

54213

TRUSTEE'S DEED

Vol. ^M78

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THIS INDENTURE, Made this 29th day of August, 1978, between
 WILLIAM L. SISEMORE, called trustee, and AUDIE JOLLIFF and VADIE JOLLIFF, husband and wife,
 hereinafter called the second party;

WITNESSETH:

RECITALS: DAVID ABERIN and SHERRI ABERIN, husband and wife, as grantor,
 executed and delivered to WILLIAM L. SISEMORE, as trustee,
 for the benefit of AUDIE JOLLIFF and VADIE JOLLIFF, husband and wife, as beneficiary,
 a certain trust deed dated October 10, 1977, duly recorded on October 13, 1977, in
 the mortgage records of Klamath County, Oregon, in book M77 at page 19608 thereof.

In said trust deed 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 the grantor to the said beneficiary. The said
 grantor thereafter defaulted in his performance of the obligations secured by said trust deed as stated in the notice
 of default hereinafter mentioned and such default still existed at the time of the sale hereinafter described.

By reason of said default, the owner and holder of the obligations secured by said trust deed, being the bene-
 ficiary therein named, or his successor in interest, declared all sums so secured immediately due and owing; a no-
 tice of said default, containing an election to sell the said real property and to foreclose said trust deed by advertise-
 ment and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on
 April 20, 1978, in book M-78 at page 7767 thereof, to which reference now is made.

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice of the time for
 and place of sale of said real property as fixed by him and as required by law; copies of the trustee's said notice
 of sale were mailed by U. S. registered or certified mail to all persons entitled by law to such notice at their respective
 last known addresses; the persons named in subsection 1 of Section 86.750 Oregon Revised Statutes were timely
 personally served with said notice of sale, all as provided by law and at least 120 days before the day so fixed for
 said trustee's sale. Further, the trustee published a copy of said notice of sale in a newspaper of general circulation
 in each county in which the said real property is situated, once a week for four successive weeks; the last publica-
 tion of said notice occurred at least twenty days prior to the date of such sale. The mailing, service and publica-
 tion 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 mortgage records of said county, said affidavits and proofs, together with the said notice of default and
 election to sell and the 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. 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 the trustee in the trust deed.

Pursuant to said notice of sale, the undersigned trustee on August 23, 1978, at the hour of
 10:00 o'clock, A. M., of said day, Standard Time as established by Section 187.110, Oregon Revised Statutes,
 (which was the day and hour to which said sale was postponed for reasons and as expressly permitted by subsection
 2 of Section 86.755, Oregon Revised Statutes),* and at the place so fixed for sale, as aforesaid, in full accordance with
 the laws of the State of Oregon and pursuant to the powers conferred upon him by said trust deed, sold said real
 property in one parcel at public auction to the said second party for the sum of \$3062.98, he being the high-
 est and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and
 actual consideration paid for this transfer is the sum last stated in terms of dollars. However, the actual con-
 sideration consists of or includes other property or value given or promised which was part of the whole consideration (state
 which).^①

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof
 is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said trust
 deed, the trustee does hereby convey unto the second party all interest which the grantor had or had the power to con-
 vey at the time of grantor's execution of said trust deed, together with any interest the said grantor or his successors in
 interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

Beginning at a point which is East along the center line of Section 10,
 Township 36 S., R. 6, E.W.M., a distance of 330 feet from the center of
 said Section 10 and thence South at right angles to said center line and
 parallel to the North-South center line a distance of 275 feet for the
 true point of beginning; thence East parallel to the East-West centerline
 a distance of 150 feet to a point; thence South parallel to the North-
 South centerline a distance of 150 feet; thence West parallel to the East-
 West centerline a distance of 150 feet; thence North parallel to the North-
 South centerline a distance of 150 feet to the point of beginning.

Together with an easement for the use of the 50 foot roadway running
 from the forest service road along the Westerly boundary of the property
 adjoining said parcel on the West. Also, together with an easement for
 the use of the private canal and the roadway along the canal bank lying
 Southerly of said parcel.

TO HAVE AND TO HOLD the same unto the second party, his heirs, successors-in-interest and assigns forever.

*Delete the words in this parenthesis if not applicable.

NOTE—The sentence between the symbols ①, if not applicable, should be deleted. See Ch. 462, Oregon Laws 1967, as amended by the 1967 Special Session

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In construing this instrument and whenever the context so requires, the masculine gender includes the feminine and the neuter and the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said trust deed; the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest of the beneficiary first named above.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

William L. Sisemore

(If executed by a corporation,
affix corporate seal)

TRUSTEE'S DEED

(FORM No. 900)

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

Trustee

TO

Second Party

STATE OF OREGON

County of Klamath

I certify that the within instrument was received for record on the 30th day of August, 1978, at 9:55 o'clock A.M., and recorded in book 178 on page 19160 or as file number 54213. Record of Deeds of said County.
Witness my hand and seal of County affixed.

Wm. D. Milne

County Clerk

Title

Deputy

By *Brenda J. Joliff*

\$6.00 AFTER RECORDING RETURN TO
Audie Joliff and Vadie Joliff
c/o Certified Mortgage Co.
928 Klamath Ave.,
Klamath Falls, Oregon 97601

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

(ORS 93.490)

STATE OF OREGON,

County of Klamath

August 29, 1978

Personally appeared the above named

William L. Sisemore

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

(OFFICIAL
SEAL)

Before me:

Clover M. Fahey
Notary Public for Oregon
My commission expires: 2-5-81

STATE OF OREGON, County of

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Personally appeared

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.

Before me:

Notary Public for Oregon
My commission expires:

(OFFICIAL
SEAL)