

A-28338

34245

Vol. 77 Page 15053

## WARRANTY DEED

Unless a change is requested, all tax statements shall be sent to grantee at the following address:

Route 12, Box 1750, Eugene, Oregon 97402

Brooks Resources Corporation, an Oregon corporation, grantor, conveys and warrants to WINFRED G. SIMMONS & MARJORIE E. SIMMONS, husband and wife, and STANLEY BLACKSTONE & IDA L. BLACKSTONE, husband and wife, not as tenants in common but with the right of survivorship, that is, that the fee shall vest absolutely in the grantee, the following described real property free of encumbrances except as specifically set forth herein: State of Oregon, County of Klamath in the survivor of the grantees

Lot Thirty-eight (38), Block Six (6), WAGON TRAIL  
ACREAGES NUMBER ONE, SECOND ADDITION

SUBJECT TO: Easements, restrictions and declarations of record including but not limited to the following:

- (1) Declarations, restrictions, protective covenants and conditions for Wagon Trail Ranch recorded in Volume M72, page 9766 and Declaration subjecting Wagon Trail Acreages Number One, Second Addition to the declarations, restrictions, protective covenants and conditions of Wagon Trail Ranch recorded in Volume M75, page 8741, Deed records of Klamath County, Oregon.
- (2) Easements as shown on the official plat.

The true consideration for this transfer is \$3,250.00.

DATED August 11, 19 77 BROOKS RESOURCES CORPORATION

W. L. SMITH, President

STATE OF OREGON  
County of Deschutes

Date August 11, 1977

Personally appeared W. L. SMITH, who being sworn, stated that he is the President of BROOKS RESOURCES CORPORATION, and that this deed was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:



Janet Meyer  
NOTARY PUBLIC FOR OREGON

My Commission Expires: March 11, 1980

RECORD AND RETURN TO: Brooks Resources  
416 Northeast Greenwood - Bend, Oregon 97701

STATE OF OREGON, County of Klamath, ss:  
I certify that the within instrument was received for record on the 17th day of August 19 77 at 10:33 O'Clock A. m. and recorded in Book M77 on page 15053 Record of Deeds of said County.

WM. D. MILNE  
County Clerk

By Hazel Deputy

A-28338

Brooks Resources

34246

416 Northeast Greenwood  
Bend, Oregon 97701  
Phone: (503) 382-1662

Vol. 77 Page 15054

## TRUST DEED

TRUST DEED made this 5th day of July, 19 77, between

Winfred G. Simmons and Marjorie E. Simmons, husband and wife;  
Stanley Blackstone and Ida L. Blackstone, husband and wife; in joint  
tenancy, each to an undivided one-half interest. as grantor,

BROOKS RESOURCES CORPORATION as beneficiary, and GERALD A. MARTIN as trustee.  
Grantor conveys to trustee in trust with the power of sale the following described property, which is  
not currently used for agricultural, timber or grazing purposes, in Klamath  
County, Oregon; subject to all reservations, easements, conditions and restrictions of record:  
Lot 38; Block 6, Wagon Trail Acreages #1, Second Addition. (aka sales  
lot #140)

This trust deed is for the purpose of securing performance of a promissory note executed by grantor and payable to beneficiary dated July 5, 1977

Grantor agrees:

- (1) to protect, preserve and maintain said property in good condition and repair and not to commit or permit any waste of said property.
- (2) To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting said property.
- (3) To keep the property free from all liens and to pay all taxes, assessments, maintenance charges or other charges that may be levied or assessed upon or against said property before the same become past due or delinquent. Beneficiary, at its option, may pay such items when the same become delinquent and the amount so paid shall be added to the principal owing under the promissory note above described at the same rate of interest and with costs for collection.
- (4) To pay all costs, fees and expenses incurred by beneficiary or trustee under this agreement, including the cost of title search and other costs and expenses incurred in connection with or enforcing this obligation, including attorneys' fees.
- (5) Upon default by grantor of any provision of this agreement beneficiary may declare all sums secured hereby to be immediately due and payable.

Grantor is the owner of the above described property, free and clear of any encumbrances, except those above described and will warrant and defend the same against all persons.

IN WITNESS WHEREOF, grantor has executed this agreement the day and year first above written.

"You have the option to void your contract of agreement by notice to the seller if you did not receive a Property Report prepared pursuant to the Rules and Regulations of the Office of Interstate Land Sales Registration, U.S. Department of Housing and Urban Development, in advance of, or at the time of your signing the contract or agreement. If you received the Property Report less than 48 hours prior to signing the contract or agreement you have the right to revoke the contract or agreement by notice to the seller until midnight of the third business day following the consummation of the transaction. A business day is any calendar day except Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Columbus Day, Thanksgiving and Christmas.

Winfred G. Simmons  
Marjorie E. Simmons  
Stanley Blackstone  
Ida L. Blackstone  
STATE OF OREGON, County of Deschutes, ss: August 11, 1977

Personally appeared the above named Winfred G. Simmons and Marjorie E. Simmons, H & W, Stanley Blackstone and Ida L. Blackstone, H & W and acknowledged the foregoing instrument to be their voluntary act. Before me: [Signature]

After recording, this Trust Deed should be returned to:  
BROOKS RESOURCES CORPORATION  
416 N.E. Greenwood, Bend, Oregon 97701

NOTARY PUBLIC FOR OREGON  
My commission expires: April 11, 1980

WHITE-BROOKS RESOURCES WHITE-PURCHASER'S COPY YELLOW-BRANCH OFFICE COPY

STATE OF OREGON; COUNTY OF KLAMATH; ss:

I hereby certify that the within instrument was received and filed for record on the 17th day of August A.D., 19 77 at 10:33 o'clock A. M., and duly recorded in Vol. M77 of MORTGAGES on Page 15054.

FEE \$ 3.00

WM. D. MILNE, County Clerk

By Hazel Deputy