E. Hart Trust (the "**Purchaser**").

RECITALS

- A. Trustee is the trustee under the Trust Deed dated August 13, 2007, made by Mark D. Stapleton (the "**Grantor**") in favor of Trustee for the benefit of Charles E. Hart, as trustee of the Charles E. Hart Trust (the "**Beneficiary**"), recorded under document number 2007-015114, in the mortgage records in Klamath County, Oregon (the "**Trust Deed**").
- B. Grantor made the Trust Deed to secure the payment and performance of all of Grantor's obligations arising out of: (i) the Promissory Note dated August 27, 2007, in the principal amount of \$120,850, made by Grantor in favor of Beneficiary; and (ii) the Trust Deed (collectively, the "**Obligations**").
- C. In Section 12 of the Trust Deed, as security for the payment and performance of the Obligations, Grantor transferred and assigned to Trustee in trust for the benefit of Beneficiary, with power of sale, all of Grantor's right, title, and interest in and to the real property described on Exhibit A, together with all fixtures and improvements (the "**Real Property**").
- D. The promissory note and Trust Deed required a single payment of principal and interest due August 27, 2008, with the possibility of an extension. In August 2008, the Beneficiary granted the Grantor a one year extension. Full payment was due no later than August 27, 2009. The Grantor failed to make a single payment.

- E. The facts set forth in Recital D above constitute an event of default under the Trust Deed.
- F. Section 12 of the Trust Deed authorizes the foreclosure of the Trust Deed by advertisement and sale on and after an event of default under the Trust Deed.
- G. After the event of default, Trustee or Beneficiary filed for record in the county clerk's office in Klamath County, Oregon the notice of default provided in ORS 86.735.
- H. Subsequent to recording the notice of default, notice of the sale of the Real Property was served or mailed in accordance with ORS 86.740 to the persons entitled to notice under ORS 86.740.
- I. The sale of the Real Property was to be held on September 21st, 2010, at 10:00 a.m. at the Klamath County Courthouse. At that time and date, the Trustee, by and through his agent, postponed the sale by public proclamation in accordance with ORS 86.755(2). The sale was held on October 27th, 2010, at 10:00 a.m. at the Klamath County Courthouse. The Trustee, by and through his agent, sold the Real Property at auction to the Purchaser, who was the highest bidder at the sale.
- J. The Beneficiary was the Purchaser, who bid the amount owed on the Trust Deed at the time of the sale, which was \$204,515.24.
- K. Trustee received \$204,515.24 from Purchaser at the time of sale.

DEED

Trustee conveys to Purchaser, without any warranty of any kind, express or implied, the interest in the Real Property that Grantor had, or had the power to convey, at the time Grantor executed the Trust Deed, together with any interest Grantor or Grantor's successors in interest acquired after the execution of the Trust Deed.

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 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

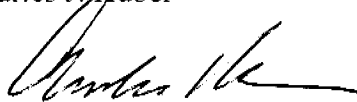
195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Other property or value was either part or the whole consideration for this conveyance.

Dated: November 5, 2010

Trustee:

Charles J. Huber



Charles J. Huber, Trustee

State of Oregon)
)
County of Multnomah) ss.

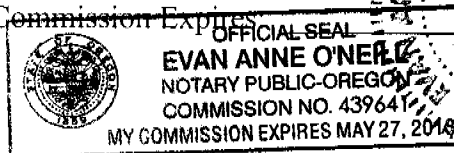
On this 5th day of November, 2010, before me, a Notary Public in and for the State of Oregon duly commissioned and sworn, CHARLES J. HUBER personally appeared to me and acknowledged the said instrument to be the free and voluntary act and deed of said trustee, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.



Notary Public for Oregon

My Commission Expires



Contact Information for Trustee:
Charles J. Huber
Cosgrave Vergeer Kester LLP
805 SW Broadway, 8th Floor
Portland, OR 97205