

21093

90-14829

NOTE 24219

BARGAIN AND SALE DEED

IN LIEU OF FORECLOSURE

Vol. 1790 Page 20152

BOOK 1114 PAGE 583

DONALD W. MOORE &

KNOW ALL MEN BY THESE PRESENTS, That JINNIE J. MOORE

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BENEFICIAL OREGON, INC. DBA BENEFICIAL MORTGAGE CO., hereinafter called grantee, and unto grantee's successor and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in the County of CLATSOP COUNTY, State of Oregon, described as follows:

SEE ATTACHED EXHIBIT "A"

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

This deed is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a mortgage, trust conveyance, or security of any kind.

This deed does not effect a merger of the fee ownership and the lien of the trust deed described below. The fee and lien shall hereafter remain separate and distinct.

By acceptance of this deed, grantee covenants and agrees that it shall forever forbear taking any action whatsoever to collect against grantor on the promissory note which is secured by the trust deed described below, other than by foreclosure of that trust deed, and that in any proceeding to foreclose that trust deed it shall not seek or obtain a

1-BARGAIN AND SALE DEED IN LIEU OF FORECLOSURE

UNIFORM TITLE & ESCROW SERVICES

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deficiency judgment against grantor, his heirs or assigns, such rights and remedies being hereby waived.

Grantor does hereby waive, surrender, convey and relinquish any equity of redemption and statutory rights of redemption concerning the real property and the trust deed described above.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under any duress, undue influence or misrepresentation of grantee, its agent, attorney or any other person.

The true and actual consideration for this transfer consists of grantee's waiver of its rights, if any, to a deficiency judgment and grantor's agreement not to name, except as necessary to clear title, the grantor as a party to a foreclosure action as stated above with respect to that certain trust deed or mortgage entered into on the 19 day of

DECEMBER, 1989 between grantor and grantee, and recorded at
VOLUME 890, PAGE 515, KLAMATH COUNTY
BOOK 1085, page 175, of the land records of DOUGLAS COUNTY
County, State of Oregon on the 9TH day of JANUARY, 1990
4TH day of JANUARY, 1990.

Said trust deed or mortgage was given to secure a note between grantor and grantee in the amount of \$29,000.00. Grantor states that the consideration for this deed, described above, is reasonably equivalent in value to the grantors interest in the property described above.

In construing this deed and where the context so requires, the singular includes that plural and all grammatical

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changes shall be implied to make the provisions hereof apply equally to corporation and to individuals.

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.

Acceptance of this deed by grantee is conditioned upon grantee's determination that the title to the real property is not encumbered by any liens, encumbrances or interests of any parties, excepting grantor, which are subject and inferior to the lien of the trust deed described above, as of the date this deed

is presented for recording in the official records of the county in which the above described real property is located.

IN WITNESS WHEREOF, the grantor has executed this instrument this 25 day of SEPTEMBER, 1990.

Donald W. Moore
Grantor
Jinnie J. Moore
Grantor

STATE OF OREGON)

County of LANE) ss.

Personally appeared the above named DONALD W. MOORE and JINNIE J. MOORE and acknowledged the foregoing instrument to be THEIR voluntary act and deed.

Before Me:

NOTARY PUBLIC FOR OREGON
My Commission Expires:

Gwen E. Rhodes
GWEN E. RHODES
NOTARY PUBLIC - OREGON
My Commission Expires 7-7-91

After recording, return to:

BENEFICIAL OREGON, INC.
BNA BENEFICIAL MORTGAGE, CO.
814 CHARNELTON
EUGENE, OR, 97401

Please send property tax statements to:

BENEFICIAL OREGON, INC.
BNA BENEFICIAL MORTGAGE CO.
814 CHARNELTON
EUGENE, OR, 97401

4-BARGAIN AND SALE DEED IN LIEU OF FORECLOSURE

EXHIBIT "A"

PARCEL ONE

Lot 16, Block 11, CHILOQUEM DRIVE ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL TWO

Lot 5, Block 3, RAINBOW ESTATES, in the City of Sutherlin, County of Douglas, State of Oregon.

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Mountain Title Co.

on this 5th day of Oct. A.D. 19 40
at 9:58 o'clock A. M. and duly recorded
in Vol. 1090 of Books Page 20152

Evelyn Blinn County Clerk

By Gaulin Mueller

Deputy

Rec. \$48.00

90-14829

STATE OF OREGON)
COUNTY OF DOUGLAS) ss.
L. GAY FIELDS, COUNTY CLERK AND RECORDER
OF CONVEYANCES, DO HEREBY CERTIFY THAT
THIS INSTRUMENT WAS RECORDED

1940 OCT -3 PM 1:26

GAY FIELDS
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

By Gaulin Mueller
DEPUTY

FEE 45⁰⁰ PR