

51253

MTC-14321  
TRUSTEE'S DEEDVol. M85 Page 11437

THIS INDENTURE, Made this 18th day of July, 19 85, between  
MICHAEL L. SPENCER  
 called trustee, and RIVER WEST, LTD.  
 hereinafter called the second party;

## WITNESSETH:

RECITALS: JEFFREY A. & NOVA L. BROOKS  
 delivered to MOUNTAIN TITLE COMPANY, INC.  
 of MICHAEL & SHARON TOMSON  
 dated November 15, 19 79, duly recorded on January 10, 19 80, as trustee, for the benefit  
 of Klamath County, Oregon, in book/reel/volume No. M80, at page 502, in the mortgage records  
 instrument/microfilm/reception No. 7915 (indicate which). 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 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  
December 10, 19 84, in book/reel/volume No. M84 at page 20617 thereof or as fee/file/  
 instrument/microfilm/reception No. 43971 (indicate which), 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 Notice of Sale  
 were served pursuant to ORCP 7D.(2) and 7D.(3) or mailed by both first class and certified mail with return receipt  
 requested, to the last-known address of the persons or their legal representatives, if any, named in subsections (1) and  
 (2)(a) of Section 86.740 Oregon Revised Statutes, at least 120 days before the date the property was sold, and the  
 Trustee's Notice of Sale was mailed by first class and certified mail with return receipt requested, to the last-known  
 address of the guardian, conservator or administrator or executor of any person named in subsection (1) of ORS  
 86.740, promptly after the trustee received knowledge of the disability, insanity or death of any such person; the  
 Notice of Sale was served upon occupants of the property described in the trust deed in the manner in which a sum-  
 mons is served pursuant to ORCP 7D.(2) and 7D.(3) at least 120 days before the date the property was sold, pursuant  
 to subsection (1) of Section 86.750 Oregon Revised Statutes. If the foreclosure proceedings were stayed and released  
 Revised Statutes were mailed by registered or certified mail to the last-known address of those persons listed in ORS  
 86.740 and 86.750(1) within 30 days after the release from the stay. 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 more than 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 official 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. The undersigned trustee has no actual  
 notice of any person, other than the persons named in said affidavits and proofs as having or claiming a lien on or  
 interest in said described real property, entitled to notice pursuant to subsections (1)(b) or (1)(c) of ORS 86.740.

Pursuant to said notice of sale, the undersigned trustee on April 30, 19 85, 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 as permitted by subsection (2) of Section 86.755,  
 Oregon Revised Statutes) (which was the day and hour set in the amended Notice of Sale) (delete words in paren-  
 thesis 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 \$ 12,791.68, 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 \$ 12,791.68

(CONTINUED ON REVERSE SIDE)

MICHAEL L. SPENCER

STATE OF OREGON,

County of \_\_\_\_\_

ss.

I certify that the within instru-  
 ment 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/instru-  
 ment/microfilm/reception No. \_\_\_\_\_,  
 Record of Deeds of said county.

Witness my hand and seal of  
 County affixed.

NAME

TITLE

By \_\_\_\_\_ Deputy

GRANTOR'S NAME AND ADDRESS  
RIVER WEST, LTD.  
P. O. Box 949  
Grass Valley, CA 95945

AFTER RECORDING, RETURN TO:  
River West, LTD.  
P. O. Box 949  
Grass Valley, CA 95945

NAME, ADDRESS, ZIP  
RIVER WEST, LTD.  
P. O. Box 949  
Grass Valley, CA 95945  
 NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

**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:

A parcel of land situated in the SW $\frac{1}{4}$  of Section 36, Township 24 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

The NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 36, EXCEPTING the Southerly 400 Feet thereof and excepting that portion lying within the right of way of the Klamath Northern Railroad. TOGETHER WITH and easement 60 feet in width for purposes of ingress and egress more particularly described as follows:  
The Northerly 60 feet of the Southerly 400 feet of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 36 lying West of the Klamath Northern Railroad right of way and the Easterly 60 feet of the Southerly 400 feet of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 36.

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, the word "beneficiary" includes any successor in interest of the beneficiary first named above, and the word "person" includes corporation and any other legal or commercial entity.

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.

*Michael L. Spencer*  
MICHAEL L. SPENCER

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.

STATE OF OREGON,  
County of Klamath )  
Filed for record at request of

(If executed by a corporation, affix corporate seal)  
(If the signer of the above is a corporation, use the form of acknowledgment opposite.)  
STATE OF OREGON, )  
County of Klamath ) ss.

The foregoing instrument was acknowledged before me this July 18, 1985, by  
MICHAEL L. SPENCER

STATE OF  
on this 18th day of July A.D. 19 85  
at 4:18 o'clock P M, and duly  
recorded in Vol. M85 of Deeds  
Page 11437

EVELYN BEHN, County Clerk

By *Sam Smith* Deputy

Notary Public  
Fee \$9.00

*Joanna M. Conforti*  
Notary Public for Oregon  
My commission expires: 1-18-87

(SEAL)

EAL)