

. B.L.I.

NO PART OF ANY STEVENS-NESS FORM MAY BE REPR

2013-007061

Klamath County, Oregon



00138036201300070610040047

06/21/2013 09:15:27 AM

Fee: \$57.00

William M. Ganong, Successor Trustee
514 Walnut Avenue
Klamath Falls OR 97601

Trustee's Name and Address*

William M. Ganong & Marie I. Ganong,
as Trustees of the WMGPS Trust
514 Walnut Avenue, Klamath Falls OR 97601

Second Party's Name and Address*

After recording, return to (Name and Address):
William M. Ganong, Attorney at Law
514 Walnut Avenue
Klamath Falls OR 97601

Until requested otherwise, send all tax statements to (Name and Address):
William M. Ganong & Marie I. Ganong,
Trustees of the WMGPS Trust
514 Walnut Avenue, Klamath Falls OR 97601

*ORS 205 requires the first page of a recorded document to show the names and addresses of all parties. Use Stevens-Ness Form No. 1256, Cover Sheet for Instrument to be Recorded, if you need additional space.

SPACE RESERVED
FOR
RECORDER'S USE

TRUSTEE'S DEED

THIS INDENTURE, Dated June 18, 2013

between William M. Ganong, Successor Trustee, hereinafter called ~~trustee~~, and William M. Ganong and Marie I. Ganong, as Trustees of the WMGPS Trust hereinafter called the second party; WITNESSETH:

RECITALS: Chris L. Rookstool, as grantor, executed and delivered to AmeriTitle, now William M. Ganong, Successor Trustee, ~~trustee~~ for the benefit of Janet Falls. Beneficial interest in the Trust Deed assigned **, as beneficiary, a certain trust deed dated May 10, 2005, recorded on June 13, 2005, in the Records of

Klamath County, Oregon, in ☐ book ☐ reel ☒ volume No. M05, at page 43844, and/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 February 12, 2013, in the Records of Klamath County, in ☒ book ☐ reel ☐ volume No. 2013, at page 001591, and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. (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 \$42,910.63. (Here comply with ORS 93.030.)
*to William M. Ganong and Marie I. Ganong, as Trustees of the WMGPS Trust.

(CONTINUED)



The undersigned trustee, on June 17, 2013, at the hour of 10 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 \$ 42,910.63, 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 (legal description of property):

See Exhibit "A" attached hereto and incorporated herein by this reference.

Klamath County Assessor's Parcel No. R-3909-002DA-02700-000 and
Key No. 521199

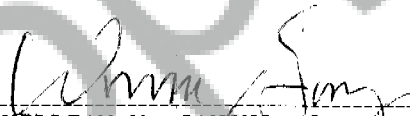
More commonly referred to as 2448 Madison Street, Klamath Falls OR 97603

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, where the context so requires, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, as well as any other person owing an obligation, the performance of which is secured by the trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any, "person" includes a business or other entity, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, the undersigned trustee has executed this instrument; any signature on behalf of a business or other entity is made with the authority of that entity.

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.

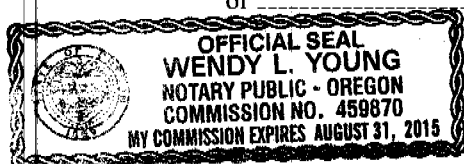

WILLIAM M. GANONG, Successor Trustee

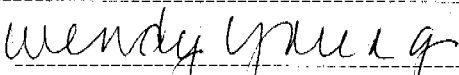
* Delete words in parentheses if inapplicable.

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on June 18, 2013,
by William M. Ganong, in his capacity as Successor Trustee

This instrument was acknowledged before me on _____,
by _____,
as _____,
of _____.




Notary Public for Oregon
My commission expires 8.31.2015

Beginning at a point on the South bank of the Enterprise Irrigation District Ditch where it crosses the East line of the NE1/4 SE1/4 of Section 2, Township 39 South of Range 9 East of the Willamette Meridian, approximately 480 feet South of the quarter corner on the East line of said Section; thence along the said South bank or line of said ditch, North 61°18' West a distance of 87 feet; North 70°38' West a distance of 524 feet; thence South 79°21' South a distance of 51 feet; thence South 39°14' West a distance of 68 feet to a point on the Easterly line of Bailey Tracts No. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence following said line South 0°19' West a distance of 322.5 feet to an iron pin; thence East 430.4 feet to an iron pin; thence South 93 feet to an iron pin; thence East 235 feet, more or less, to said East line of said Section 2; thence North along said section line a distance of 262 feet, more or less, to the point of beginning, situate in the NE1/4 of SE1/4 of said Section 2; saving and excepting for roadway purposes a strip of land 30 feet wide East and West along the East line of said above described tract.

