



12/21/2010 03:37:11 PM

Fee: \$42.00

TRUSTEE'S DEED

THIS INDENTURE, made December 10, 2010, between Northwest Trustee Services, Inc., hereinafter called the Trustee and Wells Fargo Bank, NA, hereinafter called the second party;

RECITALS:

RECITALS: Irvin L. Smith and Susanne Smith, as grantors, executed and delivered to: First American Title Insurance Company, as trustee, for the benefit of Mortgage Electronic Registration Systems, Inc. solely as nominee for Gateway Business Bank, as beneficiary, a trust deed dated 12/04/08, duly recorded on 12/16/08 in the mortgage records of Klamath County, Oregon in 2008-016571 and subsequently assigned to Wells Fargo Bank, NA by Assignment recorded as 2010-007954. In the trust deed, the real property described below ("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 those obligations and such default(s) still existed at the time of the trustee's sale of the Property described below.

Because of the default(s), the record beneficiary under the trust deed or its predecessor 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 the county in which the Property is located on 06/30/10, in 2010-007956.

After recording the Notice of Default, the trustee gave notice to the grantor(s) and/or occupants pursuant ORS 86.737 by mailing said notice by both first class and certified mail with return receipt requested. Trustee gave notice of the time for and place of sale of the Property as required by law; copies of the Trustee's 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 address of the persons or their legal representatives, if any, named in ORS 86.740(1) and (2)(a), at least 120 days before the date the Property was sold, and the Trustee's Notice of Sale was mailed by first class and certified mail with return receipt requested, to the last-known address of the guardian, conservator or administrator or executor 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; the Trustee's Notice of Sale was served upon occupants of the Property 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 was stayed and released from stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed within thirty days after release from stay by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and any person requesting notice who was present at the time and place set for the sale which was stayed. Further, the trustee published a copy of the Trustee's Notice of Sale in a newspaper of general circulation in each county in which the Property is located, once a week for four successive weeks; the last publication of Notice of Trustee's Sale occurred more than twenty days prior to the date of sale. Compliance with the ORS 86.737 and the mailing, service and publication of the Trustee's Notice of Sale are evidenced by one or more affidavits or proofs of service duly recorded prior to the date of sale in the official records of the county in which the Property is located.

Northwest Trustee Services, Inc.  
P.O. Box 997  
Bellevue, WA 98009-0997;

Grantor

Wells Fargo Bank, NA  
3476 Stateview Blvd  
Ft Mill, SC 29715;

Grantee

After Recording Return to:  
Northwest Trustee Services, Inc.  
P.O. Box 997  
Bellevue, WA 98009-0997

7023.75165

Until a change is required all tax statements shall be sent to the following address:  
Wells Fargo Bank, NA  
3476 Stateview Blvd  
Ft Mill, SC 29715

FOR COUNTY USE:

Consideration: \$146,296.00

421mcf

Pursuant to the Notice of Trustee's Sale, one or more due public proclamations of the sale's postponement and/or an Amended Notice of Trustee's Sale, the trustee -- on December 7, 2010, at 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 said trustee by the trust deed -- sold the Property in one parcel at public auction to Wells Fargo Bank, NA for the sum of \$146,296.00, Wells Fargo Bank, NA being the highest and best bidder at the sale. The true and actual consideration paid for this transfer is the sum of \$146,296.00

Lot 27, Tract 1432, Quail Point Estates, According to the official plat thereof on file in the office of the county clerk of Klamath County Oregon.

This conveyance is made without representations or warranties of any kind. By recording this Trustee's Deed, Grantee understands, acknowledges and agrees that the Property was purchased in the context of a foreclosure, that the trustee made no representations to Grantee concerning the Property and that the trustee owed no duty to make disclosures to Grantee concerning the Property, Grantee relying solely upon his/her/their/its own due diligence investigation before electing to bid for the Property.

  
Northwest Trustee Services, Inc., Trustee

I certify that I know or have satisfactory evidence that Jeff Stenman is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as an Assistant Vice President of Northwest Trustec Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

A circular notary seal for Julie L. Jensen, Notary Public, State of Washington. The seal features a central graphic of a notary gavel. The text around the gavel reads "JULIE L. JENSEN" at the top, "COMMISSION EXPIRES" on the left, "NOTARY PUBLIC" in the center, and "07-17-13" at the bottom. The outer ring of the seal contains the text "STATE OF WASHINGTON".

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