

EOB

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Neal G. Buchanan, Attorney at Law

435 Oak Avenue

Klamath Falls, Oregon 97601

Trustee's Name and Address

Jeffrey M. Smith

P.O. Box 3190

Clearlake, CA 95422

Second Party's Name and Address

After recording, return to (Name, Address, Zip):

Second Party (Grantee)

Until requested otherwise, send all tax statements to (Name, Address, Zip):

Second Party (Grantee)

2010-013823

Klamath County, Oregon



00093639201000138230030036

SPACE REL.  
FOF  
RECORDED

12/03/2010 02:54:31 PM

Fee: \$47.00

## TRUSTEE'S DEED

THIS INDENTURE, Dated December 3, 2010

Neal G. Buchanan, Attorney at Law, between  
called trustee, and Jeffrey M. Smith, hereinafter

hereinafter called the second party; WITNESSETH:

RECITALS: Francisco Mendez and Cruz Hilda Mendez

as grantor, executed and delivered to Aspen Title &amp; Escrow, Inc (Neal G. Buchanan as Successor)

as trustee, for the benefit of Camille Laroyce Williams aka Camille L. Williams-Naylor

as beneficiary, a certain trust deed dated February 2, 2010

recorded on February 23, 2010, in the Records of

Klamath County, Oregon, in ☒ book ☐ reel ☐ volume No. 2010 at page 002589and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. N/A (indicate which). 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 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.

By reason of the default, the owner and holder of the obligations secured by the trust deed, 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 trust deed by advertisement and sale to satisfy the asserting grantor's

obligations was recorded on July 26, 2010, in the Records of Klamath County,

in ☒ book ☐ reel ☐ volume No. 2010 at page 008838, and/or as ☐ fee ☐ file instrument ☐ microfilm ☐ reception No.

N/A (indicate which), 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 7 D. (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 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 the trustee received knowledge of the disability, insanity or death of any such person. Copies of the notice of sale were served in accordance with ORS 86.750(1) upon occupants of the property described in the trust deed at least 120 days before the date the property was sold. 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 persons 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 \$25,730.00 (Here comply with ORS 93.030.)

(OVER)



The undersigned trustee, on December 3, 2010, at the hour of 1:15 o'clock, P.M., in accord with the standard of time established by ORS 187.110, (which was the day and hour to which the 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, 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 \$25,730.00, 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:

All those portions of Tracts 52 and 54 of MERRILL TRACTS, being more particularly described as follows:

Beginning at a point on the West line of Main Street in the City of Merrill which is West a distance of 50 feet and South a distance of 255.0 feet from the corner common to Sections 1, 2, 11 and 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County; thence West, at right angles to Main Street, a distance of 122.0 feet; thence North, parallel to Main Street, a distance of 90.0 feet; thence East, at right angles to Main Street, a distance of 122.0 feet to the West line of Main Street; thence South along the West line of Main Street, a distance of 90.0 feet to the point of beginning.

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 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.

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. 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.\*

  
 Neal G. Buchanan, Attorney at Law  
 Successor Trustee

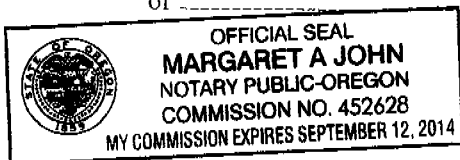
\* Delete words in parentheses if inapplicable.

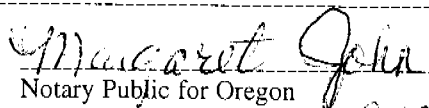
\*AND SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on December 3, 2010  
 by Neal G. Buchanan, Attorney at Law

This instrument was acknowledged before me on \_\_\_\_\_  
 by \_\_\_\_\_  
 as \_\_\_\_\_  
 of \_\_\_\_\_



  
 Margaret A. John  
 Notary Public for Oregon  
 My commission expires 9-12-14

# CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON,

County of Klamath

SS.

THIS IS TO CERTIFY That I am the beneficiary in that certain trust deed in which Francisco Mendez and Cruz Hilda Mendez, as grantor, conveyed to Aspen Title & Escrow, as trustee, certain real property in Klamath, County, Oregon; which said trust deed was dated February 2, 2010, ~~XX~~, and recorded February 23, 2010, ~~XX~~, in the mortgage records of said county, in book/reel/volume 2010 at page 002589 or as fee/file/instrument/microfilm/reception No. (indicate which); thereafter a notice of default with respect to said trust deed was recorded July 26, 2010, ~~XX~~, in book/reel/volume 2010 at page 008838 of said mortgage records, or as fee/file/instrument/microfilm/reception No. (indicate which); thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was sold at the trustee's sale on December 3, 2010, ~~XX~~; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Servicemembers Civil Relief Act (SCRA) (2003)

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

*Camille LaRoyce Williams*

STATE OF OREGON,

County of Klamath

SS:

This instrument was acknowledged before me on December 3, 2010 by Camille LaRoyce Williams aka Camille L. Williams-Naylor

*Margaret John*

Notary Public for Oregon

My commission expires 9-12-14



## CERTIFICATE OF NON-MILITARY SERVICE

Re Trust Deed from

Francisco Mendez and Cruz Hilda Mendez Grantor

Aspen Title & Escrow <sup>to</sup>

Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan  
Attorney at Law  
435 Oak Avenue  
Klamath Falls, OR 97601

(DON'T USE THIS SPACE: RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON

County of

SS.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume \_\_\_\_\_ on page \_\_\_\_\_, or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_ of the \_\_\_\_\_ Records of said County.

NAME

TITLE

By \_\_\_\_\_ Deputy