

1967

62055

TRUSTEE'S DEED

Vol. ⁷⁹ Page 2809

62688

THIS INDENTURE, Made this 2nd day of February, 1979, between O. W. Goakey

called trustee, and Loretta C. Brazeal aka Loretta C. Belshe hereinafter called the second party;

WITNESSETH:

RECITALS: Martin B. Canter, as grantor, executed and delivered to Mountain Title Co., an Oregon Corporation, as trustee, for the benefit of Loretta C. Brazeal, as beneficiary, a certain trust deed dated January 18, 1977, duly recorded on January 18, 1977, in the mortgage records of Klamath County, Oregon, in book M77 at page 939 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 beneficiary therein named, or his successor in interest, declared all sums so secured immediately due and owing; a notice of said default, containing an election to sell the said real property and to foreclose said trust deed by advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on November 6, 1978, in book M78 at page 57908 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 publication of said notice occurred at least twenty days prior to the date of such sale. The mailing, service and publication 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 February 1, 1979, 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 \$4,730.66, she being the highest 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 consideration consists of or includes other property or value given or promised which was part of the~~ consideration (state which).⁰

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 convey 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:

The above Trustee was the Successor Trustee in the place and stead of Mountain Title Company, an Oregon Corporation, who resigned as Trustee under the original Trust Deed dated January 18, 1977, and recorded January 18, 1977 in Book M77 at page 939.

The North 400 feet of Lot 6, Block 17, also known as KLAMATH FALLS FOREST ESTATES SYCAN UNIT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

NOTICE: This deed is subject to the provisions of the Oregon Trust Deed Act, Chapter 86, Oregon Revised Statutes, as amended.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand and seal of office at Medford, Oregon, this 2nd day of February, 1979.

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 0, if not applicable, should be deleted. See Ch. 462, Oregon Laws 1967, as amended by the 1967 Special Session.

RECEIVED 1:15 PM
FEB 14 1979
RECEIVED 2:10 PM
FEB 2 1979

3150

NOTE: 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.

O. W. Goakey
O. W. Goakey, Successor Trustee

(If executed by a corporation,
affix corporate seal)

CLERK OF THE COUNTY CLERK OF Klamath County, Oregon,
ESTIMATED AS FOLLOWS: ACCORDING TO THE OFFICIAL DEDICATION OF THE
THE ROAD 100 FEET OF LOT 9, BLOCK 12, AND FROM 20 FEET OF LOT 10, BLOCK 12,

TO THE ROAD 100 FEET OF LOT 9, BLOCK 12, AND FROM 20 FEET OF LOT 10, BLOCK 12,
THE ROAD 100 FEET OF LOT 9, BLOCK 12, AND FROM 20 FEET OF LOT 10, BLOCK 12,
THE ROAD 100 FEET OF LOT 9, BLOCK 12, AND FROM 20 FEET OF LOT 10, BLOCK 12,

WHEREAS, 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.

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TRUSTEE'S DEED

(Form No. 900)
STEVENS LAW FIRM, P.C., PORTLAND, ORE.

Trustee

Second Party

STATE OF OREGON
County of Klamath

I, certify that the within instrument was received for record on the 2nd day of February, 1979, at 2:00 o'clock P.M. and recorded in book M79 on page 2809 or as file number 62055. Record of Deeds of said County.

Witness my hand and seal of County affixed

WM. D. MILNE

County Clerk

Deputy

Fee \$6.00

Loretta Brazeal Belshe
3466 Whirlaway Lane
Chino, California 91710

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(If the signer of the above is a corporation, use the form of acknowledgment opposite.)
STATE OF OREGON, County of Klamath, February 2, 1979.
Personally appeared the above named O. W. Goakey, and acknowledged the foregoing instrument to be his voluntary act and deed.

Notary Public for Oregon
My commission expires: 11-8-81
Ruby Peterson
ES022

State of Oregon, County of Klamath ss,
I hereby certify that the within instrument was received and filed for record on the 6th day of February, 1979, at 1:15 o'clock P.M. and recorded on Page 3725 in Book M79 Records of Mortgages of said County.

WM. D. MILNE, County Clerk
By *Bernard H. H. H.* Deputy

Fee *No fee*