

K-32001

Brooks Resources

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



68348 TRUST DEED

Vol. 79 Page 12972

TRUST DEED made this 10th day of May, 1979, between William Clyde Johnston and Rebecca Ann Johnston, husband and wife

GERALD A. MARTIN as trustee and BROOKS RESOURCES CORPORATION, an Oregon corporation, as Grantor, 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 31 Block 6 Wagon Trail Acreages Number 1, Second Addition (aka sales #133)

Note: See Exhibit A

This trust deed is given for the purpose of securing performance of each agreement of grantor herein contained and payment of the sum of \$1,500.00 Dollars, with interest thereon according to the terms of a promissory note executed by grantor and payable to beneficiary dated May 10, 1979, payable in installments with the last installment to become due, if not sooner paid, on May 25, 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.

William Clyde Johnston

x Rebecca Ann Johnston
Rebecca Ann Johnston

STATE OF OREGON, County of Coos

Personally appeared the above-named William C & Rebecca A. Johnston ss: 5-23-79

and acknowledged the foregoing instrument to be

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

voluntary act Before me:
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9/21/82

WHITE--BROOKS RESOURCES

WHITE--PURCHASER'S COPY

YELLOW--BRANCH OFFICE COPY

12973

EXHIBIT A

Lot 31 Block 6, Wagon Trail Ranch, Klamath County, Oregon.

Grantee accepts title to the above described property with the understanding and representation that under applicable Department of Environmental Quality standards effective as of this date, no subsurface sewage disposal system may be installed on the described real property and, therefore, no improvements requiring such a system may be constructed on said property. Grantee will hold Grantor harmless from any liability associated with such restrictions or approvals.

Consideration is \$ 2,000.00 and the exception described above.

DATED May 10, 1979

William C. Johnston
William C. Johnston

Rebecca A. Johnston
Rebecca A. Johnston

STATE OF OREGON, County of Coos, ss: 5-23- 197 79

Personally appeared the above-named

William C. & Rebecca A. Johnston

and acknowledged the foregoing instrument to be Their

voluntary act. Before me:

Robert D. Johnson
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9/21/82

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 4th day of June A.D., 19 79 at 3:58 o'clock P. M., and duly recorded in Vol. 172 of Mortgages on Page 12972.

FEE \$6.00

WM. D. MILNE, County Clerk

By: Bernetha A. Hirsch Deputy