

1st 2119023

After recording, return to:
Valerie A. Tomasi (EAD)
121 SW Morrison, Suite 1850
Portland, OR 97204

2013-013719
Klamath County, Oregon
12/16/2013 11:01:25 AM
Fee: \$67.00

Until requested otherwise,
send all tax statements to:
First Community Credit Union
2002 Inland Drive
North Bend, OR 97459

TRUSTEE'S DEED

THIS INDENTURE is made this **December 12, 2013**, between **Valerie A. Tomasi**, hereinafter called trustee, and **First Community Credit Union**, hereinafter called the grantee. The true and actual consideration for this conveyance is **\$63,337.62**.

WITNESSETH:

RECITALS: Reference is made to a certain trust deed ("Trust Deed") made, executed and delivered by **Donald R. Darden and Beverly A. Darden**, as grantor, to **AmeriTitle**, as trustee, in favor of **Highland Community Federal Credit Union**, as beneficiary, dated September 4, 1998, and recorded on September 10, 1998, in Volume M98, Page 33334, in the microfilm records of Klamath County, Oregon. SOFCU Community Credit Union is the successor-by-merger of Highland Community Federal Credit Union. SOFCU Community Credit Union is now known as **First Community Credit Union**.

In the 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 July 16, 2013, in the Records of Klamath County, Oregon, as Recording No. 2013-008071, 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 7D(2) and 7D(3), or

F.
67.00

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(3), 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 upon occupants of the property described in the Trust Deed in the manner in which a summons is served pursuant to ORCP 7D(2) and 7D(3) at least 120 days before the date the property was sold, pursuant to ORS 86.750(1). Copies of the notice to grantor required under ORS 86.737(1) were mailed to the last-known addresses of those persons listed in ORS 86.740(1)(a) on or before the date the notice of sale was served or mailed, by both first class and certified mail with return receipt requested. 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, and the mailing of the notice required under ORS 86.737(1), 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 undersigned trustee, on **December 12, 2013**, at the hour of 11:00 a.m., in accord with the standard of time set forth in 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 at public auction to the grantee for the sum of \$63,337.62, the grantee 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 grantee 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, without warranty of any kind (including, without limitation, warranties as to the status of title to and condition of the real property described below), unto the grantee 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:

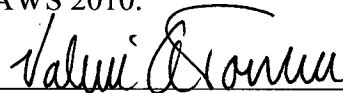
See Exhibit A attached hereto and incorporated herein.

TO HAVE AND TO HOLD the same unto the grantee and the grantee'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 instrument. 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 PERSONS 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.



Valerie A. Tomasi, Successor Trustee

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on December 13, 2013, by Valerie A. Tomasi, Successor Trustee.



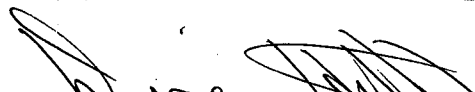

Notary Public - State of Oregon

Exhibit A
Legal Description

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

PARCEL 1:

Lot 24 Block 13, FAIRVIEW ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

AND ALSO beginning to the Southeast corner of Lot 24 in Block 13, of FAIRVIEW ADDITION; thence North 50 feet; thence East 44 feet; thence South 50 feet; thence West 44 feet to the plat of beginning, being a portion of the NW1/4 SE1/4 of Section 29, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

The Northerly 40 feet of Lot 25, Block 13, FAIRVIEW ADDITION, to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, and ALSO:

Beginning at the Northeast corner of Lot 25, Block 13, FAIRVIEW ADDITION to the City of Klamath Falls, Oregon, thence Easterly along the Northerly line extended of said Lot 25 a distance of 44 feet; thence Southerly parallel to the Easterly line of said Lot 25 a distance of 40 feet; thence Westerly parallel to said Northerly line of Lot 25 extended a distance of 44 feet to the Easterly line of said Lot 25; thence Northerly along the Easterly line of said Lot 25 to the point of beginning.

Tax Parcel Number: R303040 and R303059

After Recording Return To:
Valerie A. Tomasi [EAD]
Tomasi Salyer Baroway
121 SW Morrison, Suite 1850
Portland, OR 97204-3136

AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF OREGON)
) ss
County of Multnomah)

I, Valerie A. Tomasi, being first duly sworn upon oath, depose and say:

At all times hereinafter mentioned I, the undersigned Trustee, was and am now a resident of the state of Oregon, a competent person over the age of 18 years, and not the beneficiary named in the Notice of Default and Election to Sell recorded on July 16, 2013, in the Records of Klamath County, Oregon, under Instrument No. 2013-008071, and covering the following described real property situated in the above-mentioned county and state, to wit:

See Exhibit A attached hereto and incorporated herein.

I reasonably believe that at the time of the sale of the real property, which sale was held on December 12, 2013, at 11:00 a.m., at the Main Entrance of the Klamath County Courthouse, 316 Main Street, Klamath Fall, Oregon, the grantors, **Donald R. Darden and Beverly A. Darden**, were not in the military service of the United States. To the best of my knowledge and belief, neither of the grantors is in the military service as defined in Section 1 of the Service Members Civil Relief Act ("SCRA"), is incapacitated, a minor, or a protected person as defined in ORS 125.005.

Valerie A. Tomasi

Valerie A. Tomasi, Successor Trustee
121 SW Morrison St., Suite 1850
Portland, OR 97204

SUBSCRIBED AND SWORN to before me this 13 day of December, 2013.



[Signature]
Notary Public – State of Oregon

Exhibit A
Legal Description

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

PARCEL 1:

Lot 24 Block 13, FAIRVIEW ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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Tax Parcel Number: R303040 and R303059