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2012-001614

Klamath County, Oregon



00113954201200016140020027

02/14/2012 09:08:33 AM

Fee: \$42.00

SPACE RESERVED
FOR
RECORDER'S USE

Sarah V Potter
431 Main St
Klamath Falls, OR 97601

Trustee's Name and Address*

Ernest E and Catherine Rose
167 SW Briggs
Myrtle Creek, OR 97457

Second Party's Name and Address*

After recording, return to (Name and Address):

Ernest E & Catherine Rose
167 SW Briggs
Myrtle Creek, OR 97457

Until requested otherwise, send all tax statements to (Name and Address):

as above

*ORS 205 requires the first page of a recorded document to show the names and addresses of all parties. Use Stevens-Ness Form No. 1256, Cover Sheet for Instrument to be Recorded, if you need additional space.

TRUSTEE'S DEED

THIS INDENTURE, Dated November 23, 2011Sarah V. Potter

, between

, hereinafter

called trustee, and Ernest E. Rose and Catherine Rose

hereinafter called the second party; WITNESSETH:

RECITALS: Finley H. Mallory and Angela DeRosierdelivered to First American Title Insurance Companyof Ernest E and Catherine Rosedated Sept 27, 2006, recorded on October 2, 2006

, in the Records of

Klamath County, Oregon, in ☒ book ☐ reel ☐ volume No. M06 at page 019746

and/or as

☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which). 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

obligations was recorded on June 10, 2011, in the Records of Klamath County,in ☐ book ☐ reel ☐ volume No. 2011 at page 067141and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception

No. _____ (indicate which), to which reference now is made.

After recording the notice of default, the undersigned trustee gave notice of the 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 7 D. (2) and 7 D. (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 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 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 the sale which was stayed within 30 days after the release

from the stay. The trustee published a copy of the notice of sale in a 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 proofs, 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 \$ 105,460.57 (Here comply with ORS 93.030.)

(CONTINUED)



The undersigned trustee, on Nov 14, 2011, at the hour of 10 o'clock, A.M., in accordance 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 \$155,410.57, 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 after the execution of the trust deed in and to the following described real property, to-wit:

All of lots 3 and 4 in block 49 First Addition to the city of Klamath Falls, and all that part of Lot 7 in Block 7 of Ewauna Heights Addition now being and lying Northeast of a line beginning at the southwesterly boundary of said lot 4 block 49, first addition; thence running Northwesterly parallel with the 4th street to Washington Street, excepting therefrom that portion of said lot 7 block 7 being and lying Northeast of a line commencing at the Southwesterly corner of lot 2 of block 49, first addition aforesaid, and running thence northwesterly parallel to 4th street to Washington Street.

To Have and to Hold the same unto the second party and the second party's heirs, successors in interest and assigns forever. In conveying this instrument, where the context so requires, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, as well as any other person owing an obligation, the performance of which is secured by the trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any, "person" includes a business or other entity, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, the undersigned trustee has executed this instrument; any signature on behalf of a business or other entity is made with the authority of that entity.

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. 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, TO 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, ORE-

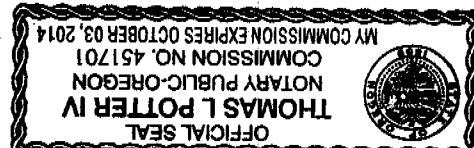
* Delete words in parentheses if inapplicable.

STATE OF OREGON, County of Klamath) ss. This instrument was acknowledged before me on Nov 13, 2011

by Sarah V Potter

This instrument was acknowledged before me on

by
as
of



Notary Public for Oregon
My commission expires 10-3-2014

Thomas L. Potter IV