

1st 1721809

2012-000573

Klamath County, Oregon



00112753201200005730040045

01/23/2012 03:18:29 PM

Fee: \$57.00

**RECORDING COVER SHEET (Please Print or Type)**

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

**AFTER RECORDING RETURN TO:**

Quality Loan Service Corp. of Washington  
2141 5th Avenue  
San Diego, CA 92101

1.) Title(s) of the transaction(s) ORS 205.234(a): **Trustees Deed Upon Sale**

2.) Direct Party/ Grantor(s) ORS 205.125(1)(b) and 205.160:  
**FIRST AMERICAN TITLE INSURANCE COMPANY**  
C/O Quality Loan Service Corporation of WA  
Address: **2141 5th Avenue**  
**San Diego, CA, 92101**

3.) Indirect Party/Grantee(s) ORS 205.125(1)(a) and 205.160:  
**MIDFIRST BANK**  
Address: **C/O MidFirst Bank**  
**999 N.W. Grand Blvd., Ste. 100,**  
**Oklahoma City, OK 73118-6116**

4.) True and actual consideration ORS 93.030(5) Amount in dollars or other:  
**\$139,095.80**

5.) Send tax statements to:  
**MIDFIRST BANK**  
**Same address as above section #3**

6.) Satisfaction of order or warrant ORS 205.125(1)(e): **Not Applicable**

Check One: (if applicable)  Full or  Partial

7.) The amount of the monetary obligation imposed by the order or warrant. ORS 205.125(1)(c):  
**Not Applicable**

8.) If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244:  
**Not Applicable**

RERECORDED AT THE REQUEST OF \_\_\_\_\_ TO CORRECT \_\_\_\_\_  
PREVIOUSLY RECORDED IN BOOK \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS FEE NUMBER \_\_\_\_\_

*Deed Reference # 2007-009339 and 2011-0010017*

After recording return to:

**Quality Loan Service Corp. of Washington**  
2141 5th Avenue  
San Diego, CA 92101

**Attn: There are no contacts associated with this servicer.**

Until a change is requested all tax statements  
Shall be sent to the following address:

**Quality Loan Service Corp. of Washington**  
2141 5th Avenue  
San Diego, CA 92101

**Attn: There are no contacts associated with this servicer.**

T.S. No.: **OR-11-450443-NH**

Space above this line is for recorders use only

Title Order No.: **5543099**

MERS MIN No.: **1000375-0176301505-6** MERS Telephone No. **1-888-679-6377**

### **TRUSTEE'S DEED UPON SALE**

THIS INDENTURE, made 1/13/2012, between **FIRST AMERICAN TITLE INSURANCE COMPANY**, hereinafter called trustee, and **MIDFIRST BANK**, hereinafter called the second party:

**WITNESSETH:**

**RECITALS:**

**WES L. BENNETT**, as grantor, executed and delivered to **AMERITITLE**, for the benefit of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**, ("**MERS**"), AS **NOMINEE FOR GMAC MORTGAGE, LLC F/K/A GMAC MORTGAGE CORPORATION**, as beneficiary, a trust deed dated 5/15/2007, duly recorded on 5/23/2007, or as fee/ file/ instrument/ microfilm/ reception number **2007-009339** in the mortgage records of **KLAMATH County, Oregon**. The interest in the trust deed has now been assigned to the foreclosing lender, the current Beneficiary of record. In said trust deed, the real property therein and hereinafter described ("**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 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.

Because of the default(s), the record beneficiary under the trust deed or its successor in interest 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 said county on 9/1/2011 in book/reel/volume number at page , thereof or as fee/ file/ instrument/ microfilm/ reception number **2011-0010017**.

After recording the Notice of Default and at least 120 days before the date the property was sold, a copy of the Notice of Sale and a copy of the Danger Notice required by ORS 86.737 were served by **FIRST AMERICAN TITLE INSURANCE COMPANY** 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 all required/interested parties in ORS 86.740. 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. The Notice of Sale was served upon the occupant of the property described in the trust deed pursuant to ORS 86.750(1). Pursuant to ORS 86.755(9), if the foreclosure proceedings were stayed and released from the stay, copies of an amended notice of sale were mailed by registered or certified mail to the last-known address of the persons listed in ORS 86.740 and 86.750(1), and all other persons required to receive the notice. Further, pursuant to ORS 86.750(3) the trustee published a copy of the notice of sale in a newspaper of general circulation in each of the counties where the property is located, once a week for four successive weeks, the last publication occurred at least 20 days prior to the date of the sale. An affidavit of mailing of the Notice of Sale (if any), an affidavit of service (if any), an affidavit of service attempts and posting (if any), and affidavit of publication were recorded in the county on or before the date of the trustee's sale, pursuant to ORS 86.750(3).

Pursuant to the notice of sale, the undersigned trustee on 1/12/2012 at the hour of 10:00:00 AM, 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 him by said trust deed, sold the Property in one parcel at public auction to the second party for the sum of \$139,095.80, he being the highest and best bidder at the sale. The true and actual consideration paid for this transfer is the sum of \$139,095.80.

All interest in the Deed of Trust was properly assigned to the current Beneficiary. Namely, all assignments of the Deed of Trust, including mesne assignments, if any, of the subject Deed of Trust, were recorded prior to the current Beneficiary causing the Trustee to commence the non-judicial foreclosure and ultimately conduct the foreclosure sale.

NOW THEREFORE, in consideration of the sum paid by the second party in a credit bid, 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 unto the second party all interest the grantor had or had the power to convey at the time of the 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 deed in and to the following described real property, to-wit:

**LOT 31, FIRST ADDITION TO EVERGREEN MEADOWS - TRACT 1329, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

This conveyance is made without representations or warranties of any kind, expressed or implied. By recording this Trustee's Deed, the second party understands, acknowledges and agrees that the Property was purchased in the context of a foreclosure, that the current Trustee made no representations to the second party concerning the Property and that the current Trustee owed no duty to make disclosures to the second party concerning the Property, the second party relying solely upon his/her/their/its own due diligence investigation before electing to bid for the Property.

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, the undersigned trustee has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

Date:

FIRST AMERICAN TITLE INSURANCE COMPANY

*[Handwritten Signature]*

*Authorized Signer*

State of: CA  
County of: Orange

On 1/17/12 before me, Tracy Marie Conrad a notary public, personally appeared INDY ENGEL, 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.

Signature *[Handwritten Signature]* (Seal)  
Tracy Marie Conrad

