

15-1836445

2012-009675

Klamath County, Oregon



00123614201200096750030038

08/31/2012 11:19:40 AM

Fee: \$57.00

After recording return to:  
Umpqua Bank  
Attn.: Legal Department  
1 S.W. Columbia Street, Suite 1200  
Portland, Oregon 97258

Send tax statements to:  
Umpqua Bank  
Attn.: Sam Teyema, Vice President  
1 S.W. Columbia Street, Suite 1400  
Portland, Oregon 97258

Grantor: Ky Fullerton, Successor Trustee

Grantee: Umpqua Bank

Consideration: \$45,000.00

### TRUSTEE'S DEED

#### Recitals

A. Eddie L. Wilcher (the "Borrower"), executed and delivered West Coast Title & Escrow (the "Trustee") for the benefit of Cascade Capital Partners, Inc. (the "Beneficiary"), a deed of trust dated October 12, 2007, and recorded on October 12, 2007, in the official records of Klamath County, Oregon, as Document No. 2007-017752 (the "Trust Deed"). Under the Trust Deed, the Borrower conveyed certain real property to the Trustee to secure the performance of certain obligations to the Beneficiary (the "Property"). Said Deed of Trust was assigned to Umpqua Bank, the present Beneficiary, by virtue of an Assignment of Deed of Trust recorded in the official records of Klamath County, Oregon, on August 13, 2008, as Document No. 2008-011507.

B. The Property is legally described as: See attached Exhibit "A," which is incorporated herein by reference.

C. The Beneficiary appointed Ky Fullerton as successor trustee (the "Successor Trustee") under the Trust Deed on February 16, 2012. The appointment was recorded in the official records of Klamath County, Oregon, on February 28, 2012, as Document No. 2012-002125.

D. A default occurred on the obligations secured by the Trust Deed, and the Beneficiary declared the Borrower to be in default. The Successor Trustee recorded the reasons for the declaration of default and the Beneficiary's election to foreclose the Trust Deed by advertisement and sale to satisfy the Borrower's obligations on February 28, 2012, in the official records of Klamath County, Oregon, as Document No. 2012-002126 (the "Notice").

E. After recording the Notice, the Successor Trustee gave notice of the time and place set for sale of the Property as follows:

i. To all persons, by both first-class mail and certified mail, return receipt requested, to the last known addresses of the persons or their legal representatives, if any, named in ORS 86.740(1)(a)-(b) at least 120 days before the Successor Trustee conducted the sale of the Property;

ii. To all persons, by both first-class mail and certified mail, return receipt requested, to the last known addresses of the persons or their legal representatives, if any, named in ORS 86.740(1)(c) at least 25 days before the Successor Trustee conducted the sale of the Property;

iii. By publishing the Notice in the *Herald and News*, a newspaper of general circulation in Klamath County, Oregon, once a week for four successive weeks, with the last publication occurring more than 20 days before the Successor Trustee conducted the sale of the Property; and

iv. To the District Director, Internal Revenue Service, in the manner required by Section 7245 of the Internal Revenue Code and associated regulations.

F. The above mailings and publication are detailed in the affidavits recorded in the official records of Klamath County, Oregon, on July 9, 2012, as Document No. 2012-007563, and August 16, 2012, as Document No. 2012-009051, which are incorporated herein by reference.

G. The undersigned Successor Trustee has no actual notice of any person, other than the persons named in the foregoing affidavits, having or claiming a lien on or interest in the Property who was entitled to notice pursuant to ORS 86.740.

H. On July 19, 2012, pursuant to ORS 86.755, the Successor Trustee caused the sale of the Property to be postponed to August 22, 2012, at 12:00 p.m., in accordance with the standard of time set forth in ORS 187.110. The Successor Trustee provided notice of the postponement to all persons to whom notice of the sale was given under ORS 86.745 in the manner required by 2012 Or Laws, ch 112. The Successor Trustee's compliance with the requirements of 2012 Or Laws, ch 112, is detailed in the affidavit recorded in the official records of Klamath County, Oregon, on August 16, 2012, as Document No. 2012-009051, which is incorporated herein by reference.

I. On August 22, 2012, at 12:00 p.m., in accordance with the standard of time set forth in ORS 187.110, at the main entrance to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, the Successor Trustee sold the Property in one parcel at public auction to the highest bidder, Umpqua Bank (hereafter, the "Grantee"). The Grantee paid the winning bid at the time of sale.

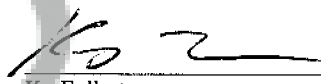
J. The true and actual consideration paid by the Grantee for the Property is \$45,000.00.

**Conveyance**

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

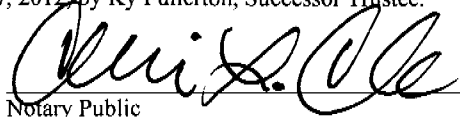
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT 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.

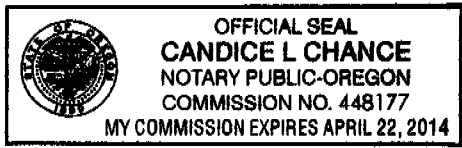
Dated: August 27, 2012.

  
Ky Fullerton  
Successor Trustee

STATE OF OREGON                    )  
  ) ss.  
County of Multnomah            )

The foregoing instrument was acknowledged before me on August 27, 2012, by Ky Fullerton, Successor Trustee.

  
Notary Public



**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

PARCEL 1:

THAT PART OF THE SOUTH 10 ACRES OF THE NW 1/4 NE 1/4 OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, LYING WESTERLY OF THE WESTERLY LINE OF THE KLAMATH FALLS-WEED HIGHWAY.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION, AS EVIDENCED BY WARRANTY DEED, RECORDED MARCH 10, 1992 IN VOLUME M92 PAGE 5035, DEED RECORDS OF KLAMATH COUNTY, OREGON.

PARCEL 2:

LOTS 7, 8 AND 9 BLOCK 66, BUENA VISTA ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, TOGETHER WITH THAT PORTION OF VACATED MODOC STREET WHICH INURES THERETO BY ORDINANCE NO. 01-07 AND RECORDED JULY 6, 2001 IN VOLUME M01 PAGE 32808, RECORDS OF KLAMATH COUNTY, OREGON.

Tax Parcel Number: R580614 and R212031