

WTC 92537

2012-006911

Klamath County, Oregon



00120238201200069110030032

06/22/2012 03:21:20 PM

Fee: \$52.00

Order No.: 11201434  
23019160 / Ives / 0092537

Grantee's Name and Address:  
**AFTER RECORDING RETURN TO:**  
Cameron McFaddan, Attorney at Law  
868 E Riverside Drive, Suite 100  
Eagle, ID 83616

Grantor's Name and Address:  
**SEND FUTURE TAX STATEMENTS TO:**  
Home Federal Bank  
500 12th Avenue South, Nampa, ID 83652  
**Consideration: \$192,150.00**

### TRUSTEE'S DEED

THIS INDENTURE, Made this **19th of June, 2012**, between Cameron McFaddan, Attorney at Law hereinafter called trustee, and **Home Federal Bank**, hereinafter called the second party;

WITNESSETH:

RECITALS: **Ben Ives and Jolynn Ives, husband and wife**, as grantor, executed and delivered to **Cameron McFaddan**, as successor trustee, for the benefit of **Federal Deposit Insurance Corporation, as Receiver for Community First Bank**, as beneficiary, a certain trust deed dated **March 19, 2008**, and recorded on **March 24, 2008**, as Instrument No. **2008-003638**, and assigned to **Home Federal Bank** by assignment recorded **February 6, 2012**, as Instrument No. **2012-001357**, in the mortgage records of **Klamath County, OR**. In said trust deed the real property therein and hereinafter described was conveyed by said grantor to said trustee to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in his 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, or his successor in interest, 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 grantor's said obligations was recorded in the mortgage records of said county on **February 6, 2012**, as Instrument No. **2012-001359** and re-recorded **March 1, 2012**, as Instrument No. **2012-002220**.

After the recording of said notice of default, as aforesaid, the undersigned 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 persons or their legal representative, 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 persons; the Notice of Sale was served upon 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 86.750(1). 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 address 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. 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

47 DMJ

more affidavits or 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 therein 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 real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c). The Trustee hereby certifies that any valid requests for information under ORS 86.757 have been responded to within the time allowed by statute. The Trustee also hereby certifies that all statutory requirements of ORS 86.737 were complied with in a timely manner.

Pursuant to said notice of sale, the undersigned trustee on June 19, 2012, at the hour of 10:00 am, of said day, in accord with the standard of time established by ORS 187.110 (which was the day and hour to which said sale was postponed as permitted by ORS 86.775(2) (which was the day and hour set in the amended Notice of Sale) 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 real property in once parcel at public auction to the said second party for the sum of \$192,150.00, he being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$192,150.00.

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 grantor has or had the power to convey at the time of grantor's execution of said trust deed, together with any interest the said grantor or his successors in interest acquired after the execution of said trust deed in and to the following described real property, to wit:

**Lot 6 in Block 2 of TRACT 1060, SUN FOREST ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

Commonly known as: **11548 Burlwood Drive, La Pine, OR 97739**

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 grantor 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 any other legal or commercial entity.

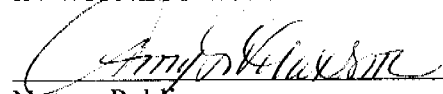
Dated: June 19, 2012

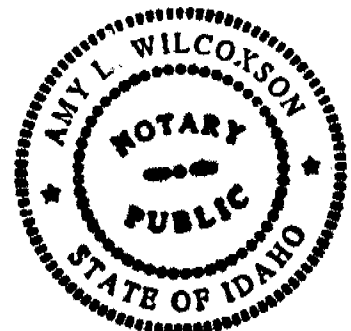
  
By: **Cameron McFaddan, Successor Trustee**

State of Idaho  
County of Ada

On this 19<sup>th</sup> day of June, 2012, before me, the undersigned a Notary Public in and for said state personally appeared Cameron McFaddan, known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.

  
Notary Public  
Commission Expires: January 14, 2013



Order No.: 11201434  
23019160 / 0092537 / Ives

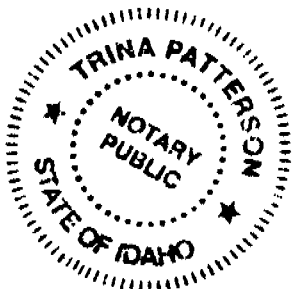
## AFFIDAVIT OF SERVICEMEMBERS CIVIL RELIEF ACT

The Affiant who first being duly sworn, deposes and says:

That he/she is familiar with the provisions of 50 App. Section 520, Civil Relief Act of 1940, and to induce foreclosure proceedings against Ben Ives and Jolynn Ives, represents that from his/her file in this matter, and on information and belief based on the hereinafter enumerated facts, the person or persons named above is/are not in the Military Service of the United States of America and is/are not entitled to the protection of the Civil Relief Act of 1940 and Amendments thereto.

That this affidavit is made for the purpose of inducing Cameron McFaddan, Attorney at Law, as Successor Trustee, to cause certain property to be sold under the terms of a deed of trust pursuant to the power of sale contained therein.

Dated: January 12, 2012



**Home Federal Bank**

Kittie Shervik  
By: Kittie Shervik  
Its: VP/Senior Consumer Credit Officer

State of Idaho  
County of Canyon

On this 12th day of January in the year 2012, before me, the undersigned, a notary public in and for said state personally appeared, Kittie Shervik, known to me to be the VP/Senior Consumer Credit Officer of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Trina Patterson  
Notary Public  
Residing at: Nampa, Idaho  
My commission expires on: 9/17/2014