

2011-012289

Klamath County, Oregon



00109591201100122890030030

11/02/2011 10:14:44 AM

Fee: \$47.00

AFTER RECORDING RETURN TO:

Nathan J. Ratliff
620 Main Street
Klamath Falls OR 97601

TRUSTEE'S NAME AND ADDRESS:

Nathan J. Ratliff
620 Main Street
Klamath Falls, OR 97601

SECOND PARTY'S NAME AND ADDRESS:

Galen W. Durant
3222 37th Court
Washougal, WA 98671

SEND TAX STATEMENTS TO:

Galen W. Durant
3222 37th Court
Washougal, WA 98671

TRUSTEE'S DEED

THIS INDENTURE, Dated October 31, 2011, between **NATHAN J. RATLIFF**, hereinafter called "trustee," and **GALEN W. DURANT**, hereinafter called the "second party":
WITNESSETH:

RECITALS:

SKATE WAREHOUSE, LLC, as grantor, executed and delivered to **NATHAN J. RATLIFF**, as trustee, for the benefit of **GALEN DURANT**, as beneficiary, a certain trust deed dated May 24, 2010, recorded on May 28, 2010, in the Records of Klamath County, Oregon, as Instrument No. 2010-006548, as modified by Modification Agreement between grantor and beneficiary dated November 30, 2010, and recorded on December 1, 2010, as Instrument No. 2010-013750 of the Records of Klamath County, Oregon. 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 obligation was recorded on May 13, 2011, in the Records of Klamath County, as Instrument No. 2011-006106, to which reference now is made.

After recording the notice of default, the undersigned trustee gave notice of 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 7D(2) and 7D(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 the 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 sale which was stayed within 30 days after the release from stay. The trustee published a copy of the notice of sale in the 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 proof, 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 \$189,342.71.

The undersigned trustee, on October 31, 2011, at the hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, 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 \$189,342.71, 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 by the execution of the trust deed in and to the following described real property, to-wit:

LOTS 7, 8 AND 9, BLOCK 18, SECOND RAILROAD ADDITION TO THE
CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT
THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF
KLAMATH COUNTY, OREGON.

Property ID.: R478398
Map Tax Lot No.: R-3809-033BC-09500

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 above named; and "person" includes a corporation and any other legal or commercial entity.

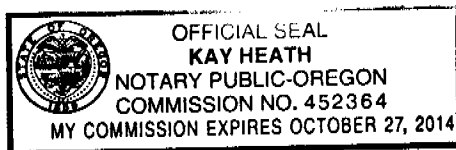
IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document.

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 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.


Nathan J. Ratliff

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 31 day of October, 2011, by Nathan J. Ratliff




NOTARY PUBLIC FOR OREGON

My Commission expires: 10-27-14