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02/28/2012 09:10:31 AM

Fee: \$52.00

Trustee's Deed

THIS INDENTURE, made this 9th day of December, 2011, between NORMAN F. WEBB, hereinafter called Successor Trustee, and DALE A. DUBIA, hereinafter called the Second Party;

WITNESSETH:

The true and actual consideration paid for this transfer is the sum of \$55,741.30.
Property Address: 32671 Magpie Drive, Chiloquin, OR 97624

RECITALS: Daniel Lee Horton and Janis L. Horton, as Grantors, executed and delivered to First AmeriTitle, an Oregon corporation, Trustee, for the benefit of Dale A. Dubia, as Beneficiary, a certain Trust Deed dated August 1, 2007, duly recorded on August 9, 2007, in Volume 2007-014083, Microfilm Records of Klamath County, State of Oregon. In said Trust Deed, the real property therein and hereinafter described was conveyed by said Grantors to said Trustee and Successor Trustee to secure, among other things, the performance of certain obligations of the Grantors to the said Beneficiary. The said Grantors thereafter defaulted in her performance of the obligations secured by said 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 said default, the owner and holder of the obligations secured by said Trust Deed, being the Beneficiary therein named, 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 Grantors' said obligations was recorded as number 2011-007790 of the official records of Klamath County, State of Oregon on June 29, 2011, to which reference now is made.

After the recording of said Notice of Default, as aforesaid, the undersigned Successor 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 person or their legal representatives, if any, named in subsections (1) and (2)(a) of Section 86.740 Oregon Revised Statutes, which persons included, among others, the Grantor 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 subsection (1) of ORS 86.740, promptly after the Trustee received knowledge of the disability, insanity or death of any such person; the Notice of Sale was served upon the 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 subsection (1) of Section 86.750 Oregon Revised Statutes. If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form required by subsection (6) of Section 86.755 Oregon Revised Statutes were mailed by registered or certified mail to the last known address of those persons listed in ORS 86.740 and 86.750(1) 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, 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 interest in said described real property, entitled to notice pursuant to subsection (1)(b) or (1)(c) of ORS 86.740.

Pursuant to the Notice of Sale, the undersigned Trustee, or his agent, on Monday, November 28, 2011, at the hour of 10 o'clock, a.m., Pacific Standard Time, as established by Section 187.110, Oregon Revised Statutes, and at 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 Trust Deed, sold said real property in one parcel at public auction to the said Second Party for the sum of \$55,741.30, he being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property.

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 Grantors had or had the power to convey at the time of Grantors' execution of said Trust Deed, together with any interest the said Grantors or their successors in interest acquired after the execution of said Trust Deed in and to the following described real property more commonly known as 32671 Magpie Drive, Chiloquin, Klamath County, Oregon, *to-wit*:

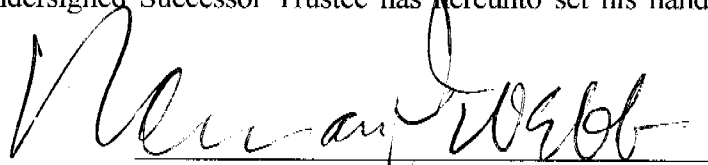
Lot 3, Block 8 of Tract No. 1023, KLAMATH COUNTRY, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

TO HAVE AND TO HOLD the same unto the Second Party, his heirs, successors-in-interest, and assigns forever.

In construing 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 "Grantors" 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 other legal or commercial entity.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. 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 (ND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES 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.

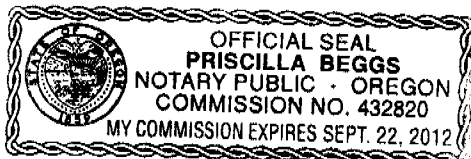
IN WITNESS WHEREOF, the undersigned Successor Trustee has hereunto set his hand this 9th day of December, 2011.




NORMAN F. WEBB,
SUCCESSOR TRUSTEE

STATE OF OREGON)
) ss.
County of Marion)

On this 9th day of December, 2011, personally appeared before me the above-named NORMAN F. WEBB, and acknowledged the foregoing instrument to be his voluntary act and deed.




Notary Public for Oregon
My commission expires: 9-22-12

AFTER RECORDING RETURN TO:

Norman F. Webb
Attorney at Law
1114 Twelfth Street SE
Salem, OR 97302

Certificate of Non-Military Service

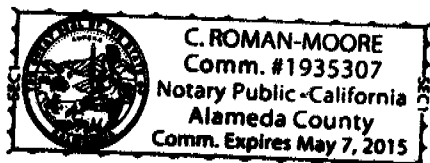
STATE OF CALIFORNIA)
) ss.
County of Contra Costa

THIS IS TO CERTIFY that I am the present beneficiary of that certain Trust Deed in which DANIEL LEE HORTON and JANIS L. HORTON, as grantors, conveyed to Norman F. Webb, as successor trustee, certain real property in Klamath County, Oregon, which Trust Deed was dated August 1, 2007, and recorded on August 9, 2007, as Volume 2007-014083, Microfilm Records of Klamath County, Oregon; thereafter a notice of sale with respect to said Trust Deed was recorded June 29, 2011, as Volume 2011-007790, Klamath County Records; thereafter the Trust Deed was duly foreclosed by advertisement and sale, and the real property covered by said Trust Deed was sold at the Trustee's sale on November 28, 2011; to the best of my knowledge and belief, I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said Trust Deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940", as amended. I am unable to determine whether Daniel Lee Horton and Janis L. Horton are active members of the armed services because I do not know their Social Security numbers, which are needed in order to conduct a search. Daniel Lee Horton has lived in the residence covered by the above-described Trust Deed and lived there on the date of the trustee's sale and has continuously lived on the property. Janis L. Horton and Daniel Lee Horton became divorced some time prior to the foreclosure sale and I do not know her whereabouts.

In construing this certificate, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

Dale A Dubia
Dale A. Dubia, Beneficiary

SUBSCRIBED AND SWORN to before me this 15 day of December, 2011.



CRM
Notary Public for California
My commission expires: 5-7-15

Norman F. Webb
Attorney at Law
1114 Twelfth Street SE
Salem, OR 97302
(503) 363-9264