

TS

30085

TRUST DEED

Vol. 17 Page 9083

THIS TRUST DEED, made this 21<sup>st</sup> day of May, 1977, Between  
GILBERT R. BAIN and JOSEPHINE M. BAIN, husband and wife, as Grantor.  
BEND TITLE COMPANY, as Trustee,  
and CARMEN E. MAZZEI and MARY T. MAZZEI, husband and wife, as Beneficiary,  
WITNESSETH:

Grantor irrevocably grants, bargains, sells and conveys to trustee in trust, with power of sale, the property  
in Klamath County, Oregon, described as:

Lot 12 of Block 4 RIVER PINE ESTATES, according to the  
official plat thereof on file in the office of the County  
Clerk of Klamath County, Oregon.

SUBJECT TO:

1. Acreage and use limitations under provisions of the  
United States Statutes, and regulations issued thereunder.

2. All contracts, water rights, proceedings, taxes,  
and assessments relating to irrigation, drainage, and/or  
reclamation of said lands; and all rights of way for roads,  
ditches, canals, and conduits, if any of the above there may  
be.

3. Access restrictions and other terms and provisions  
contained in deed from Charles to Edwards et ux, to State of  
Oregon, by and through its State Highway Commission recorded  
June 20, 1952, Deed Vol. 255, page 329, and deed from Ton  
Sly to State of Oregon, by and through its State Highway  
Commission, recorded June 10, 1952, Deed Vol. 257, page 539,  
records of Klamath County, Oregon.

4. Rights of way for transmission line, including the  
terms and provisions thereof, given by Charles T. Edwards  
and Emma Edwards, husband and wife, to Midstate Electric  
Cooperative, Inc., a cooperative corporation, dated Aug-  
ust 15, 1952, recorded January 2, 1953, Deed Vol. 258, page  
425, records of Klamath County, Oregon.

5. Building and Use Restriction for River Pine Estates  
recorded July 14, 1965, Deed Vol. 363, page 180, records of  
Klamath County, Oregon.

6. Easements, restrictions and rights of way of  
record.

NOTE: The Trust Deed Act provides that the trustee hereunder must be either an attorney, who is an active member of the Oregon State Bar, a bank, trust company  
or savings and loan association authorized to do business under the laws of Oregon or the United States, a title insurance company authorized to insure title to real  
property of this state, its subsidiaries, affiliates, agents or branches, or the United States or any agency thereof.







The grantor covenants and agrees to and with the beneficiary and those claiming under him, that he is lawfully seized in fee simple of said described real property and has a valid, unencumbered title thereto

EXCEPT as set out in the property description

and that he will warrant and forever defend the same against all persons whomsoever.

The grantor warrants that the proceeds of the loan represented by the above described note and this trust deed are:  
(a) primarily for grantor's personal, family, household or agricultural purposes (see Important Notice below),  
(b) ~~for the purchase of real property or for business or commercial purposes or for any other purpose~~

This deed applies to, inures to the benefit of and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, personal representatives, successors and assigns. The term beneficiary shall mean the holder and owner, including pledgee, of the contract secured hereby, whether or not named as a beneficiary herein. In construing this deed and whenever the context so requires, the masculine gender includes the feminine and the neuter, and the singular number includes the plural.

IN WITNESS WHEREOF, said grantor has hereunto set his hand the day and year first above written.

\* IMPORTANT NOTICE: Delete, by lining out, whichever warranty (a) or (b) is not applicable; if warranty (a) is applicable and the beneficiary is a creditor or such word is defined in the Truth-in-Lending Act and Regulation Z, the beneficiary MUST comply with the Act and Regulation by making required disclosures; for this purpose, if this instrument is to be a FIRST lien to finance the purchase of a dwelling, use Stevens-Ness Form No. 1305 or equivalent; if this instrument is NOT to be a first lien, use Stevens-Ness Form No. 1306, or equivalent. If compliance with the Act not required, disregard this notice.

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

(ORS 93.490)

STATE OF OREGON,

County of Deschutes } ss.

May 21, 19 77

Personally appeared the above named

GILBERT R. BAIN and JOSEPHINE M. BAIN, husband and wife,

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL) Before me:

Notary Public for Oregon

My commission expires: 10-1-1980

STATE OF OREGON, County of } ss.

Personally appeared, 19

and

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 authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

#### REQUEST FOR FULL RECONVEYANCE

To be used only when obligations have been paid.

TO: \_\_\_\_\_, Trustee

The undersigned is the legal owner and holder of all indebtedness secured by the foregoing trust deed. All sums secured by said trust deed have been fully paid and satisfied. You hereby are directed, on payment to you of any sums owing to you under the terms of said trust deed or pursuant to statute, to cancel all evidences of indebtedness secured by said trust deed (which are delivered to you herewith together with said trust deed) and to reconvey, without warranty, to the parties designated by the terms of said trust deed the estate now held by you under the same. Mail reconveyance and documents to

DATED: \_\_\_\_\_, 19

Beneficiary

Do not lose or destroy this Trust Deed OR THE NOTE which it secures. Both must be delivered to the trustee for cancellation before reconveyance will be made.

#### TRUST DEED

(FORM No. 881)

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

GILBERT R. BAIN

JOSEPHINE M. BAIN

Grantor

CARLEN F. MAZZEI

MARY T. MAZZEI

Beneficiary

AFTER RECORDING RETURN TO

Benel Title  
P.O. Box 75  
Benel, OR 97001

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON

County of Klamath } ss.

I certify that the within instrument was received for record on the 25th day of MAY, 19 77

at 12:03 o'clock P.M., and recorded in book 1177 on page 2003 or as file/reel number 30083

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

W. D. MILNE

COUNTY CLERK Title

By J. J. Mang Deputy