

84808

TRUSTEE'S DEED

Vol. M88 Page 2911

THIS INDENTURE, Made this 29th day of February, 1988, between
MICHAEL C. MILLER
 called trustee, and FOREST PRODUCTS FEDERAL CREDIT UNION, hereinafter
 hereinafter called the second party;

WITNESSETH:

RECITALS: BENNIE D. GARDNER & NELSON I. GARDNER, h & w, as grantor, executed and
 delivered to MOUNTAIN TITLE COMPANY, INC., as trustee, for the benefit
 of FOREST PRODUCTS FEDERAL CREDIT UNION, as beneficiary, a certain trust deed
 dated August 26, 1983, duly recorded on August 30, 1983, in the mortgage records
 of Klamath County, Oregon, in book/reel/volume No. M83 at page 14694, or as fee/file/
 instrument/microfilm/reception No. _____ (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
 _____, 19____, in book/reel/volume No. _____ at page _____ thereof or as fee/file/
 instrument/microfilm/reception No. _____ (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 ORS 86.740(1) and
 (2)(a), 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 ad-
 ministrator or executor of any person named in ORS 86.740(1), 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 de-
 scribed 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 ORS 86.750(1). If the foreclosure proceedings were stayed
 and released from the stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed
 by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and to the
 address provided by each person who was present at the time and place set for the sale which was stayed within 30
 days after the release from the stay. Further, the trustee published a copy of said notice of sale in a newspaper of gen-
 eral 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 ORS 86.740(1)(b) or (1)(c).

Pursuant to said notice of sale, the undersigned trustee on February 22, 1988, at the hour of
10:00 o'clock, A.M., of said day, in accord with the standard of time established by ORS 187.110, (which
 was the day and hour to which said sale was postponed as permitted by ORS 86.755(2)) (which was the day and
 hour set in the amended Notice of Sale)* 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 \$ 7,366.65, 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 con-
 sideration paid for this transfer is the sum of \$ 7,366.65.

* Delete words in parentheses if inapplicable.

(CONTINUED ON REVERSE SIDE)

MICHAEL C. MILLER

601 Main Street, Suite 210

Klamath Falls OR 97601-6007

GRANTOR'S NAME AND ADDRESS

FOREST PRODUCTS FEDERAL CREDIT UNION

Post Office Box 1179

Klamath Falls OR 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

MICHAEL C. MILLER

601 Main Street, Suite 210

Klamath Falls OR 97601-6007

NAME, ADDRESS, ZIP

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

FOREST PRODUCTS FEDERAL CREDIT UNION

Post Office Box 1179

Klamath Falls OR 97601

NAME, ADDRESS, ZIP

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

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:

The North half of all that certain piece or parcel of land situate, lying and being in Lot 22, Section 15, Township 36 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being all of the land described in Deed dated June 27, 1945 from Lamm Lumber Co., to Central Pacific Railway Co., recorded August 2, 1945 in Book 178 at page 403, Deed Records of Klamath County, Oregon, and more particularly described as follows:

Beginning at a point that is distant North 13° 11' 20" West, 1539.81 feet from the quarter corner common to Sections 15 and 22, said Township and Range, said point of beginning being also distant South 84° 10' 30" West 84.00 feet from the originally located center line of main track of the Central Pacific Railway Co. at Engineer Station 4313+65.28; thence South 84° 10' 30" West 129.0 feet to a point; thence North 5° 32' West 120.0 feet to a point; thence North 84° 10' 30" East 129.0 feet to a point; thence South 5° 32' East 120.0 feet to the point of beginning, being a part of the land described in deed recorded on page 204, Volume 56 of Deed Records of Klamath County, Oregon, as included in Patent No. 802338 Deed Record No. 39461, United States to Lamm Lumber Co., recorded May 5, 1921 in Klamath County, Oregon.

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.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Michael C. Miller
MICHAEL C. MILLER, Successor Trustee

(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 February 29, 1988, by

MICHAEL C. MILLER

Mindy Young
Notary Public for Oregon
My commission expires 8/31/91

STATE OF OREGON,
County of Klamath ss.

(ORS 194.57)

Filed for record at request of:

Michael C. Miller, Attorney
on this 1st day of March A.D. 1988
at 11:39 o'clock A.M. and duly recorded
in Vol. M88 of Deeds Page 2911
Evelyn Biehn, County Clerk
By *Pat Smith* Deputy.

Fee, \$15.00

) ss.
this

tion.

AL)