

## TRUSTEE'S DEED

H. F. SMITH of Klamath Falls, Klamath County, Oregon, herein referred to as "grantor", as successor trustee under the trust deed described below, hereby grants and conveys to JOHN HEITSMITH and CLETA HEITSMITH, husband and wife, of Klamath Falls, Oregon, herein referred to as "grantees", without any covenant or warranty, express or implied, all of the real property, situated in Klamath County, Oregon, described as follows:

A tract of land situated in the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Section 14, Township 39 S., R. 9 E.W.M., more particularly described as follows: Beginning at the Northeast corner of that tract of land described in Deed Volume 335, Page 299, Klamath County Deed Records, as marked by a 3/8 inch iron pin, said point of beginning being S. 00°06'10" W. 227.83 feet and N. 89°36'26" W. 30.00 feet from the East 1/16 corner common to Sections 11 and 14 and being further described as being on the westerly right of way line of Homedale Road S. 00°06'10" W. 137.66 feet (128 feet by deed) from the southerly right of way line of the U.S.B.R. Drain; thence N. 89°36'26" W. 660.27 feet (660.2 feet by deed) to a 3/8 inch iron pin on the easterly right of way line of the U.S.B.R. 1-C-7 Drain by said Deed Volume; thence continuing N. 89°36'26" W. 19.20 feet to the true easterly right of way line of said Drain; thence N. 01°17'15" W., along said right of way line, 133.73 feet (128 feet, more or less, by deed) to the intersection with the southerly right of way line of the U.S.B.R. Drain Ditch; thence S. 89°56'30" E. along said Drain right of way line 682.71 feet to the westerly right of way line of Homedale Road; thence S. 00°06'10" W. 137.66 feet (128 feet by deed) to the point of beginning, with bearings based on Survey No. 1645 as filed in the office of the Klamath County Surveyor, EXCLUDING the area in the A-3-B lateral.

This conveyance is made pursuant to the powers conferred on grantor by trust deed dated May 9, 1986, recorded May 12, 1986, in Volume M-86, Page 8118, mortgage records of Klamath County, Oregon, wherein Myron James Cetina and Judi Lynn Cetina, husband and wife, are the grantors, Mountain Title Company of Klamath County is the trustee and John Heitsmith and Cleta Heitsmith, husband and wife, are the beneficiaries, and whereby grantors therein granted and conveyed to said trustee, on the trusts expressed therein, the property described above to secure the payment of that certain note and interest accrued thereon as mentioned in said trust deed and other sums of money advanced, with interest thereon, and by that appointment of successor trustee dated December 22, 1988, recorded January 11, 1989, in Volume M-89, Page 678, mortgage records of Klamath County, Oregon, by which appointment grantor herein was substituted as trustee in place of Mountain Title Company of Klamath County.

Grantor is authorized to execute this instrument upon the following events having occurred:

(1) Breach and default under the terms of the trust deed in the payments set forth in the notice of default referred to below, which defaults continued until the time of sale.

(2) On or about January 12, 1989, the beneficiaries under said trust deed and holders of the note secured thereby declared all obligations secured by said trust deed immediately due and payable and directed the successor trustee to foreclose the trust deed by advertisement and sale. Thereafter, on January 12, 1989, trustee's notice of default, election to sell and notice of sale was recorded in Volume M-89, Page 741, mortgage records of Klamath County, Oregon.

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(3) The trustee under said trust deed, as the result of the declaration of default, election and notice of sale and in compliance with the terms of said trust deed, gave notice that said trustee would sell the above-described property at public auction to the highest bidder for cash, fixing the time and place of sale at 10:00 a.m., May 23, 1989, at the office of said trustee, 540 Main Street, Room 303, Klamath Falls, Oregon 97601; and on January 12, 1989, caused a copy of said notice to be sent by regular first class mail and by certified mail, return receipt requested, to Myron James Cetina, 4622 Homedale Road, Klamath Falls, Oregon 97603, to Judi Lynn Cetina, 4622 Homedale Road, Klamath Falls, Oregon 97603, and to Carter-Jones Collection Service, 1143 Pine Street, Klamath Falls, Oregon 97601; under date of January 14, 1989, Judi Lynn Cetina and Myron James Cetina were served with copies of said notice by the Sheriff of Klamath County, Oregon, by service upon Judi Lynn Cetina; on January 18, 1989, notice of substituted service was sent by regular first class mail, postage fully prepaid, to Myron James Cetina, 4622 Homedale Road, Klamath Falls, Oregon 97603, and a copy of said notice of sale was published in the Herald and News, a newspaper of general circulation in Klamath County, Oregon, once a week for four consecutive weeks, the last publication being on May 2, 1989, more than 20 days prior to the date of the trustee's sale. On the date of sale, May 23, 1989, the trustee caused the affidavit of publication of the notice of sale to be recorded in mortgage records of Klamath County, Oregon.

(4) All applicable statutory provisions of the State of Oregon and all provisions of the trust deed have been complied with as to acts to be performed and notices to be given.

(5) Said trustee, at the time and place fixed for said sale, as stated above, then and there sold, at public auction, to grantees, who were the highest bidders therefor, the above-described property for the sum of \$58,215.11, which sum was paid by satisfaction of the debt secured by said trust deed, including trustee's costs, expenses and compensation and reasonable attorney fees.

Dated this 24th day of May, 1989.

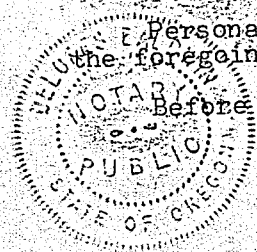
STATE OF OREGON

County of KLAMATH

ss. May 24, 1989

Personally appeared the above-named H. F. SMITH and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



Deborah Erickson  
NOTARY PUBLIC FOR OREGON  
My commission expires May 13, 1993

After recording, return to:  
H. F. Smith, Attorney  
540 Main Street  
Klamath Falls, Oregon 97601

Until a change is requested, all tax statements shall be sent to the following address:  
JOHN and CLETA HEITSMITH  
4622 Homedale Road  
Klamath Falls, Oregon 97603

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

H. F. Smith  
on this 24th day of May A.D., 19 89  
at 3:19 o'clock P M. and duly recorded  
in Vol. M89 of Deeds Page 8991  
Evelyn Biehn County Clerk  
By Deborah Erickson Deputy.

Fee, \$13.00