

40098

Filed for Record at Request of

Return:

Name CIT FINANCIAL SERVICES

Address 432 SO. SEVENTH ST.,

City and State KLAMATH FALLS, OREGON 97601

38-13762

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THIS SPACE PROVIDED FOR RECORDER'S USE.

STATE OF OREGON,
County of Klamath

Filed for record at request of

TRANSAMERICA TITLE INS. CO.

on this 7th day of December, 1977

at 3:34 P.M., and duly

recorded in Vol. 77 of MORTGAGES

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WILL L. HARRIS, County Clerk

By Bernard H. Litch Deputy

Fee \$ 3.00

DEED OF TRUST

NAMES AND ADDRESSES OF ALL GRANTORS		BENEFICIARY		LICENSE NO.	
GRANTOR (1)	ELMER LEE GOUKER	C.I.T. FINANCIAL SERVICES, INC.			
GRANTOR (2)	GRACE GOUKER				
ADDRESS	3939 Bisbee Klamath Falls, Oregon 97601	ADDRESS 432 So. Seventh St. Klamath Falls, Oregon 97601		BRANCH NO. 1261	
GRANTOR (3)		TRUSTEE TRANSAMERICA TITLE INSURANCE COMPANY			
		ADDRESS 600 Main St., K. Falls, Oregon 97601			
LOAN NUMBER	15404593	DATE DUE EACH MONTH	11	DATE OF LOAN	12/2/77
				Date Finance Charge begins to accrue if other than date of transaction	12/7/77
				TOTAL OF PAYMENTS	\$7629.46
				NUMBER OF PAYMENTS	60
DATE FIRST PAYMENT DUE	1/11/78	AMOUNT OF FIRST PAYMENT	\$ 136.46	OTHER PAYMENTS DUE EACH SUCCEEDING MONTH ON DUE DATE ABOVE	\$ 127.00
				DATE FINAL PAYMENT DUE	12/11/82
				AMOUNT FINANCED	\$ 4981.23
AGREED RATE OF CHARGE: <input type="checkbox"/> 3% per month on that part of the unpaid amount financed not in excess of \$300, 1 1/4% per month on that part of the unpaid amount financed in excess of \$300 but not in excess of \$1,000, and 1 1/4% per month on that part of the unpaid amount financed in excess of \$1,000 but not in excess of \$5,000. <input checked="" type="checkbox"/> 1 1/4% per month on the unpaid amount financed.					

THIS DEED OF TRUST SECURES FUTURE ADVANCES - MAXIMUM OUTSTANDING \$20,000.00

By this Deed of Trust, the undersigned (all, if more than one) hereafter "Trustor", for the purpose of securing payment of a Promissory Note of even date from Trustor to Beneficiary above named, and all future advances from Beneficiary to Trustor, the Maximum Outstanding at any given time not to exceed said amount stated above, hereby grants, transfers and assigns to the above named Trustee in trust, with power of sale, the following described real estate together with all improvements thereon, ~~which are~~ located in the County of Klamath, situated in Oregon, County of Klamath.

The South half of Lot 5 in Block 1, of SECOND ADDITION TO ALTAMONT ACRES, Klamath County, Oregon.

The real property described herein is not presently used for agriculture, timber, or grazing purposes.

If the Trustor shall fully pay according to its terms the indebtedness hereby secured then this Trust Deed shall become null and void.

Trustor agrees to pay when due all taxes, liens and assessments that may accrue against the above described property and shall maintain insurance in such form and amount as may be satisfactory to the Beneficiary in said Beneficiary's favor, and in default thereof Beneficiary may (but is not obligated to do so and without waiving its right to declare a default) effect said insurance in its own name or pay such lien, tax or assessment, and the amount so paid with interest at the rate set forth above shall be added to and become part of the obligation secured by this Deed of Trust.

Should Trustor sell, convey, transfer or dispose of, or further encumber said property, or any part thereof, without the written consent of Beneficiary being first had and obtained, then Beneficiary shall have the right, at its option, to declare all sums secured hereby forthwith due and payable.

Upon default by Trustor in payment of any indebtedness secured hereby or in the performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of Beneficiary and without demand but upon notice to Trustor. In such event and upon written request of Beneficiary, the Trustee shall sell, for lawful money of the United States, the property then subject to this Deed of Trust, as a whole or in separate parcels, at Beneficiary's option, in accordance with the provisions of the laws of the State of Oregon, in force at the time of such sale, and if in separate parcels, in such order as Beneficiary may direct, at public auction to the highest bidder for cash in lawful money of the United States, payable at the time of sale. Trustee may postpone the sale of all or any portion of said property by public oral announcement at the time and place of sale, and from time to time thereafter may postpone such sale by public oral announcement at the time fixed by the preceding postponement. Trustee shall apply the proceeds of sale to payment of all sums then secured hereby, and the remainder, if any, to the person or persons legally entitled thereto.

Beneficiary may, without the concurrence of Trustor and/or Trustee, at any time and for any reason, by instrument in writing substitute a successor to any Trustee named herein or acting hereunder, which instrument, when properly acknowledged and recorded in the office of the Recorder of the County where said property is situated, shall be conclusive proof of proper substitution of such successor Trustee, who shall succeed to all its title, estate, rights, powers and duties.

This Deed inures to the benefit of, and binds all parties hereto, their heirs, legatees, administrators, executors, successors and assigns.

THE UNDERSIGNED TRUSTOR REQUESTS THAT A COPY OF ANY NOTICE OF DEFAULT AND OF ANY NOTICE OF SALE HEREUNDER BE MAILED TO HIM AT HIS ADDRESS HEREINBEFORE SET FORTH.

Signature of Trustor

Grace A. GoukerElmer Lee Gouker

STATE OF OREGON

COUNTY OF KLAMATH SS.

Before me: (OFFICIAL SEAL)

Notary Public for Oregon
My commission expires:

82-1538 (3-75) OREGON

DEC 2, 1977

Personally appeared the above named Elmer Lee Gouker and acknowledged the foregoing instrument to be his voluntary act and deed.RICHARD J. WICKLINE
NOTARY PUBLIC - OREGONMy Commission Expires 10-26-79