

2018-015018

Klamath County, Oregon



00233322201800150180040044

12/14/2018 04:00:01 PM

Fee: \$97.00

Grantor's Name and Address

Bradford J. Aspell, Successor Trustee of
The Shirley Ann Bachman Living Trust, First
Restatement uid November 21, 2011
122 South 5th Street
Klamath Falls, OR 97601

Grantee's Name and Address

Michael Scott Bachman
2790 Anderson Avenue, #45
Klamath Falls, OR 97603

After Recording Return to:

Bradford J. Aspell, Successor Trustee of
The Shirley Ann Bachman Living Trust,
First Restatement uid November 21, 2011
122 South 5th Street
Klamath Falls, OR 97601

Until requested otherwise, send all tax statements to:

Michael Scott Bachman
2790 Anderson Avenue, #45
Klamath Falls, OR 97603

BARGAIN AND SALE DEED

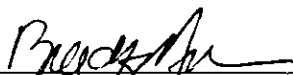
I, Bradford J. Aspell, Successor Trustee of the Shirley Ann Bachman Living Trust, First Restatement uid November 21, 2011, do hereby grant, bargain and convey all right, title and interest to Michael Scott Bachman and Amber Elain Bachman, husband and wife, tenants by the entirety, the following described real property, civilly known as 4880 Driftwood Drive, Klamath Falls, OR 97603, situate in Klamath County, Oregon, to wit:

Lot 1, Block 7 TRACT NO. 1035 GATEWOOD, according to the official plat thereof on file in the offices of the County Clerk of Klamath County, Oregon.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ estate planning. In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

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 14 day of December, 2018.


Bradford J. Aspell, Successor Trustee of
The Shirley Ann Bachman Living Trust, First
Restatement uid November 21, 2011

STATE OF Oregon, County of Klamath)ss:

ACKNOWLEDGED BEFORE ME this 14 day of December, 2018, by Bradford J. Aspell, Successor Trustee of the Shirley Ann Bachman Living Trust, First Restatement uid November 21, 2011.




NOTARY PUBLIC FOR OREGON
My Commission Expires: 5-14-2021

DESIGNATION BY BENEFICIARIES

WHEREAS Shirley Ann Bachman died on the 19th day of September, 2018 having issued the Shirley Ann Bachman Living Trust Instrument dated October 28, 2009 as amended the 7th day of September 2010, and as restated on the 21st day of November, 2011; and

WHEREAS Paragraph 13 AMENDMENTS; CHANGE IN TRUSTEE AND TRUST COMMITTEE, Paragraph D reads as follows:

D. Appointment of Additional Trustees. In the event after Grantor's death that none of the successor trustee designated herein should be able or willing to accept an appointment of successor trustee, I direct that all income beneficiaries and remainder beneficiaries who are then over the age of majority jointly appoint the successor trustee to serve. In the event the majority of said persons should be unable or unwilling to agree, or in the event there should be no such persons qualifying to make appointment, I direct that petition be filed in the Klamath County Circuit Court Probate Department to ascertain and cause the appointment of a successor trustee.

and;

WHEREAS Shirley Ann Bachman reserved the duties as Initial Trustee under this agreement and is deceased; and


WHEREAS Wells Fargo Bank N.A. or its subsidiary company providing corporate trustee services was designated to serve as First Successor Trustee, but has advised the beneficiaries of its intention not to serve; and

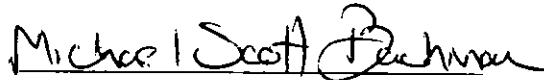
WHEREAS the Second Successor Trustee was appointed as South Valley Bank and Trust of Klamath Falls, Oregon, and such entity no longer exists; and Diana L. Bachman, Michael Scott Bachman and Joseph Lee Bachman are the income and remainder beneficiaries of the Trust,

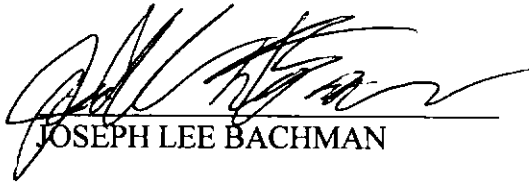
NOW THEREFORE,

Diana L. Bachman, individually; Michael Scott Bachman, individually; and Joseph Lee

Bachman, individually do hereby nominate and appoint Bradford J. Aspell, Attorney at Law, OSB#740159, of ASPELL, HENDERSON & ASSOCIATES, 122 South Fifth Street, Klamath Falls, OR 97601, to serve as Interim Trustee of the above referenced Trust.

 Dated: 11-5-18
DIANA L. BACHMAN

 Dated: 11-5-18
MICHAEL SCOTT BACHMAN

 Dated: 11-5-18
JOSEPH LEE BACHMAN

ACKNOWLEDGMENT AND ACCEPTANCE OF APPOINTMENT

I, Bradford J. Aspell, Attorney at Law, OS^B#740159, of Aspell, Henderson & Associates, 122 South 5th Street, Klamath Falls, OR 97601; Telephone: 541-883-7754; Facsimile: 541-883-1756; Email: baspell@aspellhenderson.com, state as follows:

Shirley Ann Bachman died on the 19th day of September, 2018 in Klamath Falls, Klamath County, Oregon. On November 21, 2011, she issued the Shirley Ann Bachman Living Trust, First Restatement.

Pursuant to Paragraph I.C. she appointed Wells Fargo Bank, N.A. and South Valley Bank and Trust, First and Second Successor Trustee, respectively. Wells Fargo Bank, N.A. has issued a written declination of appointment. South Valley Bank and Trust no longer exists.

Paragraph XIII.D. AMENDMENTS; CHANGE IN TRUSTEE AND TRUST COMMITTEE, provides that in the event of an unfilled vacancy in the position of Trustee, that the income beneficiary and remainder beneficiaries may designate a Successor. On the 5th day of November, 2018, the income and remainder beneficiaries executed a Designation by Beneficiaries, appointing Bradford J. Aspell, of ASPELL, HENDERSON & ASSOCIATES, 122 South 5th Street, Klamath Falls, OR 97601; Telephone: 541-883-7754; Facsimile: 541-883-1756; Email: baspell@aspellhenderson.com as Successor Trustee.

By signing below, Bradford J. Aspell, hereby accepts the appointment as Trustee under the Shirley Ann Bachman Living Trust, First Restatement, last dated November 21, 2011.

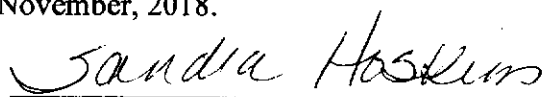
Dated: 11-5-2018


Bradford J. Aspell

STATE OF OREGON, COUNTY OF KLAMATH)ss:

Sworn and subscribed to before me this 5 day of November, 2018.




Notary Public of Oregon
My Commission Expires: 5-14-2021