

2010-013375

Klamath County, Oregon



00093085201000133750030036

11/18/2010 09:16:01 AM

Fee: \$47.00

After recording return to:

**Robert Gunderson Jr.**

**P.O. BOX 1151**

**CRESCENT LAKE, OR 97733**

T.S. #: **OR-10-335744-SH**

Title Order #: **4351505**

MERS MIN No.: **100085200557546423**

Space above this line is for recorders use only

## TRUSTEE'S DEED UPON SALE

THIS INDENTURE, Made 9/10/2010, between **FIRST AMERICAN TITLE INSURANCE COMPANY** Hereinafter called trustee, and **Robert Gunderson Jr.**, hereinafter called the second party:

### WITNESSETH:

RECITALS: **MARK KEITH**, as grantor, executed and delivered to **AMERITITLE**, for the benefit of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR FIRST HORIZON HOME LOAN CORPORATION**, as beneficiary, a trust deed dated 10/12/2005, duly recorded on 10/17/2005, in the mortgage records of **KLAMATH** County, Oregon, in book number **xxx**, at page, **xxx**, or as fee/ file/ instrument/ microfilm/ reception number **M05-66706**. In the trust deed, the real property therein and hereinafter described ("Property") was conveyed by the grantor to the trustee to secure, among other things, the performance of the grantor's obligations to the beneficiary. The grantor thereafter defaulted in the performance of the obligations 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.

Because of the default(s), the record beneficiary under the trust deed or its successor in interest declared all sums secured by the trust deed immediately due and owing; therefore a notice of default, containing an election to sell the Property and to foreclose the trust deed by advertisement and sale to satisfy grantor's obligations owed to the beneficiary was recorded in the mortgage records of said county on 4/26/2010 in book/ reel/ volume number , at page , thereof or as fee/ file/ instrument/ microfilm/ reception number. **2010-04944**.

After recording the Notice of Default and at least 120 days before the date the property was sold, a copy of the Notice of Sale and a copy of the Danger Notice required by ORS 86.737 were served by **FIRST AMERICAN TITLE INSURANCE COMPANY** 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 all required/interested parties in ORS 86.740. The undersigned trustee has no actual notice of any person, other than 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. The Notice of Sale was served upon the occupant of the property described in the trust deed pursuant to ORS 86.750(1). Pursuant to ORS 86.755(9), if the foreclosure proceedings were stayed and released from the stay, copies of an amended notice of sale were mailed by registered or certified mail to the last-known address of the persons listed in ORS 86.740 and 86.750(1), and all other persons required to receive the notice. Further, pursuant to ORS 86.750(3) the trustee published a copy of the notice of sale in a newspaper of general circulation in each of the counties where the property is located, once a week for four successive weeks, the last publication occurred at least 20 days prior to the date of the sale. An affidavit of mailing of the Notice of Sale (if any), an affidavit of service (if any), an affidavit of service attempts and posting (if any), and affidavit of publication were recorded in the county on or before the date of the trustee's sale, pursuant to ORS 86.750(3).

Pursuant to the notice of sale, the undersigned trustee on 9/8/2010 at the hour of 10:00:00 AM, 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 him by said trust deed, sold the Property in one parcel at public auction to the second party for the sum of \$136,001.00, he being the highest and best bidder at the sale. The true and actual consideration paid for this transfer is the sum of \$136,001.00.

NOW THEREFORE, in consideration of the sum paid by the second party in cash, the receipt of which 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 the grantor had or had the power to convey at the time of the 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 deed in and to the following described real property, to-wit:

**LEGAL DESCRIPTION ATTACHED AS EXHIBIT A**

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers 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 CITIES OR COUNTIES PLANNING DEPARTMENT TO VERIFY APPROVED USES.

**FIRST AMERICAN TITLE INSURANCE COMPANY**



DENNIS CANLAS, ASST SEC  
DENNIS CANLAS, ASST SEC

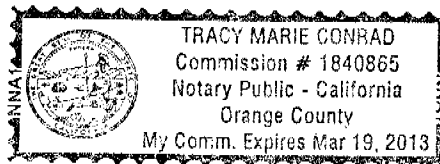
State of: CA  
County of: Orange

On 9/13/10 before me, Tracy Marie Conrad a notary public, personally appeared DENNIS CANLAS, ASST SEC, 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 acknowledged 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 OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tracy Marie Conrad  
Tracy Marie Conrad



## EXHIBIT A

### Taxlot 24-06-01AA-00200 after adjustment

A parcel of land situated in the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 1, Township 24 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon more particularly described as follows;

Beginning at the Northwest corner of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 1,

Thence, South 89°06'13" East along the North line of said South 1/2, a distance of 125.00 feet,

Thence, South 0°03'56" West, a distance of 94.33 feet to a 5/8" rebar,

Thence, North 74°47'26" East, a distance of 20.62 feet to a 5/8" rebar,

Thence, South 15°12'34" East, a distance of 87.54 feet to a 5/8" rebar on the North right-of-way of Crescent Lake Road (State Highway 429),

Thence, South 74°00'56" West along said right-of-way, a distance of 174.75 feet more or less to the West line of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 1,

Thence; North 0°03'56" East along said West line, a distance of 223.46 feet to the Point of Beginning of this description.

Said description containing 28,435 sq. ft. (0.65 acres) more or less.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 14, 2003  
NORBERT W. VOLNY  
58541LS

EXPIRATION DATE: 6/30/2010