

52834

TRUSTEE'S DEED Vol. **M85** Page **14122**

THIS INDENTURE, Made this 3rd day of September, 1985, between MICHAEL L. SPENCER, hereinafter called trustee, and JACK D. HOLMES and LORRAINE T. HOLMES, husband and wife, hereinafter called the second party;

WITNESSETH: MICHAEL G. DINTER and JOY ELLEN DINTER, husband and wife, as grantor, executed and delivered to MOUNTAIN TITLE COMPANY, INC., as trustee, for the benefit of JACK D. HOLMES and LORRAINE T. HOLMES, husband and wife, as beneficiary, a certain trust deed dated June 12, 1981, duly recorded on June 15, 1981, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M81 at page 10691, or as fee/file/instrument/microfilm/reception No. 814 (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 advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on November 20, 1985, in book/reel/volume No. M84 at page 19647 thereof or as fee/file/instrument/microfilm/reception No. 43396 (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 summons 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 from the stay, copies of an Amended Notice of Sale in the form required by subsection (6) of Section 86.755 Oregon 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 of sale are shown by one or more affidavits or proofs of service sale. The mailing, service and publication of said notice of sale in the official records of said county, said affidavits and proofs, together with duly recorded prior to the date of sale in the official records of said county, 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 August 28, 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 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 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 \$21,858.45, 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 \$21,858.45.

(CONTINUED ON REVERSE SIDE)

MICHAEL L. SPENCER 439 Pine St. Klamath Falls, OR 97601 <small>GRANTOR'S NAME AND ADDRESS</small>	
JACK D. & LORRAINE T. HOLMES Rt 2, Box 789P Klamath Falls, OR 97601 <small>GRANTEE'S NAME AND ADDRESS</small>	
After recording return to: JACK D. & LORRAINE T. HOLMES Rt 2, Box 789P Klamath Falls, OR 97601 <small>NAME, ADDRESS, ZIP</small>	
If a change is requested, all tax statements shall be sent to the following address: JACK D. & LORRAINE T. HOLMES Rt 2, Box 789P Klamath Falls, OR 97601 <small>NAME, ADDRESS, ZIP</small>	

STATE OF OREGON,	
County of _____	
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.	
By _____	

