

35902

## TRUSTEE'S DEED

Vol. mq Page 21240

THIS INDENTURE, Made this 25th day of September, 1991, between  
William M. Ganong, Attorney at Law  
 called trustee, and Kerry S. Penn  
 hereinafter called the second party;

## WITNESSETH:

RECITALS: David A. Bowen and Ryan J. Carroll, or survivor  
 delivered to Mountain Title Company of Klamath County, as grantor, executed and  
 of Kerry S. Penn, as trustee, for the benefit  
 dated September 7, 1988, duly recorded on September 22, 1988, in the mortgage records  
 of Klamath County, Oregon, in book/reel/volume No. M-88 at page 15698, 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  
May 21, 1991, in book/reel/volume No. M-91 at page 9648 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 ORS 86.740(1) and  
 (2)(a), 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 ad-  
 ministrator or executor of any person named in ORS 86.740(1), 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 de-  
 scribed in the trust deed in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3) at least  
 120 days before the date the property was sold, pursuant to ORS 86.750(1). If the foreclosure proceedings were stayed  
 and released from the stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed  
 by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and to the  
 address provided by each person who was present at the time and place set for the sale which was stayed within 30  
 days after the release from the stay. Further, the trustee published a copy of said notice of sale in a newspaper of gen-  
 eral 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 ORS 86.740(1)(b) or (1)(c).

Pursuant to said notice of sale, the undersigned trustee on September 25, 1991, at the hour of  
10:00 o'clock, A.M., of said day, in accord with the standard of time established by ORS 187.110, (which  
 was the day and hour to which said sale was postponed as permitted by ORS 86.755(2)) (which was the day and  
 hour set in the amended Notice of Sale)\* 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 \$10,928.33, 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 con-  
 sideration paid for this transfer is the sum of \$856.00.

\* Delete words in parentheses if inapplicable.

(CONTINUED ON REVERSE SIDE)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Eli Property Co.  
 23150 Gray Fox Drive  
 Canyon Lake, CA 92587  
 NAME, ADDRESS, ZIP

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

Eli Property Co.  
 23150 Gray Fox Drive  
 Canyon Lake, CA 92587  
 NAME, ADDRESS, ZIP

SPACE RESERVED  
FOR  
RECORDER'S USE

## 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

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:

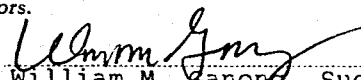
Lot 10 in Block 3 of Tract 1155 - TWIN RIVER VIEW, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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.

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.

  
William M. Ganong, Successor Trustee

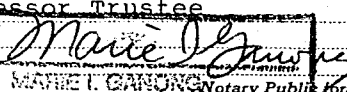
(If executed by a corporation, affix corporate seal)

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

STATE OF OREGON, )  
County of Klamath ) ss.

The foregoing instrument was acknowledged before me this September 25, 1991, by


William M. Ganong as Successor Trustee

  
MARIE I. GANONG, Notary Public for Oregon  
(SEALARY PUBLIC - OREGON)  
My commission expires 8-13-95

(ORS 194.570)

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

Wm. M. Ganong  
on this 10th day of Oct. A.D. 19 91  
at 3:02 o'clock P.M. and duly recorded  
a in Vol. M91 of Deeds Page 21240  
Evelyn Biehn County Clerk  
By   
Deputy.  
Fec. \$33.00