

WTC 91922

2012-004378  
Klamath County, Oregon

RECORDING COVER SHEET  
ALL TRANSACTIONS, ORS: 205.234



04/27/2012 11:27:32 AM Fee: \$52.00

AFTER RECORDING RETURN TO:  
Hershner Hunter, LLP  
Attn: Lisa Summers  
PO Box 1475  
Eugene, OR 97440

1. NAME OR TITLE OF THE TRANSACTION(S) -- ORS 205.234(a):

TRUSTEE'S DEED

2. ORIGINAL GRANTOR ON TRUST DEED:

MICHAEL CONNOLLY AND SARAH CONNOLLY

3. BENEFICIARY:

UMPQUA BANK

4. SUCCESSOR TRUSTEE/GRANTOR ON TRUSTEE'S DEED:

Nancy K. Cary

5. TRUE AND ACTUAL CONSIDERATION - ORS 93.030

\$91,817.56

6. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

Umpqua Bank  
Attn: Matthew Hay, 032-1-RETB  
PO Box 230727  
Tigard, OR 97281

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

529m

TRUSTEE'S DEED

TRUSTEE: Nancy K. Cary, Successor Trustee

GRANTEE: UMPQUA BANK

RECITALS:

A. MICHAEL CONNOLLY AND SARAH CONNOLLY, Grantor, executed and delivered to FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee for the benefit of OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT, STATE OF OREGON as assignee of UMPQUA BANK, Beneficiary, a Trust Deed dated May 23, 2002 and recorded on May 31, 2002, in the Official Records of Klamath County, Oregon as Recording: Vol. M02, Pg. 32115-32 (the Trust Deed). In the Trust Deed, the following described real property (the Real Property) was conveyed by the Grantor to the Trustee to secure the performance of certain obligations to the Beneficiary:

As described in the attached Exhibit A.

Thereafter the Grantor defaulted in performance of the obligations secured by the Trust Deed. The default still existed at the time of sale by the Trustee to the Grantee.

B. Nancy K. Cary was appointed Successor Trustee of the Trust Deed. The appointment was recorded on November 2, 2011 in the Official Records of Klamath County, Oregon as Recording No. 2011-012290.

C. The Beneficiary declared the Grantor of the Trust Deed to be in default. The reasons for the declaration of default, the Beneficiary's election to declare all sums due to it immediately due and the Beneficiary's election to foreclose the Trust Deed by advertisement and sale to satisfy the Grantor's obligations was recorded on November 2, 2011 in the Official Records of Klamath County, Oregon as Recording No. 2011-012291.

D. After recording the Notice of Default and Election to Sell, the Trustee gave notice of the time and place set for sale of the Real Property through the Danger Notice under ORS 86.737 to all persons entitled to receive the Danger Notice by both first class mail and certified mail, return receipt requested. The Affidavit of Mailing the Danger Notice was recorded in the Official Records of Klamath County, Oregon as Recording No. 2012-002613, prior to the day the Trustee conducted the sale.

E. After recording the Notice of Default and Election to Sell, the Trustee gave notice of the time and place set for sale of the Real Property. Notice of the sale was given:

1. To all persons entitled to receive such notice by mailing the notice to them at their last known addresses by both first class mail and certified mail, return receipt requested. The notice was mailed to them more than 120 days before the Trustee conducted the sale. An Affidavit of Mailing of such notice was recorded in the Official Records of Klamath County, Oregon as Recording No. 2012-002613, prior to the day the Trustee conducted the sale.

2. To the occupants of the Real Property by personal or substituted service, or posting and mailing, more than 120 days prior to the day the Trustee conducted the sale. A Proof of Service was recorded in the Official records of Klamath County, Oregon as Recording No. 2012-002613, prior to the day the Trustee conducted the sale.

3. By publishing such notice in the Herald & News, a newspaper of general circulation in Klamath County, Oregon, once a week for four successive weeks. The last publication was more than 20 days prior to the day the Trustee conducted the sale. An Affidavit of Publication of such notice was recorded in the Official Records of Klamath County, Oregon as Recording No. 2012-002613, prior to the day the Trustee conducted the sale.

F. On the date of the Notice of Sale, the Trustee did not have actual notice of any person claiming an interest which was subsequent to the Trustee's interest in the Real Property, except for those persons named in the affidavits referred to in Recital D. of this deed. The Trustee hereby certifies that any valid requests for information under 2003 OR Laws Ch 251 have been responded to within the time allowed by the statute.

G. On March 29, 2012, at 11:00 a.m. at the front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, the Trustee sold the Real Property in one parcel at public auction to the highest bidder for cash. The price bid was paid at the time of sale.

