

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

**STATE OF OREGON** )  
County of Deschutes ) ss.

I, BRIAN J. MacRITCHIE, being first duly sworn, depose,  
say, and certify that:

I am the successor Trustee in the certain trust deed executed and delivered by VELMA J. WORTHINGTON fka VELMA J. CARNAGEY and OTIS WAYNE CARNAGEY, as Grantor, to Bend Title Company, as Trustee, in which RAYMOND H. POSNER and BETTY J. POSNER, husband and wife, is Beneficiary, recorded on February 12, 1987, in the Mortgage Records of Klamath County, Oregon, in Book M87, Page 2317, covering the following described real property situated in said county:

A tract of land situate in the North half, North half, Northeast quarter (N1/2N1/2NE1/4) of Section 36, Township 24 South, Range 8, East of the Willamette Meridian, more particularly described as follows:

Beginning at a point on the North line of said Section 36 which is West a distance of 210.0 feet from the Northeast corner thereof, said point being the Northwest corner of parcel conveyed to Alvie E. Bishop, et ux by deed recorded in Volume 350 page 346, records of Klamath County, Oregon; thence continuing West along the North line of Section 36 a distance of 1587.5 feet, more or less, to the Northeast corner of tract conveyed to Douglas E. Stumbaugh, et ux by Deed recorded in Volume M80 page 23349, records of Klamath County, Oregon; thence South, along the East line of the last mentioned tract, a distance of 662.17 feet to the South line of the North half, North half, North half (N1/2N1/2N1/2) of said Section 36; thence East along said South line to its intersection with the Westerly line of tract conveyed to Darlene Tierce and Deanna K. Bidwell by Deed recorded in Volume M83 page 16580, records of Klamath County, Oregon; thence North 39° 37' East along the Westerly line of the last mentioned tract a distance of 858.25 feet, more or less, to the point of beginning.

TOGETHER WITH: An easement for roadway purposes and utilities over and across the Northerly 16.00 feet of the Northwest quarter, Northeast quarter, Northwest quarter (NW1/4NE1/4NW1/4) of Section 36, Township 14 South, Range 8 East of the Willamette Meridian, and also together with an easement for roadway purposes and utilities over and across the Westerly 16.00 feet of that certain tract of land conveyed to Jan Underwood and recorded in Volume M74 page 10464, Deed records of Klamath County, Oregon.

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The beneficial interest was assigned to BURKS INDUSTRIES, INC., and recorded on September 19, 1987, in Book M87, Page 16649, in said records.

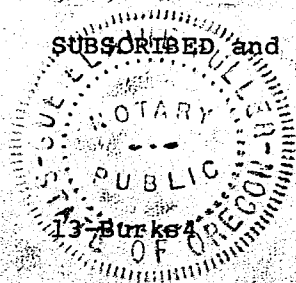
I hereby certify that on October 1, 1987, the above described real property was not occupied by any of the persons named in Subsection 1 of Section 86.750, Oregon Revised Statutes.

DATED this 1st day of October, 1987.

  
\_\_\_\_\_  
Brian J. MacRitchie  
Successor Trustee

SUBSCRIBED and SWORN to before me this 1st day of October, 1987.

  
\_\_\_\_\_  
Sue Elaine Fulk  
Notary Public for Oregon  
My Commission expires: 8-10-89



After recording; return to:

MacRitchie, Petersen & Stiegler  
709 N.W. Wall Street  
Bend, OR 97701

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brian J. MacRitchie, Attorney the 21st day  
of October A.D., 19 87 at 2:02 o'clock P M., and duly recorded in Vol. M87,  
of Mortgages on Page 19013

FEE \$10.00

Evelyn Biehn, County Clerk  
By 