EXCEPTING THEREFROM:

A parcel of land situated in the E1/2 NE1/4 SE1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the South bank of the Enterprise Irrigation District Ditch where it crosses the East line of NE1/4 SE1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon approximately 480 feet South of the quarter corner of the East line of said Section; thence along the said South line of bank of said ditch, North 61°18' West a distance of 87 feet; thence North 70°38' West a distance of 524 feet; thence South 79°21' West a distance of 51 feet; thence South 39°14' West a distance of 60 feet to a point on the Easterly line of Bailey Tracts No. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence following said line South 0°19' West a distance of 322.5 feet to an iron pin; thence East 430.4 feet to an iron pin marking the most Northerly corner of Lot 3, Block 1, Bel Aire Gardens; thence continuing East a distance of 75.0 feet to a point; thence North 0°14'30" West a distance of 100.0 feet to a point; thence East a distance of 160.0 feet to a point on the East line of said Section 2; thence North along said Section line to the point of beginning.

EXCEPTING the Easterly 30 feet thereof lying within the Right-of-Way of Madison Street.

ALSO EXCEPTING THEREFROM A parcel of land situated in the East 1/2, Northeast 1/4 Southeast 1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

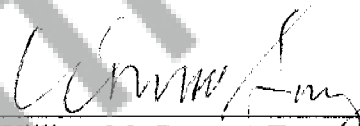
Beginning at a 1/2 inch iron pin on the Westerly line of Madison Street, said point being North 0°14' 30" West a distance of 193.0 feet from the intersection of the Southerly line of that tract of land as described in Deed Volume 211, page 211, Records of Klamath County, Oregon, with the Westerly line of Madison Street said beginning point being North 0°04' West a distance of 1,340.2 feet South 89°13' West a distance of 30.0 feet and North 0°14'30" West a distance of 766.8 feet from the Southeast corner of said Section 2; thence South 0°14'30" East along the Westerly line of Madison Street a distance of 100.00 feet to a 1/2 inch iron pin; thence West parallel with the North line of BELAIRE GARDENS SUBDIVISION and parallel with the Southerly line of that tract of land as described in Deed Volume 211, page 211, a distance of 130.0 feet to a 1/2 inch iron pin; thence North 0°14'30" West parallel with Madison Street a distance of 100.00 feet to a 1/2 inch iron pin; thence East parallel with the North line of BEL-AIRE GARDENS SUBDIVISION and parallel with the Southerly line of that tract of land as described in said Deed Volume 211, page 211, a distance of 130.0 feet to the point of beginning.

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON, County of Klamath) ss.

THIS IS TO CERTIFY That I am an assignee of the beneficial interest in that certain trust deed in which Chris L. Rookstool, as grantor, conveyed to AmeriTitle, an Oregon corporation, as trustee, certain real property in Klamath County, Oregon, which trust deed was recorded on June 13, 2005 in Volume M05, Page 43844, and the Assignment of Beneficial Interest was recorded on June 4, 2012 as Document No. 2012-006003 of the Official Records of the Clerk of Klamath County, Oregon; thereafter the trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was sold at the trustee's sale on June 17, 2013; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

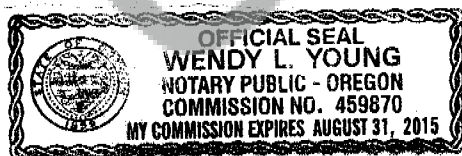
Dated this 18 day of June 2013.

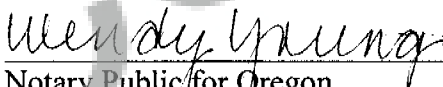


William M. Ganong, Trustee of the WMGPS
Trust, Beneficiary

STATE OF OREGON, County of Klamath) ss.

Signed and sworn to before me on June 18, 2013 by William M. Ganong in his capacity as Trustee of the WMGPS Trust.





Notary Public for Oregon
My Commission Expires: 8.31.2015