

38226  
**Brooks Resources**

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



**TRUST DEED**

Vol. <sup>m</sup> 77 Page 20916

TRUST DEED made this 28th day of September, 1977, between Merrill Bartruff and Collett Bartruff, husband and wife

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 19, Block 9, Wagon Trail Acreages #1, Second Addition. (aka sales lot #166).

This trust deed is given for the purpose of securing performance of a promissory note executed by grantor and payable to beneficiary dated September 28, 1977, payable in installments, with the last installment to become due, if not sooner paid, on October 10, 1984.

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 agreement and the obligation it secures, including attorney's 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.

*Merrill Bartruff*  
Merrill Bartruff

*Collett Bartruff*  
Collett Bartruff

WITNESSED by me, Clerk of County of Clatsop, ss: October 7, 1977  
the above-named Merrill Bartruff and Collett Bartruff

foregoing instrument to be hereby voluntary act. Before me:

*Lowell D. Hunt*  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 1/17/81

This Trust Deed  
should be returned to:  
BROOKS RESOURCES CORPORATION  
416 NE Greenwood, Bend, OR 97701

STATE OF OREGON; COUNTY OF KLAMATH; ss. :

I hereby certify that the within instrument was received and filed for record on the 1st day of November A.D., 19 77 at 10:39 o'clock A M., and duly recorded in Vol. M77 of Mortgages on Page 20916.

FEE \$3.00

WM. D. MILNE, County Clerk

By: *Beverly A. Lelich* Deputy