

7422

WITNESS DEED

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THIS INSTRUMENT, Made this 11th day of May, 1938, by William E. Goring, called grantor, and Carter-Jones Collection Service hereinafter called the second party.

RECITALS: Charles F. McGowan, deceased, to International Title Insurance Company of Kansas, dated October 25, 1935, in and to which County, Oregon, as land, and volume 12, 2-21 instrument, recording number 12.

Intention 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 therefore defaulted in his performance of the obligations secured by said trust deed as stated in the notice of default hereinafter mentioned and such default will amount 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 herein named, or his successor or assigns, declared all sums so secured immediately due and owing, a notice of default, concerning no violation to sell the said real property and to himself said trust deed in accordance with and able to satisfy grantor's said obligations was recorded in the mortgage records of said county on September 22, 1938, at book, land, volume 12, 2-21 at page 2455.

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6 PM
17 JUL 1938

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice of the date 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 ORS 70(7) and 70(8) or mailed by 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 ORS 70(7) and 70(8), 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 co-trustee of any person named in ORS 70(7) and 70(8), promptly after the trustee received knowledge of the disability, minority 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 ORS 70(7) and 70(8) at least 120 days before the date the property was sold, pursuant to ORS 70(7) and 70(8). If the beneficiaries were stayed and released from the day, copies of an Amended Notice of Sale in the form required by ORS 70(7) and 70(8) were mailed by registered or certified mail to the last known address of those persons named in ORS 70(7) and 70(8) and to the address provided by each person who was present at the time and place for the sale which was served within 30 days after the release from the day. Further, the trustee published a copy of said notice of sale in a newspaper of general publication in each county in which the said real property is situated, once a week for four successive weeks, the publication of said notice of sale was 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 returned 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 in 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 ORS 70(7)(b) or (7)(c).

Pursuant to said notice of sale, the undersigned trustee on May 13, 1938, at the hour of 4 o'clock, A. M., of said day, in accord with the standard of time established by ORS 70(7), which was the day and hour to which said sale was postponed as permitted by ORS 70(7)(c) (which was the day and hour of the state of Oregon and pursuant to the power conferred upon him by said trust deed, sold said real property at and place as fixed for sale, as aforesaid, in full accordance with the law of the state of Oregon and pursuant to the power conferred upon him by said trust deed, sold said real property at public auction to the said second party for the sum of \$ 20,500.00, 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 the transfer is the sum of \$ 20,500.00.

WITNESSETH

CONTINUED ON REVERSE SIDE

WITNESS NAME AND ADDRESS
Carter-Jones Collection Service
1143 Pine Street
Kansas Falls, OR 97608
WITNESS NAME AND ADDRESS
Carter-Jones Collection Service
1143 Pine Street
Kansas Falls, OR 97608

STATE OF OREGON
County of _____
I certify that the within instrument was signed by me on the day of _____, 1938, at _____, and recorded at book, land, volume 12, at page _____ of the 12th instrument, recording number 12.
Record of Deeds of said county
Witness my hand and seal of County official.

NOW THEREFORE in consideration of the cash sum so paid by the second party in cash, the sum so referred to acknowledged, and by the authority vested in said parties by the laws of the State of Oregon and by said trust deed, the transfer does hereby convey unto the named 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 or assigns acquired after the execution of said trust deed in and to the following described real property, to-wit:

Lot 3, Block A, Nichols Addition to the City of
of Clatsop Falls, County of Clatsop, State of Oregon.

TO HAVE AND TO HOLD the same unto the second party, his heirs, successors, assigns and assigns for ever.

In conveying 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 here named above; and the word "person" includes corporation and any other legal or commercial entity.

IN WITNESS WHEREOF, the undersigned transfer 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 AFFECT THE USE OF THE PROPERTY IN-
CLUDED IN THIS INSTRUMENT IN RELATION TO ANY OTHER EASE,
THE GRANT AND REGISTRATION, BEFORE RECORDING OR RECORDING
THIS INSTRUMENT, THE PERSON SIGNING THE INSTRUMENT
SHOULD BEWARE ONLY WITH THE APPROPRIATE CITY OF
COUNTY PLANNING DEPARTMENT TO BEWARE APPROVED USES.

William R. Gering
William R. Gering - Successor Trustee

Notarized by a Notary Public
in the State of Oregon

Notarized by a Notary Public
in the State of Oregon

STATE OF OREGON

County of Clatsop

Notary Public

My Comm. Expires

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

STATE OF OREGON
County of Clatsop

Filed for record at request of

Carroll James Collection Services

on the 11th day of May A.D. 1997

at 1:00 PM of the month of May 1997

By *William R. Gering* County Clerk

My Com. Expires

Notary Public

