

OL 41878

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of Multnomah

ss.

I, ANDREW H. WINFREE

being first duly sworn, depose, say and certify that:

I am the Successor

trustee in that certain trust deed executed and delivered by

as grantor

as trustee,

JAMES R. ADAIR

to Klamath County Title Company

in which the Estate of B. Marguerite Whytal

is beneficiary, recorded on March 18, 1981, in the mortgage records of Klamath

County, Oregon, in book/reel/volume No. M81, at page 4972.

XXXXXX (XXXXXX), covering the following described real property situated in said county:

SEE EXHIBIT "A" ATTACHED HERETO.

I hereby certify that on May 21, 1984, the above described real property was not occupied by any of the persons named in subsection 1 of Section 86.750, Oregon Revised Statutes.

The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.

Andrew H. Winfree

Successor Trustee

Subscribed, sworn to and acknowledged before me this 28th day of September, 1984.

Leifurde Zwald

Notary Public for Oregon

(SEAL)

My Commission expires: December 7, 1987

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

RE: Trust Deed from JAMES R. ADAIR

Grantor

to

KLAMATH COUNTY TITLE COMPANY

Trustee

AFTER RECORDING RETURN TO

Andrew H. Winfree
421 S. W. Sixth Avenue
Portland, Oregon 97204

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,

County of

ss.

I certify that the within instrument was received for record on the day of 1984, at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy

DESCRIPTIONPARCEL 1:

Beginning at the most Westerly corner of a parcel of land conveyed by Kincaid to Lillard as described in a deed recorded in Klamath County Deed Records, Volume 114 page 586, which point of beginning, is on the Northerly right of way line of Lakeshore Drive and is South 75°29' East a distance of 118.42 feet from the most Northerly corner of Lot 26 in Ouse Kila Homesites, thence South 45°03' East a distance of 36.78 feet; thence Southeasterly along the arc of a curve which designates the Northerly right of way line of said Lakeshore Drive, whose radius is 380.9 feet in length, a distance of 163.22 feet; thence North 25°0' East a distance of 200 feet, more or less, to the shore-line of Upper Klamath Lake; thence Westerly along said shore-line a distance of 150 feet, more or less, to a point which is North 48°43' East from the point of beginning; thence South 48°43' West a distance of 136 feet, more or less, to the point of beginning, being a parcel of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 38 South, Range 8 East of the Willamette Meridian.

PARCEL 2:

Beginning at a point on the East right of way line of Secondary Highway No. 421 which lies North 89°59' East (this bearing is South 89°57' East in Lakewood Heights) a distance of 1375.08 feet and South 44°08' East along the East right of way line of the Highway a distance of 78.29 feet from the iron pin which marks the quarter section corner common to Sections 23 and 26, Township 38 South, Range 8 East of the Willamette Meridian in Klamath County, Oregon, (note this point of beginning marks the most Westerly corner of the tract described on page 531, Volume 164, Deed records of Klamath County, Oregon) and running thence North 48°43' East along the Northwestern line of the above noted tract a distance of 138.5 feet to a point on the shore line of Upper Klamath Lake; thence North 66°17' West along the shore line of Upper Klamath Lake a distance of 12.76 feet to an iron pin; thence South 43°45' West a distance of 133.6 feet, more or less, to the point of beginning, said parcel being in Section 23, Township 38 South, Range 8 East of the Willamette Meridian and Section 26, Township 38 South, Range 8 East of the Willamette Meridian.

EXHIBIT "A"

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 October 1984 A.D., at 2:15 o'clock P M, and duly recorded in Vol M84, of Mortgages on page 17134.

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith, DeputyFee: \$ 8.00 Index: \$1.00