

1st 1745399

2012-000221  
Klamath County, Oregon



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01/10/2012 03:10:15 PM

Fee: \$47.00

### TRUSTEE'S DEED

THIS INDENTURE, made this 6<sup>th</sup> day of January, 2012, between Northwest Trustee Services, Inc., hereinafter called the Trustee and Bank of America, N.A., hereinafter called the second party;

#### RECITALS:.

RECITALS: SCOTT M WESTFALL, whose address is 10635 MCCORMICK ROAD, KENO, OR 97627 as grantors, executed and delivered to: Aspen Title & Escrow, Inc., as trustee, for the benefit of R.W. Cox & Associates, LLC, as beneficiary, a trust deed dated 02/04/03, duly recorded on 02/18/03 in the mortgage records of KLAMATH County, Oregon in Vol: M03 Page: 09400 and subsequently assigned to Wells Fargo Bank, NA by Assignment recorded as 2008-002150. 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 08/24/11, in 2011-009715.

After recording the Notice of Default, the trustee gave notice to the grantor(s) and/or occupants pursuant to 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 File No. 7023.96195  
Grantor's Name and Address

Bank of America, N.A.  
c/o NWTS, Inc.  
13555 SE 36th St, Ste 100  
Bellevue, WA 98006

Grantee's Name and Address

After Recording Return to:  
Bank of America, N.A.  
c/o NWTS, Inc.  
13555 SE 36th St, Ste 100  
Bellevue, WA 98006

Until a change is required all tax statements shall be sent to the following address:  
Bank of America, N.A.  
c/o NWTS, Inc.  
13555 SE 36th St, Ste 100  
Bellevue, WA 98006

Name, Address, Zip

FOR COUNTY USE:

Consideration: \$66,769.62

The trustee has no actual notice of any person, other than the persons identified in the affidavit(s) and proof(s) of mailing and/or service, having or claiming any lien on or interest in the Property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

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 January 3, 2012, 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 Bank of America, N.A. for the sum of \$66,769.62, Bank of America, N.A. being the highest and best bidder at the sale. The true and actual consideration paid for this transfer is the sum of \$66,769.62

NOW, THEREFORE, in consideration of the sum of \$66,769.62 paid by Bank of America, N.A. in cash, the receipt of which 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 Bank of America, N.A. all interest 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 after the execution of the trust deed in and to the Property, which is legally described as follows:

A tract of land situated in the E 1/2 E 1/2 SE 1/4 of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, and the W 1/2 W 1/2 SW 1/4 of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a 5/8" iron pin with Tru-Line Surveying plastic cap on the line common to said Sections 36 and 31 and being the Southeast corner of that tract of land described in Volume 120 at Page 451 of the Klamath County Deed Records, the Southwest corner of said Section 36, as marked by an iron axle, bears South 00 degrees 05' 00" West 660.00 feet; thence North 00 degrees 05' 00" East, along said section line, 207.77 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap, marking the South corner of that tract of land described in Volume 338 at Page 204 of said deed records; thence North 32 degrees 48' 24" East 477.85 feet to the Southeasterly corner of that tract of land described in Volume M-68 at Page 532 of said deed records, a 1" iron pipe bears South 72 degrees 04' 50" East 0.26 feet; thence North 72 degrees 04' 50" West 271.36 feet to a 1" iron pin at the Southwesterly corner of said tract of land; thence South 00 degrees 05' 00" West 3.52 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap marking the South 1/16 corner common to said Sections 36 and 31; thence continuing South 00 degrees 05' 00" West 12.08 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap marking the Southeasterly corner of that tract of land described in Volume 27 at Page 294 of said deed records; thence North 57 degrees 30' West 22.48 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence West 21.02 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence South 00 degrees 05' 00" West 689.38 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence East 40.00 feet to the point of beginning, with bearings based on recorded Survey 1169. AN EASEMENT AND RIGHT OF WAY for the construction, maintenance and operation of an irrigation waterline and pump over and across the Southeasterly fifteen feet (15') of the following described lands in Klamath County, Oregon, to wit: A tract of land in Lot 1, Southwest Quarter of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, described as follows: Beginning at the intersection of the centerline of River Street and the Westerly boundary line of Brighton Avenue (Highway 66) in the Town of Doten, (now Keno), Oregon, which point is marked with an iron pipe; thence North 57 degrees 08' West along the centerline of said River Street, projected a distance of 1,194.6 feet; thence North 32 degrees 52' East 372.1 feet to the true point of beginning; thence continuing North 32 degrees 52' East 159.8 feet, more or less, to the mean waterline of the Klamath River; thence North 40 degrees 24' West 179.7 feet along said mean waterline to the Easterly boundary of the tract of land described in Book 94 at Page 36, Deed Records of Klamath County, Oregon; thence along the Easterly and Southerly boundaries of said parcel as follows: South 41 degrees 47' West 58.9 feet and North 50 degrees 05' West 321.1 feet to the Easterly boundary of the tract of land described in Volume 130 at Page 412, Deed Records of Klamath County, Oregon; thence South 0 degrees 06' East along said boundary a distance of 434.0 feet; thence South 72 degrees 16' East 273.2 feet to the point of beginning. TOGETHER WITH the right of ingress to and egress from said waterline and pump for the purpose aforesaid.

Commonly known as: 10635 MCCORMICK ROAD, KENO, OR 97627

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.

IN WITNESS WHEREOF, the undersigned trustee has 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.

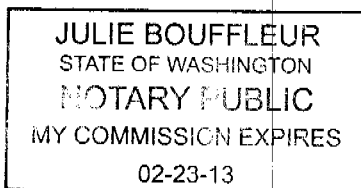
  
Northwest Trustee Services, Inc., Trustee


Trustee's Deed  
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STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that Heather Westfall 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 Trustee Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 1-6-2012



  
NOTARY PUBLIC in and for the State of  
Washington, residing at Seattle  
My commission expires 2/23/2013

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

Trustees Deed  
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