

OK

3877

## TRUSTEE'S DEED

Vol. m89 Page 15069

THIS INDENTURE, Made this 14TH day of August, 1989, between  
Melvin D. Ferguson, hereinafter  
 called trustee, and Donald L. Allen,  
 hereinafter called the second party;

## WITNESSETH:

RECITALS: Steven R. Harris and Robin L. Harris, as grantor, executed and  
 delivered to Transamerica Title Insurance Company, as trustee, for the benefit  
 of Donald L. Allen, as beneficiary, a certain trust deed  
 dated July 11, 1983, duly recorded on July 22, 1983, in the mortgage records  
 of Klamath County, Oregon, in book/reel/volume No. M83 at page 11792, 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  
March 29, 1989, in book/reel/volume No. M89 at page 5257 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 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 of 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 sum-  
 mons 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 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 August 10, 1989, at the hour of  
10:00 o'clock, A.M., of said day, Standard Time as established by Section 187.110, Oregon Revised Statutes,  
 (which was the day and hour to which said sale was postponed as permitted by subsection (2) of Section 86.755,  
 Oregon Revised Statutes) (which was the day and hour set in the amended Notice of Sale) (delete words in paren-  
 thesis if inapplicable), 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 \$ 7,322.33, 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 \$ 7,322.33.

(CONTINUED ON REVERSE SIDE)

Steven R. Harris and  
Robin L. Harris

GRANTOR'S NAME AND ADDRESS

Donald L. Allen

GRANTEE'S NAME AND ADDRESS

After recording return to:

Melvin D. Ferguson  
325 Main Street  
Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

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

Donald L. Allen  
1604 Hope Street  
Klamath Falls, Oregon 97603

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

2009 AUG 15 AM 10:35

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:

Lot 3, Block 2, Tract 1131, THE WADES, in the County of Klamath, State of 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.

*Melvin D. Ferguson*  
Melvin D. Ferguson

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.

(If executed by a corporation, affix corporate seal.)

(If the signature of the trustee is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

County of Klamath

The foregoing instrument was acknowledged before me this 14th day of August, 1989, by Melvin D. Ferguson

*Lynne L. Weizell*  
Notary Public for Oregon

(SEAL)

My commission expires: 9/12/89

STATE OF OREGON,  
County of Klamath SS.

(ORS 194.5)

Filed for record at request of:

Melvin Ferguson

on this 15th day of Aug. A.D. 1989  
at 10:35 o'clock AM. and duly recorded  
in Vol. M89 of Deeds Page 15069  
Evelyn Biehn County Clerk

By *Raissa M. Mulenore*

Deputy.

Fee, \$13.00

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