

49041

THIS INDENTURE, Made this 21st day of May, 1985, between William M. Ganong, called trustee, and Orin G. Kirk hereinafter called the second party;

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RECITALS: Norman G. Ross and Marian L. Ross delivered to William L. Sisemore of Town and Country Mortgage and Investment Co. dated March 17, 1981, duly recorded on March 18, 1981, in book/reel/volume No. M-81, at page 3893, as grantor, executed 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 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 January 7, 1985, in book/reel/volume No. M-85, at page 221 thereof or as fee/file/instrument/microfilm/reception No. 44711 (indicate which), to which reference now is made.

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 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; the persons named in subsection 2 of Section 86.740, Oregon Revised Statutes, were timely served with the notice of sale or given notice of the sale, all as provided by law and at least 90 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 May 21, 1985, 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) (delete words in parenthesis if inapplicable), 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 \$ 27,469.10, he 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 of \$ 1,024.00.

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:

That certain real property described on Exhibit "A" attached hereto and incorporated herein by this reference.

(CONTINUED ON REVERSE SIDE)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

WILLIAM M. GANONG
ATTORNEY AT LAW
1151 PINE STREET
KLAMATH FALLS, OR 97601

NAME, ADDRESS, ZIP

Orin G. Kirk
4733 Glenwood Drive
Klamath Falls, OR 97603

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of } ss.

I certify that the within instrument was received for record on the day of , 19 , at o'clock M., and recorded in book/reel/volume No. , on page or as fee/file/instrument/microfilm/reception No. of said county.

Witness my hand and seal of County affixed.

NAME TITLE

By Deputy

CH 13.06

STANDARD FORM NO. 100
7-133 STANDARD FORM
OATH OF OFFICE

STANDARD FORM NO. 100
7-133 STANDARD FORM
OATH OF OFFICE

7652

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

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 M. Ganong
William M. Ganong, Successor Trustee

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(If executed by a corporation, affix corporate seal)
(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON,)
County of **Klamath**) ss.
The foregoing instrument was acknowledged before me this **May 21**, 19**85**, by **William M. Ganong**

STATE OF OREGON, County of _____) ss.
The foregoing instrument was acknowledged before me this _____, 19____, by _____, president, and by _____, secretary of _____ corporation, on behalf of the corporation.

(SEAL) **Notary Public for Oregon**

Notary Public for Oregon **(SEAL)**

PEGGY R. REYNOLDS
NOTARY PUBLIC - OREGON
My Commission Expires **12-5-88**

RECEIVED
JUN 11 1985
CLERK OF COURT
JUN 11 1985
CLERK OF COURT

EXHIBIT A

7653

The following described real property in Klamath County, Oregon:

Beginning at an iron pin which marks the Northwest corner of the Michael Tract described on page 552 in Volume 66 of Deed Records of Klamath County, Oregon, and which pin lies East along the 40 line a distance of 1,062 feet from the iron pin in rock mound which marks the Northwest corner of the Southwest quarter of the Northwest quarter of Section 34, Township 38 South, Range 11½ East of the Willamette Meridian, and running thence South along the West line of said Michael Tract, a distance of 74.4 feet to an iron pin which lies on the Northerly rights of way line of the Klamath Falls-Lakeview Highway; thence, Northeasterly along said Northerly right of way line of said highway a distance of 106.4 feet to an iron pin; thence North, parallel to the West line a distance of 17.5 feet to an iron pin on the 40 line; thence West along said 40 line a distance of 100.00 feet, more or less, to the point of beginning,

TOGETHER with a strip of land 20 feet wide along the North line of said property; said tract in the Southwest quarter of the Northwest quarter of Section 34, Township 38 South, Range 11½ East of the Willamette Meridian.

STATE OF OREGON,)

County of Klamath)

Filed for record at request of

on this 22nd day of May A.D. 19 35

at 4:04 o'clock P M, and dul

recorded in Vol. M85 of Deeds

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EVELYN BIEHN, County Clerk

By *[Signature]* Deputy

Fee \$13.00