

NOT 89312

2011-011157

Klamath County, Oregon



00108282201100111570030036

10/06/2011 03:19:47 PM

Fee: \$47.00

Recording Requested By and  
When Recorded Mail Deed and Tax  
Statements To:

Sterling Savings Bank  
111 N. Wall, BR 919  
Spokane, WA 99201

### TRUSTEE'S DEED

T.S. No.: 10-01567-4A  
Loan No.: 115231162 / Curry

The amount paid by the grantee at the trustee sale was: \$150,000.00

THIS INDENTURE, made October 5, 2011, between FIDELITY NATIONAL TITLE INSURANCE COMPANY, hereinafter called trustee, and Sterling Savings Bank, hereinafter called the second party:

WITNESSETH:

RECITALS: Henry F. Curry Jr., an unmarried man, as the original grantor, executed and delivered to Aspen Title & Escrow, Inc., the original trustee, for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS), as the original beneficiary, a certain Deed of Trust, dated as of December 24, 2007, and duly recorded on December 31, 2007, 2007-021623, in the Official Records of the Office of the County of Recorder of Klamath County, Oregon (the "Deed of Trust").

In said Deed of Trust, the real property therein and hereinafter described was conveyed by said grantor to said trustee in trust, with power of sale, to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in his performance of the obligations secured by said Deed of Trust 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 Deed of Trust, being the beneficiary therein named, or his 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 May 31, 2011 as Instrument Number 2011-006633 to which reference now is made.

After the recording of said notice of default, as aforesaid, FIDELITY NATIONAL TITLE INSURANCE COMPANY, the undersigned trustee, gave notice of the time for and place of sale of said real property as fixed by him 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,

47am

## TRUSTEE'S DEED

T.S. No.: 10-01567-4A

Loan No.: 115231162 / Curry

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 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). In addition, pursuant to HB 3630, the additional notice was sent or served in accordance with Sections 20 and 21, Chapter 19, Oregon Laws 2008. 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 act 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 and State, 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 an interest in said described real property, entitled to notice pursuant to ORS86.740(1)(b) or (1)(c).

Pursuant to said notice of sale, the undersigned trustee on October 5, 2011, at the hour of 10:00 AM, of said day, in accord with the standard of time established by ORS 187.110, 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 upon him by said Deed of Trust, sold said real property in one parcel at public auction to the said second party for the sum of \$150,000.00, he 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 sum of \$150,000.00.

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 of the grantor's execution of said trust deed, together with any interest the said grantor or his successors in interest acquired after the execution of said deed in and to the following described real property, to-wit:

That portion of the S 1/2 of the NE 1/4 of Section 27, Township 38 South, Range 11 1/2 East of the Willamette Meridian, Klamath County Oregon, lying Southeasterly of the Railroad Right of Way and Northwesterly of State Highway 140.

EXCEPT any portion thereof lying within Hildebrand Road.

CODE 036 & 037 MAP 3811-V2700 TL 00602 Key #891108; Key #882146 and CODE 036 Map 3811-V2700 TL 00501 Key #882147

In constructing this instrument and whenever the context so requires, the masculine gender includes the feminine and the neuter and 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.


## TRUSTEE'S DEED

T.S. No.: 10-01567-4A  
Loan No.: 115231162 / Curry

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.

October 5, 2011

FIDELITY NATIONAL TITLE INSURANCE COMPANY, Trustee

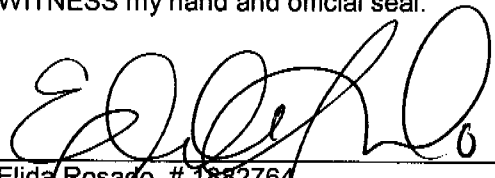
  
James Gips, Authorized Signature

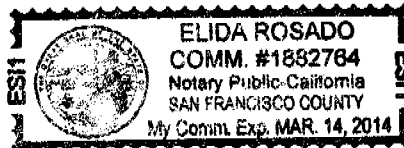
State of California                               }ss.  
County of San Francisco                       }ss

On October 5, 2011 before me, Elida Rosado, a Notary Public in and for said county, personally appeared James Gips, 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.

  
Elida Rosado # 1882764  
My Commission Expires March 14, 2014



(Seal)