

NOTE: The Trust Deed Act provides that the trustee hereunder must be either an attorney, who is an active member of the Oregon State Bar, a bank, trust company or savings and loan association authorized to do business under the laws of Oregon or the United States, a title insurance company authorized to insure title to real property of this state, its subsidiaries, affiliates, agents or branches, the United States or any agency thereof, or an escrow agent licensed under ORS 696.505 to 696.585.

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The grantor covenants and agrees to and with the beneficiary and those claiming under him, that he is lawfully seized in fee simple of said described real property and has a valid, unencumbered title thereto and that he will warrant and forever defend the same against all persons whomsoever.

The grantor warrants that the proceeds of the loan represented by the above described note and this trust deed are:

- (a) primarily for grantor's personal, family or household purposes (see Important Notice below),
- (b) for an organization, or (even if grantor is a natural person) are for business or commercial purposes.

This deed applies to, inures to the benefit of and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, personal representatives, successors and assigns. The term beneficiary shall mean the holder and owner, including pledgee, of the contract secured hereby, whether or not named as a beneficiary herein. In construing this deed and whenever the context so requires, the masculine gender includes the feminine and the neuter, and the singular number includes the plural.

IN WITNESS WHEREOF, said grantor has hereunto set his hand the day and year first above written.

IMPORTANT NOTICE: Delete, by lining out, whichever warranty (a) or (b) is not applicable; if warranty (a) is applicable and the beneficiary is a creditor as such word is defined in the Truth-in-Lending Act and Regulation Z, the beneficiary MUST comply with the Act and Regulation by making required disclosures; for this purpose use Stevens-Ness Form No. 1319, or equivalent. If compliance with the Act is not required, disregard this notice.

(If the signer of the above is a corporation, use the form of acknowledgement opposite.)

STATE OF OREGON,
County of Clatsop
This instrument was acknowledged before me on March 22, 1990, by RICHARD A. SMITH and CAROL R. SMITH
[Signature]
Notary Public for Oregon
(SEAL)
My commission expires: 3-22-93

STATE OF OREGON,
County of _____ } ss.
This instrument was acknowledged before me on _____, 19____, by _____ of _____
Notary Public for Oregon
(SEAL)
My commission expires: _____

REQUEST FOR FULL RECONVEYANCE
To be used only when obligations have been paid.
TO: _____, Trustee(s)

The undersigned is the legal owner and holder of all indebtedness secured by the foregoing trust deed. All sums secured by said trust deed have been fully paid and satisfied. You hereby are directed, on payment to you of any sums owing to you under the terms of said trust deed or pursuant to statute, to cancel all evidences of indebtedness secured by said trust deed (which are delivered to you herewith together with said trust deed) and to reconvey, without warranty, to the parties designated by the terms of said trust deed the estate now held by you under the same. Mail reconveyance and documents to _____
DATED: _____, 19____

Beneficiary
Do not lose or destroy this Trust Deed OR THE NOTE which it secures. Both must be delivered to the trustee for cancellation before reconveyance will be made.

TRUST DEED (FORM No. 881) STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.		STATE OF OREGON, County of _____ } ss. I certify that the within instrument 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/instrument/microfilm/reception No. _____ Record of Mortgages of said County. Witness my hand and seal of County affixed.	
GRANTOR	Grantee	NAME _____ TITLE _____ By _____ Deputy	
GRANTOR	Grantee		
GRANTOR	Grantee	NAME _____ TITLE _____ By _____ Deputy	
GRANTOR	Grantee		
AFTER RECORDING, RETURN TO: <u>Aspen Title</u> <u>Attn: Beth Row</u> <u>#01035177</u>		NAME _____ TITLE _____ By _____ Deputy	

EXHIBIT "A"

Commencing at a point on the section line common to Sections 7 and 8, Township 39 South, Range 9 East of the Willamette Meridian, at the intersection with the Southwesterly right of way line of that parcel conveyed to Klamath County by deed recorded October 21, 1940, in Book 132 at Page 543 of Deed Records of Klamath County, Oregon, said point of commencement being North 00 degrees 43' West 1736.2 feet (a record distance) from an iron pipe at the 1/4 corner common to said Sections 7 and 8; thence South 51 degrees 19' 30" East along the Southwesterly line of said parcel conveyed to Klamath County a distance of 454.56 feet to a 5/8" diameter rebar with plastic cap marked "D. Barrett L.S. 1979", said rebar being the true point of beginning of the herein parcel described; thence South 61 degrees 08' 27" West a distance of 255.84 feet to a 5/8" rebar and plastic cap marked "R. Bath LS 1069" on the East line of that parcel of land conveyed to Marshall B. Carter and Annie Lee Carter, husband and wife, by deed dated January 3, 1947, recorded February 14, 1947 in Book 202 at Page 231, Deed Records of Klamath County, Oregon; thence South 44 degrees 50' 30" West a distance of 20.00 feet; thence North 45 degrees 09' 30" West 96.87 feet, more or less, to the Easterly right of way line of U S Highway Number 97; thence Northeasterly along said Easterly right of way 246.47 feet to the Southwesterly right of way line of said parcel conveyed to Klamath County by deed recorded October 21, 1940 in Book 132 at Page 543; thence South 51 degrees 19' 30" East along the Southwesterly line of said parcel conveyed to Klamath County 212.90 feet to the point of beginning.

CODE 4 MAP 3909-8BB TL 1300
CODE 4 MAP 3909-8BC TL 200

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 30th day
of May A.D. 19 90 at 11:39 o'clock A.M., and duly recorded in Vol. M90
of Mortgages on Page 10277
By Evelyn Biehn County Clerk
D. A. Miller

FEE \$18.00