

EOB

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2012-010140

Klamath County, Oregon



00124207201200101400030031

09/13/2012 02:39:33 PM

Fee: \$52.00

Michael P. Kearney

P.O. Box 1758

Eugene, OR 97440

Trustee's Name and Address

Paul W. Scharn, Scott A. Scharn,
Debra Rae Baas and Marilyn L. Spores

c/o 25140 Cheney Drive

Veneta, OR 97487 Second Party's Name and Address

After recording, return to (Name, Address, Zip):

Michael P. Kearney

P.O. Box 1758

Eugene, OR 97440

Until requested otherwise, send all tax statements to (Name, Address, Zip):

Paul W. Scharn, Scott A. Scharn

Debra Rae Baas and Marilyn L. Spores

c/o 25140 Cheney Drive

Veneta, OR 97487

SPACE RESERVED
FOR
RECORDER'S USEat _____ o'clock _____ M., and recorded in
book/reel/volume No. _____ on page _____
and/or as fee/file/instrument/microfilm/reception
No. _____, Records of this County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy.

TRUSTEE'S DEED

THIS INDENTURE, Dated June 30, 2010Michael P. Kearney, between
hereinafter called the second party; WITNESSETH:RECITALS: Mark A. Losco and Julie A. Loscodelivered to Western Title & Escrow Company of Lane Countyof Paul W. Scharn, Scott A. Scharn, Debra Rae Baas & Marilyn L. Sporesdated September 18, 2006, recorded on September 25, 2006in the Records of Klamath County, Oregon, in ☐ book ☐ reel ☒ volume No. 2006 at page 019190and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which). In that trust deed, the real property therein

and hereinafter described was conveyed by the grantor to the trustee to secure, among other things, the performance of certain obligations of the grantor to the beneficiary. The grantor thereafter defaulted in performance of the obligations secured by the 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 the default, the owner and holder of the obligations secured by the trust deed, being the beneficiary therein named, or the beneficiary's successor in interest, declared all sums so secured immediately due and owing. A notice of default containing an election to sell the real property and to foreclose the trust deed by advertisement and sale to satisfy the asserting grantor's obligations was recorded on January 19, 2010, in the Records of Klamath County,in ☐ book ☐ reel ☐ volume No. _____ at page _____, and/or as ☐ fee ☒ file instrument ☐ microfilm ☐ reception No.2010-000614 (indicate which), to which reference now is made.

After recording the notice of default, the undersigned trustee gave notice of the time for and place of sale of the real property, as fixed by the trustee and as required by law. Copies of the notice of sale were served pursuant to ORCP 7 D. (2) and 7 D. (3), or mailed by both first class and certified mail with return receipt requested, to the last known addresses of the persons or their legal representatives, if any, named in ORS 86.740 (1) and 86.740 (2)(a), at least 120 days before the date the property was sold. A copy of the notice of sale was mailed by first class and certified mail with return receipt requested to the last known address of the fiduciary or personal representative 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. Copies of the notice of sale were served in accordance with ORS 86.750(1) upon occupants of the property described in the trust deed at least 120 days before the date the property was sold. 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 addresses 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. The trustee published a copy of the notice of sale in a newspaper of general circulation in each county in which the real property is situated once a week for four successive weeks. The last publication of the notice occurred more than twenty days prior to the date of sale. The mailing, service and publication of the notice of sale are shown by affidavits and/or proofs of service duly recorded prior to the date of sale in the county records, those affidavits and proofs, together with the Notice of Default and Election to Sell and the notice of sale, being now referred to and incorporated in and made a part of this deed as if fully set forth herein. The undersigned trustee has no actual notice of any person, other than the persons named in those affidavits and proofs as having or claiming a lien on or interest in the real property, entitled to notice pursuant to ORS 86.740 (1)(b) or (1)(c).

The true and actual consideration for this conveyance is \$ 163,675.83 (Here comply with ORS 93.030.)
One hundred sixty-three thousand six hundred seventy-five & 83/100*****

(OVER)

47AWJ



The undersigned trustee, on June 28, 2010, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, (which was the day and hour to which the sale was postponed as permitted by ORS 86.755 (2)) (which was the day and hour set in the amended notice of sale)* 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 the trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of \$163,675.83---, the second party being the highest and best bidder at the sale, and that sum being the highest and best bid for the property.

NOW, THEREFORE, in consideration of that sum so paid by the second party in cash, the receipt whereof 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 unto the second party all interest which 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 following described real property, to-wit:

See Exhibit A.

The real property is located at the address commonly known as
139834 Dorothy Lane, Crescent Lake, OR 97733

TO HAVE AND TO HOLD the same unto the second party and the second party's heirs, successors in interest and assigns forever.

In construing this instrument, and whenever the context so requires, the singular includes the plural; "grantor" includes any successor in interest to the grantor, as well as each and every other person owing an obligation, the performance of which is secured by the trust deed; "trustee" includes any successor trustee; "beneficiary" includes any successor in interest of the beneficiary first named above; and "person" includes a corporation and any other legal or commercial entity.

IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document. If the undersigned is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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. 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.

* Delete words in parentheses if inapplicable.

Michael P. Kearney

Michael P. Kearney

Successor Trustee

STATE OF OREGON, County of Lane) ss.
This instrument was acknowledged before me on June 30, 2010

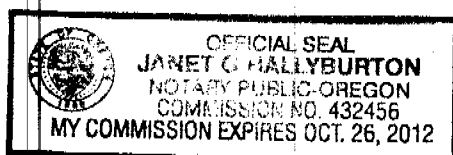
by Michael P. Kearney

This instrument was acknowledged before me on _____

by _____

as _____

of _____



Janet C. Hallyburton
Notary Public for Oregon
My commission expires 10-26-2012

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land situated in the NW1/4 SE1/4 of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron rod on the East line of SE1/4 NW1/4 of SE1/4 of Section 18, said rod being South thereon a distance of 840.0 feet, from an iron rod marking the Southeast corner of the SE1/4 SW1/4 NE1/4 of Section 18; thence West a distance of 289.10 feet, more or less, to an iron rod; thence continuing West along this line a distance of 4.0 feet, more or less, to the margin of Crescent Creek; thence continuing West along this line a distance of 20.0 feet, more or less, to the centerline of said creek; thence Northerly along said centerline to the intersection of said centerline with a line running East parallel with and 60.0 feet North of the 1st course thence East along this line a distance of 15.0 feet, more or less, to the margin of Crescent Creek; thence continuing East along this line a distance of 6.0 feet, more or less, to an iron rod; thence continuing East along this line a distance of 288.20 feet; more or less, to the East line of the SE1/4 NW1/4 SE1/4 of Section 18; thence South along this line a distance of 60.00 feet, to the point of beginning.