

Order No.  
Escrow No. 5184  
Loan No.

WHEN RECORDED MAIL TO:

Mr. Leo Fogle

*Aspen Title*  
*Collections* 90178  
ATE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**DEED OF TRUST WITH ASSIGNMENT OF RENTS**  
(SHORT FORM)

This DEED OF TRUST, made April 26, 1990, between

KENNETH E. SMITH and MAUDIE L. SMITH, husband and wife herein called TRUSTOR,

whose address is 6736 Hwy. 39 Klamath Falls, OR 97603  
(Number and Street)

(City)

(State)

WARNER MOUNTAIN TITLE & ESCROW COMPANY,

a California corporation, herein called TRUSTEE, and

LEO H. FOGLE, an unmarried man

, herein called BENEFICIARY,

WITNESSETH: That Trustor grants to Trustee in Trust, with Power of Sale, that property in the Oregon  
County of Klamath, State of Oregon, described as:

(See Exhibit "A" Attached hereto);

Together with the rents, issues and profits thereof, subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

For the Purpose of Securing (1) payment of the sum of \$ 11,672.49 with interest thereon according to the terms of a promissory note or notes of even date herewith made by Trustor, payable to order of Beneficiary, and extensions or renewals thereof, and (2) the performance of each agreement of Trustor incorporated by reference or contained herein (3) Payment of additional sums and interest thereon which may hereafter be loaned to Trustor, or his successors or assigns, when evidenced by a promissory note or notes reciting that they are secured by this Deed of Trust.

To protect the security of this Deed of Trust, and with respect to the property above described, Trustor expressly makes each and all of the agreements, and adopts and agrees to perform and be bound by each and all of the terms and provisions set forth in subdivision A, and it is mutually agreed that each and all of the terms and provisions set forth in subdivision B of the fictitious deed of trust recorded in Orange County August 17, 1964, and in all other counties August 18, 1964, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, namely:

COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE
Alameda	1288	556	Kings	858	713	Placer	1028	379	Sierra	38	187
Alpine	3	130-31	Lake	437	110	Plumas	166	1307	Siskiyou	506	762
Amador	133	438	Lassen	192	367	Riverside	3778	347	Solano	1287	621
Butte	1330	513	Los Angeles	T-3878	874	Sacramento	5039	124	Sonoma	2067	427
Calaveras	185	338	Madera	911	136	San Benito	300	405	Stanislaus	1970	56
Colusa	323	391	Marin	1849	122	San Bernardino	6213	768	Sutter	655	585
Contra Costa	4684	1	Mariposa	90	453	San Francisco	A-804	596	Tehama	457	183
Del Norte	101	549	Mendocino	667	99	San Joaquin	2855	283	Trinity	108	595
El Dorado	704	635	Merced	1660	753	San Luis Obispo	1311	137	Tulare	2530	108
Fresno	5052	623	Modoc	191	93	San Mateo	4778	175	Tuolumne	177	160
Glenn	469	76	Mono	69	302	Santa Barbara	2065	881	Ventura	2607	237
Humboldt	801	83	Monterey	357	239	Santa Clara	6626	664	Yolo	769	16
Imperial	1189	701	Napa	704	742	Santa Cruz	1638	607	Yuba	398	693
Inyo	165	672	Nevada	363	94	Shasta	800	633			
Kern	3756	690	Orange	7182	18	San Diego	SERIES 5	Book 1964, Page 149774			

shall inure to and bind the parties hereto, with respect to the property above described. Said agreements, terms and provisions contained in said subdivision A and B, (identical in all counties, and printed on the reverse side hereof) are by the within reference thereto, incorporated herein and made a part of this Deed of Trust for all purposes as fully as if set forth at length herein, and Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge therefor does not exceed the maximum allowed by law.

The undersigned Trustor, requests that a copy of any notice of default and any notice of sale hereunder be mailed to him at his address hereinbefore set forth.

