

2011-003701

Klamath County, Oregon



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03/17/2011 03:03:59 PM

Fee: \$47.00

After recording return to:
Bishop, White, Marshall & Weibel, P.S.
720 Olive Way, Suite 1201
Seattle, WA 98101
Attn: Foreclosure Dept.

Mail all tax statements to:
U.S. Bank Consumer Finance
205 W. 4th St., Ste. 500
Cincinnati, OH 45202
Attn: Foreclosure Department

FILE NAME: Stilwell, Michael E. and Kelly/488.1020691

Consideration: \$87,200.00

1605869

TRUSTEE'S DEED

THIS INDENTURE, made this 16th day of March, 2011 between David A. Weibel, hereinafter called trustee, and U.S. Bank National Association ND, hereinafter called the second party;

WITNESSETH:

RECITALS: Michael E Stilwell and Kelly Stilwell, as tenants by the entirety as grantor, executed and delivered to U.S. Bank Trust Company, National Association as trustee, for the benefit of U.S. Bank National Association ND, as beneficiary, a certain deed of trust dated December 15, 2006, duly recorded on December 22, 2006 in the mortgage records of Klamath County, under Auditor's No. 2006-025249. In said trust deed the real property therein and hereinafter described was conveyed by said grantor to said trustee to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in grantor's performance of the obligations secured by said 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 said default, the owner and holder of the obligations secured by said trust deed, being the beneficiary therein named, or beneficiary's successor in interest, declared all sums so secured immediately due and owing; a Notice of Default, containing an election to sell the said real property and to foreclose said trust deed by advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said County on October 20, 2010 as Reception No.2010-12397, to which reference now is made.

After the recording of said Notice of Default, as aforesaid, the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by the trustee and 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

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or death of any such person; the Notice of Sale was served upon occupants of the property described in the trust deed 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 address 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. Further, the trustee published a copy of said notice of sale in a newspaper of general circulation in each county in which the said real property is situated, once a week for four successive weeks; the last publication of said notice occurred more than twenty days prior to the date of such sale. The mailing service and publication of said notice of sale are shown by one or more affidavits or proofs of service duly recorded prior to the date of sale in the official records of said county, said recorded prior to the date of sale in the official records of said county, said affidavits and proofs, together with the said notice of default and election to sell and the trustee's notice of sale, being now referred to and incorporated in and made a part of this trustee's deed as fully as if set out herein verbatim. 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(1)(b) or (1)(c). Also after the recording of said Notice of Default and on or before the date the Trustee's Notice of Sale was served or mailed, all notices required by HB 3630, Oregon 2008 session laws, were sent by both first class mail and certified mail return receipt requested, with postage prepaid, as required by HB 3630.

Pursuant to said notice of sale, the undersigned trustee on March 2, 2011 at 11:00 am , of said day, in accord with the standard of time established by ORS 187.110, and at the place so fixed for sale, as aforesaid, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred on said trustee by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$87,200.00, said second party being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$87,200.00.

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said 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 the grantor executed said trust deed, together with any interest the said grantor or grantor's successors in interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

Lot 16 in Block 44 of First Addition to Klamath Forest Estates, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon.

Together with that certain 27 X 66 foot Oakwood manufactured home bearing VIN No. G00R23 N26503 AB and more fully described in that certain Title Elimination document filed with the Auditor of Klamath County, Oregon on November 18, 2002 under Recording/Auditor's No. Volume M02, Page 66784 and Volume M03, Page 24582.

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

Trustee hereby certifies that any valid requests for information under ORS 86.757 and ORS 86.759 have been responded to within the time allowed by the statutes.

In construing this instrument and whenever the context so requires the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said trust deed; the word "trustee" includes any successor trustee, the word "beneficiary" includes any successor in interest of the beneficiary first named above, and the word "person" includes 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 corporate name to be signed and its seal affixed hereto by an officer or other person duly authorized thereunto by order of its Board of Directors.

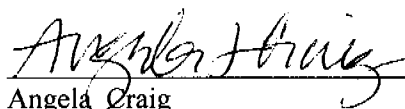
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.



David A. Weibel, Successor Trustee

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 16th day of March, 2011, personally appeared David A. Weibel who acknowledged that he signed the within foregoing instrument as his free and voluntary act and deed for the uses and purposes therein mentioned.



Angela Craig
Notary Public for Washington
Residing at: Sno. Co.
Commission expires: 2.8.12