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Aspen 32604

Loan No. P66714

TRUSTEE'S DEED

THIS INDENTURE, Made this 28th day of February, 1989, between Douglas A. Port, hereinafter called trustee, and the State of Oregon, by and through the Director of Veterans' Affairs, hereinafter called the second party;

WITNESSETH:

RECITALS: Harold G. Carey and Janice A. Carey, as grantor, executed and delivered to Klamath County Title, as trustee, for the benefit of the State of Oregon, by and through the Director of Veterans' Affairs, as beneficiary, a certain Trust Deed dated August 7, 1984, duly recorded on August 8, 1984, in the mortgage records of Klamath County, Oregon, in Book No. M-84, at Page No. 13650. 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 September 21, 1988, in Book No. M-88, at Page No. 15597, to which reference is now 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 or 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

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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 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 subsections (1)(b) or (1)(c) of ORS 86.740.

Pursuant to said notice of sale, the undersigned trustee on February 28, 1989, at the hour of 2:00 o'clock, p.m. of said day, Standard of Time as established by Section 187.110, Oregon Revised Statutes, 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 \$62,472.70, 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 \$62,472.70.

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:

Tax Account No.: Code 43, Map 3909-1CD TL4800, Key No. 509729

A track of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at an iron pin on the Easterly right of way line of Patterson Street as the same is presently located and constructed, from which an iron pin marking the Northwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1, bears South 89° 06' West 30 feet; thence South 0° 54' East along the said Easterly right of way line of Patterson Street, 1060.0 feet to an iron pin on the Southerly right of way line of Maryland Street; thence North 89° 06' East along the said Southerly right of way line of Maryland Street 520.0 feet to an iron pin and the true point of beginning of the tract to be hereinafter described; thence continuing North 89° 06' East along said Southerly right of way

line of Maryland Street 100.64 feet to a point; thence South 0° 54' East to a point on the South line of a tract of land conveyed to William D. Bishop, et ux., by deed recorded October 10, 1958, in Book 304 at page 525, Deed records of Klamath County, Oregon; thence South 89° 06' West to a point; said point being South 0° 54' East 143.35 feet from the true point of beginning; thence North 0° 54' West 143.35 feet to the true point of beginning.

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.

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.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand.

Douglas A. Port

Douglas A. Port
Successor Trustee

STATE OF OREGON

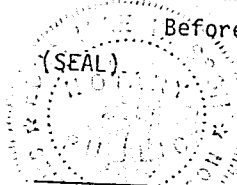
County of Marion

ss

MARCH 6, 1989

Personally appeared the above-named Douglas A. Port who subscribed and swore to the foregoing certificate and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



Edna Mae Wasson

Notary Public for Oregon
My commission expires

10-11-91

THIS DOCUMENT HAS CREATED AN INTEREST IN:

Department of Veterans' Affairs (DVA)
700 Sumner Street, NE
Salem, OR 97310-1201

After recording return to DVA

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 7th day
of March A.D., 19 89 at 3:01 o'clock P.M., and duly recorded in Vol. M89
of Deeds on Page 3916

FEE \$18.00

Evelyn Biehn
County Clerk

By Douglas A. Port