

52590

THIS INDENTURE, Made this 16th day of August

Vol. M85 Page 13705

Richard L. Garbutt, called trustee, and John A. Kalita and Janet B. Kalita, husband and wife hereinafter called the second party;

RECITALS: Vincent L. Webb and Patricia L. Webb delivered to Richard L. Garbutt of John A. Kalita and Janet B. Kalita dated April 15, 1980, duly recorded on April 18, 1980, in book/reel/volume No. M80, in the mortgage records 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 February 14, 1985, in book/reel/volume No. M85 at page 2291 thereof or as fee/file/instrument/microfilm/reception No. n/a (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 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 and 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 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 June 26, 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 \$8,503.45, 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 \$8,503.45.

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:

Lot 2, Block 4, TRACT NO. 1055, SADDLE MOUNTAIN ESTATES according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

(CONTINUED ON REVERSE SIDE)

Vincent and Patricia Webb

GRANTOR'S NAME AND ADDRESS

John and Janet Kalita
PO Box 376
Chiloquin, OR

GRANTEE'S NAME AND ADDRESS

After recording return to:
John and Janet Kalita
PO Box 376
Chiloquin, OR

NAME, ADDRESS, ZIP

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

John and Janet Kalita
PO Box 376
Chiloquin, OR

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. _____ Record of Deeds of said county.

Witness my hand and seal of _____ County affixed.

NAME

TITLE

By _____ Deputy

CRITODITH' OR
 BO BOX 320
 JOHN AND JUNE KUTTER

CRITODITH' OR
 BO BOX 320
 JOHN AND JUNE KUTTER

CRITODITH' OR
 BO BOX 320
 JOHN AND JUNE KUTTER

AUGUST AND JUNE KUTTER

COMMUNITY OFFICE
 13706
 SINGLE OF OBTAIN

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.

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, ss.
 I, Richard L. Garbutt, Notary Public for Oregon, do hereby certify that the foregoing instrument was acknowledged before me this 19th day of August, 1985, by Richard L. Garbutt, President, and by [Name], Secretary of [Name] Corporation, on behalf of the corporation.

My commission expires: 4/16/87

My commission expires: 4/16/87

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of August A.D., 1985 at 11:49 o'clock A.M. and duly recorded in Vol. M85 of Deeds on Page 13705.

FEE \$9.00

Evalyn Biehn, County Clerk
 By Pam Smith

ATTACHED TO DEED AND RETURNED TO GRANTOR

RETURNED TO GRANTOR

28230