

1st 1779593

2012-002937

Klamath County, Oregon



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03/20/2012 11:20:56 AM

Fee: \$52.00

RECORDING COVER SHEET

FOR CONVEYANCES, PER ORS 205.234

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

AFTER RECORDING RETURN TO

name and address of the person authorized to receive the instrument after recording, as required by ORS 205.180(4) and ORS 205.238.

California Union Properties, LLC.

1562 Tully Road

Modesto, CA 95350

6101240/1779593

File no. OST1-066389

1. **NAME(S) OF THE TRANSACTION(S)**, described in the attached instrument and required by ORS 205.234(a).

Note: Transaction as defined by ORS 205.010 "means any action required or permitted by state law or rule or federal law or regulation to be recorded including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property."

Trustee's Deed Upon Sale

2. **DIRECT PARTY**, name(s) and address(es) of the person(s) described in ORS 205.125(1)(a) and (b) or **GRANTOR**, as described in ORS 205.160.

Northwest Trustee Services, Inc., as Trustee

2600 Stanwell Drive, Suite 200

Concord, CA 94520

3. **INDIRECT PARTY**, name(s) and address(es) of the person(s) described in ORS 205.125(1)(a) and (b) or **GRANTEE**, as described in ORS 205.160.

California Union Properties, LLC.

1562 Tully Road

Modesto, CA 95350

4. **TRUE AND ACTUAL CONSIDERATION PAID** for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

~~2~~ \$58,441.30

5. **UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS** for instruments conveying or contracting to convey fee title to any real estate, reference ORS 93.260.

California Union Properties, LLC.

1562 Tully Road

Modesto, CA 95350

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TRUSTEE'S DEED

THIS INDENTURE, made 3/16/2012 between, Northwest Trustee Services, Inc., herein called the Trustee and California Union Properties, LLC., hereinafter called the second party;

RECITALS:

RECITALS: Ricky L. Hollenbeak, as grantors, executed and delivered to First American Title Insurance Company of Oregon, as trustee, for the benefit of California Union Properties, LLC, a California Limited Liability Company, as beneficiary, a trust deed dated 8/11/2010, duly recorded on 8/16/2010, in the mortgage records of Klamath County, Oregon, in 2010-009682. 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 10/25/2011, as Instrument No. 2011-011939.

After recording the Notice of Default, the trustee gave notice to the grantor(s) and/or occupants pursuant 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 Grantor
California Union Properties, LLC.
1562 Tully Road
Modesto, CA 95350 Grantee

FOR COUNTY USE:

After recording return to and
Until a change is required all tax statements shall be sent
to the following address:
California Union Properties, LLC.
1562 Tully Road
Modesto, CA 95350

Consideration: \$58,441.30

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 3/15/2012, at 11:00 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 said trustee by the trust deed -- sold the Property in one parcel at public auction to California Union Properties, LLC. for the sum of \$58,441.30. California Union Properties, LLC. being the highest and best bidder at the sale. The true and actual consideration paid for this transfer is the sum of \$58,441.30.

NOW, THEREFORE, in consideration of the sum of \$58,441.30 paid by California Union Properties, LLC. 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 California Union Properties, LLC. 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 parcel of land located in Block 3 of Hessig Addition to Fort Klamath, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Easterly right of way line of Hessig Street 165.34 feet South 00°01'23" West from the original Northwest corner of Block 3, Hessig Addition to Fort Klamath; running thence East 143.50 feet; thence South 00°01'23" West 50.00 feet; thence East 78.50 feet; thence South 00°01'23" West 30.00 feet to the centerline of vacated 5th Street; thence along said centerline, West 222.00 feet to the Easterly right of way of Hessig Street, thence along said right of way line; North 00°01'23" East 80.00 feet to the point of beginning.

Commonly known as: 52401 Hessig St., Fort Klamath, OR 97624

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.

Dated: 03/16/2012

Northwest Trustee Services, Inc., successor Trustee

Amy Rigsby

By: Amy Rigsby, Assistant Vice President

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On 03/16/2012 before me Katie Milnes, a Notary Public personally appeared Amy Rigsby 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 to 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

Katie Milnes
Katie Milnes



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