H. At no time during the period of time between the recording of the Notice of Default and Election to Sell and the date of the sale, was the real property described in and covered by the Trust Deed, or any interest therein owned by a person in the military service of the United States of America, a minor or an incapacitated person.

I. The true and actual consideration paid for this transfer is \$91,817.56.

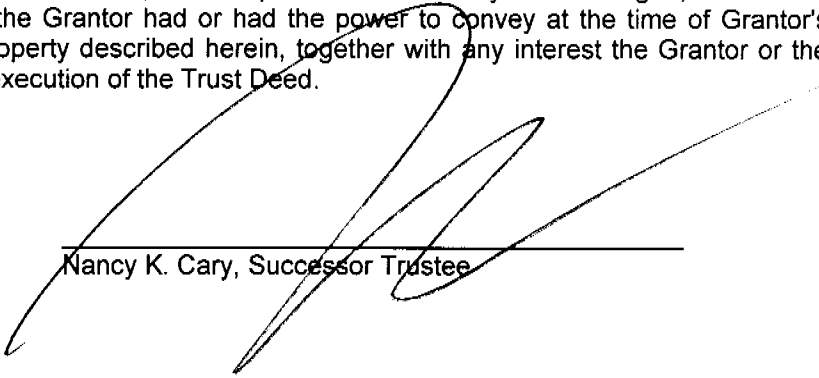
J. In construing this instrument, whenever the context requires, the following shall apply:

- 1. References to a specific gender shall include the masculine, feminine and neuter genders.
- 2. Reference to the singular shall include the plural and vice versa.
- 3. References to the Trustee shall include any Successor Trustee.

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.

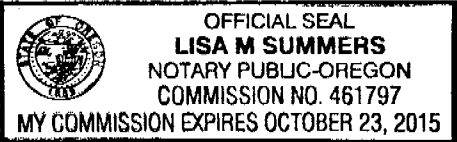
In consideration of the sum paid by the Grantee in cash, the receipt of which is hereby acknowledged, the Trustee hereby conveys to the Grantee all interest which the Grantor had or had the power to convey at the time of Grantor's execution of the Trust Deed in and to the Real Property described herein, together with any interest the Grantor or the Grantor's successors in interest acquired after the execution of the Trust Deed.

Dated: April 23, 2012.

  
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 Nancy K. Cary, Successor Trustee

STATE OF OREGON            )  
   ) ss.  
 COUNTY OF LANE            )

The foregoing instrument was acknowledged before me on April 23, 2012, by Nancy K. Cary, Successor Trustee.



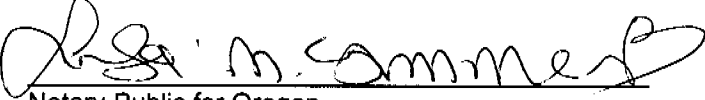
  
 \_\_\_\_\_  
 Notary Public for Oregon  
 My Commission Expires: 10/23/2015

EXHIBIT A

Beginning at a point on the Section line between Sections 1 and 12 in Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, 511.50 feet West of the quarter section corner common to said Sections 1 and 12; thence West 16.44 feet; thence South 239 feet; thence West 270 feet; thence South to Lost River; thence Southeasterly down Lost River to a point 12 chains due South of the place of beginning; thence North to the place of beginning, being a portion of Lot 3 of Section 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; and

Beginning at a point 30 feet West of the quarter corner common to Sections 1 and 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence South 9.43 chains; thence West 4.74 chains; thence South 3.78 chains to the North bank of Lost River; thence Southwesterly upstream 2.64 chains; thence North 12.45 chains; thence East 7.37 chains to the place of beginning, save and excepting that parcel of land deeded by Jerry Ahern and wife, to The Roman Catholic Bishop of the Diocese of Baker City, a corporation sole of Oregon, recorded in Book 121, page 599, Deed Records of Klamath County, Oregon, as follows:

Beginning at a point 30 feet West and 30 feet South of the quarter corner common to Section 1 and 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence South 260.8 feet; thence West 208.7 feet; thence North 260.8 feet; thence East 208.7 feet to the point of beginning.

ALSO EXCEPTING any portion of the above described property contained in property conveyed by N. S. Merrill et ux to Tulelake Cemetery Association of Merrill by deed dated April 16, 1898, recorded January 26, 1900, on page 526 of Volume 12 of Deeds, as follows:

Beginning at a point 30 feet South and 30 feet West of the quarter section corner between Sections 1 and 12 in Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence South 597 feet; thence West in an angle of 90 degrees 348 feet; thence South in an angle of 90 degrees 185 feet to Lost River; thence following down the river to a point 999 feet South on legal subdivision line from the quarter section corner between Sections 1 and 12; thence North on legal subdivision line 669 feet; thence West 30 feet to the place of beginning, being a portion of Lot 3 in Section 12, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.