STATE OF CALIFORNIA  
COUNTY OF OREGON  
Klamath

On May 31, 1990

before me, the undersigned, a Notary Public in and for said State, personally appeared Kenneth E. Smith and Maudie L. Smith

Signature of Trustor  
*Kenneth E. Smith*  
Kenneth E. Smith

*Maudie L. Smith*  
Maudie L. Smith

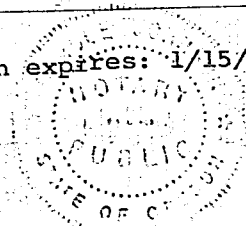
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature

*Carol Johnson*

My commission expires: 1/15/94



(This area for official notarial seal)

## PROPERTY DESCRIPTION

PARCEL 1:

A piece or parcel of land situated in the Northeast quarter of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the East boundary of Section 24, Township 39 South, Range 9 East of the Willamette Meridian from which the iron monument marking the section corner common to Sections 13, 18, 24 and 19, Township 39 South, Range 9 and 10 East of the Willamette Meridian, bears North 859.1 feet distant;  
thence along existing fences accepted as marking the Southerly boundary of that parcel of land conveyed at Page 335 of Volume 211 of the Klamath County Deed Records, South 88° 57' West 33.95 feet to an Iron pipe reference monument in the existing Westerly fence along the Klamath Falls-Merrill Highway;  
thence South 88° 57' West 708.05 feet along the existing fence to an iron pipe;  
thence South 468.5 feet along the existing fence to an iron pipe;  
thence South 89° 10' 50" West 1341.7 feet along the existing fence to an iron pipe reference monument;  
thence South 89° 10' 50" West 103.3 feet more or less to the existing center line of the U.S.B.R. Dixon Drain as the same is presently located and constructed;  
thence leaving the Southerly boundary of said parcel conveyed at page 335 of Volume 211 of the Deed Records of Klamath County, South 41° 52' 10" West along the existing center line of said drain 688.3 feet to the center line intersection of the Dixon Drain and the A-4 lateral as the same are presently located and constructed;  
thence South 62.9 feet along the existing center line of the A-4 lateral to a point;  
thence North 89° 05' 40" East 22.9 feet, more or less to an iron pipe reference monument;  
thence North 89° 05' 40" East 1084.0 feet along said existing fence to an iron pipe;  
thence South 2° 34' 20" West 4.2 feet along an existing fence to an iron pipe;  
thence North 89° 27' 20" East 797.5 feet along an existing fence to an iron pipe;  
thence North 89° 28' 50" East 702.0 feet to an iron pipe reference monument in the Westerly fence along said Klamath Falls-Merrill Highway;  
thence North 89° 28' 50" East 40.0 feet to a point on the Easterly boundary of said Section 24;  
thence North 1050.5 feet along said Section line to the point of beginning.

PARCEL 2:

A piece or parcel of land situated in the Northeast quarter of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, in the county of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the East boundary of Section 24, Township 39 South, Range 9 East of the Willamette Meridian from which the Iron monument marking the section corner common to Sections 13, 18, 24, and 19, Township 39 South, Range 9 and 10 East of the Willamette Meridian bears North 859.1 feet distant;

thence continuing South 1050.5 feet;

thence South 89° 28' 50" West 742 feet;

thence South 89° 27' 20" West 797.5 feet to the true point of beginning;

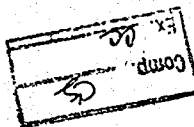
thence North 2° 34' 20" East 4.2 feet;

thence South 89° 05' 40" West 1106.9 feet to the East right of way line of the A-4 lateral;

thence South 4.2 feet;

thence North 89° 05' 40" East to the point of beginning.

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 6th day  
of June A.D., 19 90 at 3:38 o'clock P.M., and duly recorded in Vol. M90,  
of Mortgages on Page 10930.

FEE \$18.00

Evelyn Biehn County Clerk

By Pauline Muelendore