

2012-010272

Klamath County, Oregon



00124372201200102720070078

09/17/2012 03:52:20 PM

Fee: \$72.00

AFTER RECORDING RETURN TO:

Nathan J. Ratliff
620 Main Street
Klamath Falls OR 97601

TRUSTEE'S NAME AND ADDRESS:

Nathan J. Ratliff
620 Main Street
Klamath Falls, OR 97601

SECOND PARTY'S NAME AND ADDRESS:

Joe Cirina also known as
Giuseppe Cirina Trustee or Successor Trustee
under the Cirina Loved Trust Dated Oct 15, 1990
2014 Haviland Drive
Grants Pass, OR 97527

SEND TAX STATEMENTS TO:

Joe Cirina
2014 Haviland Drive
Grants Pass, OR 97527

CONSIDERATION:

\$113,890.47

TRUSTEE'S DEED

THIS INDENTURE, Dated September 17, 2012, between **NATHAN J. RATLIFF**, hereinafter called "trustee," and **JOE CIRINA ALSO KNOWN AS GIUSEPPE CIRINA TRUSTEE OR SUCCESSOR TRUSTEE IN TRUST UNDER THE CIRINA LOVED TRUST DATED OCT 15, 1990**, hereinafter called the "second party": WITNESSETH:

RECITALS:

PATRICIA ANN RUGH, as grantor, executed and delivered to **NATHAN J. RATLIFF**, as trustee, for the benefit of **JOE CIRINA ALSO KNOWN AS GIUSEPPE CIRINA TRUSTEE OR SUCCESSOR IN TRUST UNDER THE CIRINA LOVED TRUST DATED OCT 15, 1990**, as beneficiary, a certain trust deed dated February 24, 2010, recorded on March 1, 2010, in the Records of Klamath County, Oregon, as Instrument No. 2010-002764. 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 obligation was recorded on April 18, 2012, in the Records of Klamath County, as Instrument No. 2012-004056, to which reference now is made.

After recording the notice of default, the undersigned trustee gave notice of 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 7D(2) and 7D(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 the 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 sale which was stayed within 30 days after the release from stay. The trustee published a copy of the notice of sale in the 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 proof, 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 \$113,890.47.

The undersigned trustee, on September 14, 2012, at the hour of 10:30 o'clock A.M., 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 the Trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of \$113,890.47, 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 by the execution of the trust deed in and to the following described real property, to-wit:

LOT 14, BLOCK 9, SIXTH ADDITION TO SUNSET VILLAGE,
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE
OFFICE OF THE CLERK OF KLAMATH, COUNTY, OREGON.

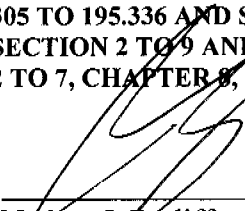
Property ID.: R564428; Map ID No.: R-3909-012CB-08600-000

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 above named; 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 INQUIRY 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, SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTION 2 TO 7, CHAPTER 8, OREGON LAWS 2010.



Nathan J. Ratliff

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 17 day of September, 2012, by Nathan J. Ratliff.





NOTARY PUBLIC FOR OREGON

My Commission expires: 10-27-14

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON; County of Klamath)

THIS IS TO CERTIFY THAT:

1. On the 14th day of September, 2012, a foreclosure sale occurred pursuant to a trust deed in which Patricia Ann Rugh, as grantor, conveyed to Nathan J. Ratliff, as successor trustee, certain real property in Klamath County, Oregon, which trust deed was dated the 24th day of February 2010, and recorded on March 1, 2010, in the mortgage records of said county, as Instruction No. 2010-002764. Joe Cirina also known as Giuseppe Cirina Trustee or Successor in Trust under the Cirina Loved Trust Dated Oct 15, 1990, is the beneficiary under the trust deed. The property was duly foreclosed by advertisement and sale and the real property covered by said trust deed was sold at the trustee's sale.

2. A Notice of Default and Election to Sell was recorded on April 18, 2012, as Document No. 2012-004056 in the real property records of Klamath County, Oregon; and the Trustee's Notice of Sale was recorded on August 28, 2012 as Document No. 2012-009515.

3. On September 17, 2012, I performed a search of the Defense Manpower Data Center ("DMDC") website operated by the United States Department of Defense (<https://www.dmdc.osd.mil/appi/scra/scraHome.do>) for the following individual:

PATRICIA ANN RUGH. The following information was used to search the DMDC

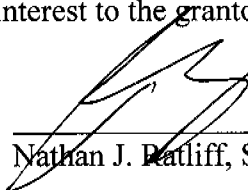
<u> </u> ✓	Last Name
<u> </u> ✓	First Name
<u> </u> ✓	Social Security Number
<u> </u>	Date of Birth

4. The search results state that the individual was not on active duty based on the Active Duty Status Date of September 14, 2012. The search results state that the individual did not leave the active duty status within 367 days preceding the Active Duty Status Date of September 14, 2012. The search results state that neither the individual nor their unit has received early notification to report to active duty as of the Active Duty Status Date of September 14, 2012. A copy of the results of the DMDC search is attached hereto as Exhibit "1" and incorporated herein by this reference.

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5. In construing this certificate the singular includes the plural, the word "grantor" includes any successor in interest to the grantor and the word "trustee" includes any successor trustee.

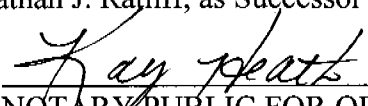


Nathan J. Ratliff, Successor Trustee

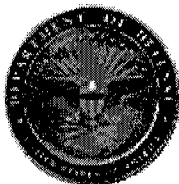
STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME on the
17 day of September, 2012, by Nathan J. Ratliff, as Successor Trustee.





NOTARY PUBLIC FOR OREGON
My Commission expires:

**Status Report**
Pursuant to Servicemembers Civil Relief ActLast Name: RUGHFirst Name: PATRICIAMiddle Name: ANNActive Duty Status As Of: Sep-14-2012

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenseink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: 5UFI95HOP4