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2012-013152

Klamath County, Oregon

11/27/2012 12:29:38 PM

Fee: \$52.00

1. **AFTER RECORDING RETURN TO -**
Required by ORS 205.180(4) & 205.238:

SA Group Properties, Inc., a Minnesota corporation
c/o US Bank Special Assets Group PD-OR-P5SA
P.O. Box 3108
Portland, OR 97208
Attention: Diane Bocci

2. **TITLE(S) OF THE TRANSACTION(S)** - Required by ORS 205.234(1)(a)

Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the instrument:

TRUSTEE'S DEED

3. **DIRECT PARTY / GRANTOR and Address** - Required by ORS 234(1)(b)
(Grantor) Wendell Kusnerus, Trustee

Grantor's Address:

Davis Wright Tremaine, LLP 1300 SW Fifth Ave STE 2400, Portland, OR 97201-5630

4. **INDIRECT PARTY / GRANTEE and Address** - Required by ORS 234(1)(b)
(Grantee) SA Group Properties, Inc., a Minnesota corporation, c/o US Bank Special Assets Group PD-OR-P5SA, P.O. Box 3108, Portland, OR 97208, Attention: Diane Bocci

Grantee's Address: 1300 SW Fifth Ave. STE 2400, Portland OR 97201-5630

5. For an instrument conveying or contracting to convey fee title, the information required by ORS 93.260:

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

SA Group Properties, Inc.
c/o Jyotsna Desai
221 S. Figueroa Street, Suite 310
Los Angeles, CA 90012

6. **TRUE AND ACTUAL**

CONSIDERATION - Required by ORS 93.030 for an instrument conveying or contracting to convey fee title or any memorandum of such instrument:

\$329,500.00

7. **TAX ACCOUNT NUMBER OF THE PROPERTY, IF THE INSTRUMENT CREATES A LIEN OR OTHER INTEREST THAT COULD BE SUBJECT TO TAX FORECLOSURE -**
Required by ORS 312.125(4)(b)(B):

F.
52.00

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Wendell Kusnerus
Davis Wright Tremaine
1300 SW Fifth Avenue, Suite 2400
Portland, OR 97201-5630

Until a change is requested all tax statements shall
be sent to the following address:

SA Group Properties, Inc., a Minnesota
corporation
c/o Jyotsna Desai
221 S. Figueroa Street, Suite 310
Los Angeles, CA 90012

TRUSTEE'S DEED

CONSIDERATION OF \$329,500.00

The GRANTOR, WENDELL KUSNERUS, as present Trustee under that Deed of Trust, as hereinafter particularly described, in consideration of the premises and payment, recited below, hereby grants and conveys, without warranty, to: SA Group Properties, Inc., GRANTEE, that real property (the "Property"), situated in the County of Klamath, State of Oregon, described as follows:

Parcel 2 of Land Partition 82-06, being a replat of Tract 13, 14, 15 and 16 of the "SUPPLEMENTAL PLAT OF ALTAMONT RANCH TRACTS", situated in the S1/2 SW1/4 of Section 10, Township 39, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

RECITALS:

1. This Conveyance is made pursuant to the powers, including the power of sale, conferred upon the trustee by a Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing (the "Trust Deed") between Venezia Properties LLC (the "Debtor"), as grantor, to U.S. Bank Trust Company, N.A., as trustee, and U.S. Bank N. A. as beneficiary, dated June 8, 2007, recorded June 12, 2007, as Instrument No. 2007-010612, records of Klamath County, Oregon. The beneficial interest in the Trust Deed was assigned to SA Group Properties, Inc., under an Assignment of Deed of Trust, recorded on October 31, 2012, as Instrument No. 2012-012098, records of Klamath County, Oregon.

2. The Trust Deed was executed to secure, together with other undertakings, the payment of a promissory note (the "Secured Note") in the sum of \$1,054,000.00 with interest thereon, according to the terms thereof, in favor of U.S. Bank National Association, aka U.S. Bank N.A., and to secure any other sums of money which might become due and payable under the terms of the Trust Deed.

