

A-22544

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TRUSTEE'S DEED

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THIS INDENTURE, Made this 3rd day of July, 1973, between PIONEER NATIONAL TITLE INSURANCE COMPANY, as Trustee, by virtue of a certain appointment of successor trustee dated January 23, 1973, and recorded January 26, 1973, as Document No. 72730, Volume M73, page 928, of the Record of Mortgages of Klamath County, Oregon, and First National Bank of Oregon, hereinafter called purchaser;

W I T N E S S E T H :

WHEREAS JOHN D. MURPHY and ELLA F. MURPHY, husband and wife, as Grantor, executed and delivered to KLAMATH COUNTY TITLE COMPANY, as Trustee, for the benefit of FIRST NATIONAL BANK OF OREGON, as Beneficiary, a certain Deed of Trust dated December 9, 1971, and duly recorded on December 13, 1971, in Book M71, at page 13050, of the Record of Mortgages of Klamath County, Oregon; and

WHEREAS in and by said Deed of Trust 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 Grantor to said Beneficiary as set forth in said Deed of Trust; and

WHEREAS, in construing this indenture and whenever the context hereof so requires, the word "Grantor" includes any successor in interest to Grantor as well as any other person owing an obligation, the performance of which is secured by said Deed of Trust and their successors in interest; the word "Trustee" includes any successor Trustee and the word "Beneficiary" includes any successor in interest of Beneficiary named in the Deed of Trust; and

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WHEREAS said Grantor thereafter defaulted in their performance of the obligations secured by said Deed of Trust as stated in the notice of default hereinafter mentioned and such default still existed at the time of the sale hereinafter described; and

WHEREAS, by reason of said default, the owner and holder of the obligations secured by said Deed of Trust, being Beneficiary named in said Deed of Trust, declared all sums secured by said Deed of Trust immediately due and owing; and

WHEREAS a notice of said default, containing an election to sell said real property and to foreclose said Deed of Trust by advertisement and sale to satisfy the obligations of Grantor aforesaid, was recorded in the Record of Mortgages of said county on February 7, 1973, in Book M73, at Page 1389, to which reference is now made; and

WHEREAS, after the recording of said notice of default as aforesaid, the undersigned Trustee gave notice of the time and place of sale of said real property as fixed by it and as required by law, and copies of Trustee's said notice of sale were mailed by United States registered or certified mail to all persons entitled by law to such notice at their respective last-known addresses; and

WHEREAS any persons referred to in subsection 1 of Section 86.750, Oregon Revised Statutes, and on whom personal service of said notice of sale may have been required by the provisions of said statute, were timely personally served with said notice of sale, all as provided by law, and at least 120 days before the date so fixed for said Trustee's sale; and

WHEREAS Trustee published a copy of said notice of sale in a newspaper of general circulation in each county in which said real property is situated once a week for four successive weeks,

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and the last publication of said notice occurred at least 20 days prior to the date of such sale; and

WHEREAS the mailing, service and publication 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 Record of Mortgages of said county, said affidavits and proofs, together with said notice of default and election to sell and 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; and

WHEREAS, 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 Trustee in the Deed of Trust; and

WHEREAS, pursuant to said notice of sale, the undersigned Trustee on July 3, 1973, at the hour of 1:30 p.m., of said day, Standard Time as established by Section 187.110, Oregon Revised Statutes, and at the place so fixed for sale in said notice of default in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon it by said Deed of Trust, sold said real property in one parcel at public auction to said purchaser for the sum of \$ 20,700.00 it being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property.

NOW, THEREFORE, in consideration of said sum so paid by the purchaser in cash, the receipt whereof hereby is acknowledged, and by virtue of the authority vested in said Trustee by the laws of the State of Oregon and by said Deed of Trust, Trustee does hereby convey unto purchaser all the interest which Grantor had or had power to convey at the time of the execution by them of

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said Deed of Trust, together with any interest said Grantor or their successors in interest acquired after the execution of said Deed of Trust in and to the following-described real property, to wit:

Lot 7, Block 6, WINCHESTER No. 1025, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

TO HAVE AND TO HOLD the same unto purchaser, its successors and assigns, forever.

IN WITNESS WHEREOF, PIONEER NATIONAL TITLE INSURANCE COMPANY has caused its corporate name to be hereto signed by its officer duly authorized by order of its Board of Directors, the date first hereinabove written.

PIONEER NATIONAL TITLE INSURANCE
COMPANY, Trustee

[Signature]
Assistant Secretary

STATE OF OREGON)
COUNTY OF KLAMATH) SS

On this 3rd day of July, 1973, before me, a notary public in and for said county and state, personally appeared the within-named Robert C. Hunter, to me known, who being first duly sworn did say that he, said Robert C. Hunter, is an Assistant Secretary OF PIONEER NATIONAL TITLE INSURANCE COMPANY, the corporation hereinbefore named; that said instrument was signed on behalf of said corporation by authority of its board of directors; and said Robert C. Hunter, acknowledged the execution of said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my official seal, the date first hereinabove written.

Carolyn DeVoss
Notary Public for Oregon
My commission expires: March 6, 1977

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STATE OF OREGON, }
County of Klamath } ss.

Filed for record at request of:

Klamath County Title

on this 3rd day of July A. D., 19 73

at 4:05 o'clock p. M. and duly

recorded in Vol. M-73 of Mortgages

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WM. D. MILNE, County Clerk

10.00 *Wm D Milne* Deputy.