

1967

57319

TRUSTEE'S DEED

THIS INDENTURE, Made this 8th day of October, 1971, between
 BERTRAND J. CLOSE, hereinafter
 called trustee, and COMMERCE MORTGAGE COMPANY,
 hereinafter called the second party;

WITNESSETH:

RECITALS: James Terry and Ethel M. Terry, as grantor,
 executed and delivered to Transamerica Title Insurance Company, as trustee,
 for the benefit of Commerce Mortgage Company, as beneficiary,
 a certain trust deed dated February 21, 1969, duly recorded on February 21, 1969, in
 the mortgage records of Klamath County, Oregon, in book M-69 at page 1441 thereof.
 In said trust deed the real property therein and hereinafter described was conveyed by said grantor to said trustee
 to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said
 grantor thereafter defaulted in his performance of the obligations secured by said 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 said default, the owner and holder of the obligations secured by said trust deed, being the bene-
 ficiary therein named, or his successor in interest, declared all sums so secured immediately due and owing; a no-
 tice of said default, containing an election to sell the said real property and to foreclose said trust deed by advertise-
 ment and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on
 May 11, 1971, in book M-71 at page 4268 thereof, to which reference now is made.

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice of the time for
 and place of sale of said real property as fixed by him and as required by law; copies of the trustee's said notice
 of sale were mailed by U.S. registered or certified mail to all persons entitled by law to such notice at their respective
 last known addresses; the persons named in subsection 1 of Section 86.750 Oregon Revised Statutes were timely
 personally served with said notice of sale, all as provided by law and at least 120 days before the day so fixed for
 said trustee's sale. Further, the trustee published a copy of said notice of sale in a newspaper of general circulation
 in each county in which the said real property is situated, once a week for four successive weeks; the last publica-
 tion of said notice occurred at least twenty days prior to the date of such sale. The mailing, service and publica-
 tion of said notice of sale are shown by one or more affidavits or proofs of service duly recorded prior to the date
 of sale in the mortgage records of said county, said affidavits and proofs, together with the said notice of default and
 election to sell and the trustee's notice of sale, being now referred to and incorporated in and made a part of this
 trustee's deed as fully as if set out herein verbatim. On the date of said notice of sale, the undersigned trustee had
 no actual notice of any person, other than the persons named in said affidavits and proofs having or claiming a lien
 on or interest in said described real property subsequent to the interest of the trustee in the trust deed.

Pursuant to said notice of sale, the undersigned trustee on October 8, 1971, at the hour of
 3:00 o'clock, P.M., of said day, Standard Time as established by Section 187.110, Oregon Revised Statutes,
 sold the said real property to the second party, Commerce Mortgage Company, at the place so fixed for sale, as aforesaid, in full accordance with
 the laws of the State of Oregon and pursuant to the powers conferred upon him by said trust deed, sold said real
 property in one parcel at public auction to the said second party for the sum of \$16,967.21, it being the high-
 est and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and
 actual consideration paid for this transfer is the sum last stated in terms of dollars. ~~XXXXXX~~

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof
 is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said trust
 deed, the trustee does hereby convey unto the second party all interest which the grantor had or had the power to con-
 vey at the time of grantor's execution of said trust deed, together with any interest the said grantor or his successors in
 interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

Lot 19, Block 30, HOT SPRINGS
 ADDITION, Klamath County, Oregon

TO HAVE AND TO HOLD the same unto the second party, his heirs, successors-in-interest and assigns forever.

*Delete the words in this parenthesis if not applicable.

NOTE—The sentence between the symbols (), if not applicable, should be deleted. See Ch. 461, Oregon Laws 1967, as amended by the 1967 Special Session.

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In construing this instrument and whenever the context so requires, the masculine gender includes the feminine and the neuter and the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said trust deed; the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest of the beneficiary first named above.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

Bertrand J. Close
Bertrand J. Close, Trustee

(If executed by a corporation,
affix corporate seal)

TRUSTEE'S DEED

(FORM No. 900)

STEVENS-NEES LAW PUB. CO., PORTLAND, ORE.

BERTRAND J. CLOSE

Trustee

TO

COMMERCE MORTGAGE COMPANY

Second Party

STATE OF OREGON,
County of Multnomah ss.

I certify that the within instrument was received for record on the 12 day of OCTOBER, 19 71, at 9:58 o'clock A.M., and recorded in book M 71 on page 10772 Record of Deeds of said County.

Witness my hand and seal of County affixed.

W. D. NINE

COUNTY CLERK

Title.

By *Hazel D. Dray* Deputy.

AFTER RECORDING RETURN TO

FEES \$3.00
Davies, Biggs, Strayer Steel and Boley
Twenty-Third Floor
900 S. W. Fifth Avenue
Portland, Oregon 97204

Ath: Mr. Close

(If the signer of the above is a corporation,
use the form of acknowledgment opposite.)

(ORS 93.490)

STATE OF OREGON,
County of Multnomah } ss.
October 8, 19 71

Personally appeared the above named
BERTRAND J. CLOSE
and acknowledged the foregoing instrument to be
his voluntary act and deed.

Before me:
(OFFICIAL SEAL) *Anta K. Morris*
Notary Public for Oregon
My commission expires:
March 2, 1973

STATE OF OREGON, County of) ss.

Personally appeared _____ and
_____, who, being duly sworn,
each for himself and not one for the other, did say that the former is the
_____, president and that the latter is the
_____, secretary of

_____, a corporation, and that the seal affixed to the
foregoing instrument is the corporate seal of said corporation and that said
instrument was signed and sealed in behalf of said corporation by author-
ity of its board of directors; and each of them acknowledged said instrument
to be its voluntary act and deed.

Before me:
Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)