3. Grantor was appointed successor trustee under the Trust Deed, by an instrument recorded on June 27, 2012, in the official records of Klamath County, Oregon, as Instrument No. 2012-007073.

4. A default occurred in the obligations secured and/or covenants of the Debtor, as follows:

The failure of the Grantor to pay when due all principal and all accrued interest owing pursuant to the Secured Note, which was due on June 15, 2012, (the "Maturity Date"). The total amount due as of the Maturity Date is \$631,931.02.

Such default made operative the power to sell set out in the Trust Deed. U.S. Bank National Association, being then the holder of the indebtedness secured by the Trust Deed, directed the Trustee to sell the Property in accordance with the law and the terms of the Trust Deed.

5. The Trustee, in compliance with the terms of the Trust Deed, executed a "Notice of Default and Election to Sell" with respect to the Property, and on June 27, 2012, recorded such Notice of Default and Election to Sell in the official records of Klamath County, Oregon as Instrument No. 2012-007074. Such Notice of Default and Election to Sell set forth the matters described in ORS 86.745, including a description of the default as set out in section 4 above. In that Notice of Default and Election to Sell, the Trustee fixed the place of sale as 1 o'clock p.m., Standard Time as established by ORS 187.110, on November 9, 2012, at the following place: Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon.

6. In accordance with law, subsequent to the recording of the Notice of Default and Election to Sell and at least one hundred twenty days before the sale:

- a. On June 27, 2012, the Trustee caused copies of a Trustee's Notice Of Sale (setting forth the matters described in ORS 86.745) to be transmitted by mail to all persons described in ORS 86.740; and
- b. Effective on June 29, 2012, such Trustee's Notice of Sale was served upon and mailed to an occupant of the Property by following the procedure described in ORS 86.750(1)(b) and 86.750(1)(c).

7. In accordance with law, the Trustee caused copies of the Trustee's Notice of Sale to be published in the Herald and News, a newspaper of general circulation in Klamath County Oregon, being the county in which the Property is situated, once a week for four successive weeks. The last publication was made more than 20 days prior to the date the Trustee conducted the sale.

8. The trustee's sale was postponed, by public announcement made at the time and place theretofore set for such sale, fixing the time and place of sale as 1 o'clock p.m., Standard Time

as established by ORS 187.110, on November 14, 2012, at the following place: Klamath County Courthouse, 316 Mail Street, City of Klamath Falls, County of Klamath, State of Oregon.

9. During foreclosure, no action was pending on an obligation secured by the Trust Deed.

10. All legal requirements and all provisions of the Trust Deed have been complied with, and the Trustee has performed all acts required to be performed and given all notices required to be given, as provided in ORS 86.705 to 86.795.

11. The defaults specified in the Notice of Trustee's Sale not having been cured prior to five days prior to the date of the sale, and the obligation secured by the Trust Deed remaining unpaid, on November 14, 2012, the Trustee sold the Property at public auction as provided in ORS 86.755. The Trustee sold the Property in one parcel to the Grantee, the highest bidder therefor, for the sum of \$329,500.00 by the satisfaction of a portion of the obligation then secured by the Trust Deed, together with all fees, costs, and expenses as provided by statute.

12. Grantor hereby certifies that any valid requests for information under ORS 86.757 have been responded to within the time allowed by such statute.

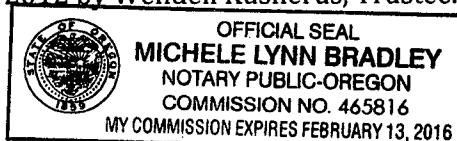
13. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 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 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 26th day of November, 2012.

Wendell Kusnerus
Wendell Kusnerus, Trustee

STATE OF OREGON)
) ss.
County of Multnomah)

The foregoing instrument was acknowledged before me this 26th day of November, 2012 by Wendell Kusnerus, Trustee.



Michele Lynn Bradley
Notary Public for Oregon
My Commission expires: 2-13-2016