

1<sup>st</sup> 1724805

2011-008465

Klamath County, Oregon



00104915201100084650030032

07/20/2011 03:17:05 PM

Fee: \$47.00

**After recording return to:**

Anthony E. Funston  
PO Box 216  
Bly, OR 97622

**Until further notice, send  
tax statements to:**

Anthony E. Funston  
PO Box 216  
Bly, OR 97622

**Tax Account No.:**  
R407955 and M66172

**The true and actual  
consideration is:**  
\$20,000

**TRUSTEE'S DEED**

**KNOW ALL MEN BY THESE PRESENTS** that the Bankruptcy Estate of **In re Garry B. Southerland and Alison N. Southerland**, Case No. 10-03938 now pending in the United States Bankruptcy Court for the District of Hawaii, by and through its duly appointed and acting Trustee, DANE S. FIELD, herein called "GRANTOR", acting in his capacity as Trustee and not individually, by virtue of the power and authority given a bankruptcy trustee under the laws of the United States of America, for the consideration hereinafter stated, does hereby grant, bargain, sell, convey and release to **Anthony E. Funston** herein called "GRANTEE", and unto Grantee's successors and assigns, all of the interest, if any, vested in Garry B. Southerland and Alison N. Southerland, Husband and Wife, in the subject property described herein, at the time of the filing of the above referenced bankruptcy case, and which passed to the Bankruptcy Estate by operation of law and became subject to administration of the Trustee, together with all after acquired title of the Bankruptcy Estate, if any, all tenements, hereditaments, appurtenances thereunto belonging, or in any way appertaining, situated in the County of Klamath, State of Oregon, described in Exhibit A attached hereto and incorporated herein as if fully set forth.

The Trustee's power and authority to dispose of such property of the Bankruptcy Estate originates in 11 U.S.C. §363, and this transfer is made following notice to "interested persons" and an opportunity for hearing pursuant to such law.


The Consideration for this transfer is \$20,000.

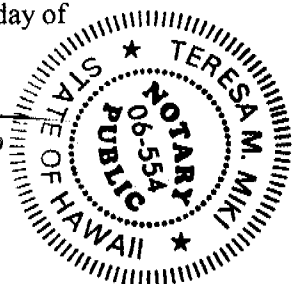
Grantor makes this conveyance without any warranties express or implied. This conveyance and release is intended to transfer all of the Bankruptcy Estate's interest, if any, in the subject property described herein, to the Grantee, in its existing condition, "AS IS," without any warranties express or implied. Grantee's recording of this Deed indicates Grantee's acceptance of this conveyance and release upon that basis.

Grantor covenants that this Deed is to be absolute in effect as pertains to the Bankruptcy Estate and conveys whatever right, title and interest the Bankruptcy Estate may have in the described property. This conveyance and release is not intended to operate as a mortgage, trust deed or security of any kind.

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.

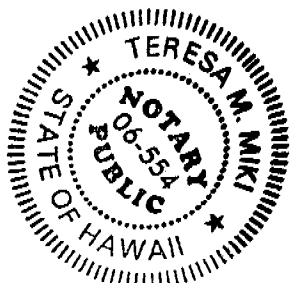
IN WITNESS WHEREOF, Grantor has executed this Deed this 13<sup>th</sup> day of July, 2011.

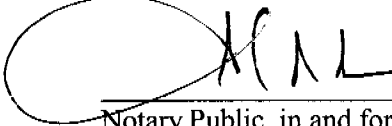
  
Dane S. Field, Trustee



STATE OF HAWAII )  
 ) ss:  
County of Honolulu )

This instrument was acknowledged before me on the 13<sup>th</sup> day of July, 2011, by Dane S. Field, Trustee, on behalf of the Bankruptcy Estate of In re Garry B. Southerland and Alison N. Southerland.



  
Teresa M. Miki  
Notary Public, in and for the State of Hawaii  
My Commission Expires: 9/10/2014

Teresa M. Miki  
Notary Public, State of Hawaii  
My commission expires: 9/10/2014

**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

A PORTION OF THE NW 1/4 SW 1/4 OF SECTION 7, TOWNSHIP 37 SOUTH, RANGE 15 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE BRASS CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SAID SECTION 7; THENCE SOUTH 00 DEGREES 41' 19" WEST 658.21 FEET TO A 5/8" IRON PIN AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 41' 19" WEST 658.22 FEET TO A 5/8 " IRON PIN; THENCE NORTH 89 DEGREES 37' 41" EAST 1363.08 FEET TO A 5/8" IRON PIN; THENCE NORTH 00 DEGREES 04' 44" WEST 658.36 FEET TO A POINT; THENCE SOUTH 89 DEGREES 37' 04" WEST 1354.26 FEET TO THE TRUE POINT OF BEGINNING, WITH BEARINGS BASED ON SURVEY # 2401.

Tax Parcel Number: R407955 and M66172