

C02934

CORRECTED  
SPECIAL WARRANTY DEED

(Legal description corrected by removing duplicate line)

The STATE OF OREGON, by and through the Director of Veterans' Affairs, grantor, conveys and specially warrants unto Steven R. Kolu and Maxine L. Kolu, husband and wife, grantee(s), the following described real property free of encumbrances created or suffered by the grantor on or before March 30, 1984, except as specifically set forth herein situated in Klamath County, State of Oregon, to wit:

PARCEL 1: The East 40 feet of Lot 1, Block 12, FIRST ADDITION TO BLY, in the County of Klamath, State of Oregon. PARCEL 2: The following described real property situated in the ~~NW~~<sup>NE</sup> 1/4 of Section 3, Township 37 South, Range 14 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point, said point being the Northeast corner of Lot 2, Block 12, First Addition to the Town of Bly; thence South along the East line of said Lot 2, a distance of 50 feet; thence Southeasterly along the South line extended of said Lot 2 a distance of 100 feet, more or less to the West line of Edler Street; thence North along the West line of Edler Street 50 feet; thence Northerly parallel to the South Line extended of said Lot 2, a distance of 100 feet to the point of beginning. PARCEL 3: A portion of Section 3, Township 37 South, Range 14 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point which is North 89°52' West 1608.35 feet and South 1°13' West 484.9 feet from the Northeast corner of Section 3, Township 37 South, Range 14, East of the Willamette Meridian; thence North 86°07' West 100 feet; thence North 1°13' East 50 feet; thence South 86°07' East 100 feet; thence South 1°13' West 50 feet to the point of beginning.

SUBJECT TO:

1. Any taxes for 1991-92 when due or payable.
2. Any Right of Redemption as Provided by Law.

TO HAVE AND TO HOLD said real property unto said grantee(s), their heirs and assigns forever.

"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 USES."

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## EXHIBIT "A"

THIS TRUST DEED IS AN "ALL INCLUSIVE TRUST DEED" AND IS SECOND AND SUBORDINATE TO THE TRUST DEED NOW OF RECORD DATED APRIL 3, 1985, AND RECORDED APRIL 4, 1985, IN VOLUME M85 PAGE 4940, MORTGAGE RECORDS OF KLAMATH COUNTY, OREGON, IN FAVOR OF FRANCES M. PADGETT AS BENEFICIARY, WHICH SECURES THE PAYMENT OF A NOTE THEREIN MENTIONED.

WILLIAM V. ARDOLINO AND REBECCA ARDOLINO, HUSBAND AND WIFE, BENEFICIARY HEREIN AGREE TO PAY, WHEN DUE, ALL PAYMENTS DUE UPON THE SAID PROMISSORY NOTE IN FAVOR OF FRANCES M. PADGETT, AND WILL SAVE GRANTOR HEREIN, WENDY J. SELBY, HARMLESS THEREFROM.

SHOULD THE SAID BENEFICIARY HEREIN DEFAULT IN MAKING ANY PAYMENTS DUE UPON SAID PRIOR NOTE AND TRUST DEED, GRANTOR HEREIN MAY MAKE SAID DELINQUENT PAYMENTS AND ANY SUMS SO PAID BY GRANTOR HEREIN SHALL THEN BE CREDITED UPON THE SUMS NEXT TO BECOME DUE UPON THE NOTE SECURED BY THIS TRUST DEED.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 31st day  
of Oct. A.D., 19 91 at 1:08 o'clock PM., and duly recorded in Vol. M91  
of Mortgages on Page 22857.

Evelyn Biehn . County Clerk

By Pauline Muehlbauer

FEE \$18.00

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.

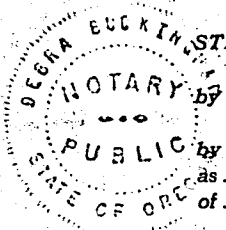
The grantor warrants that the proceeds of the loan represented by the above described note and this trust deed are:  
(a)\* primarily for grantor's personal, family or household purposes (see Important Notice below),  
(b) for an organization, or (even if grantor is a natural person) are for business 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.

WENDY J. SELBY



STATE OF OREGON, County of Klamath ss. This instrument was acknowledged before me on October 16, 1991.

WENDY J. SELBY

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_.

Debra Buckingham  
Notary Public for Oregon  
My commission expires 12-19-92

#### REQUEST FOR FULL RECONVEYANCE

To be used only when obligations have been paid.

TO: \_\_\_\_\_, Trustee

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.

Grantor

Beneficiary

AFTER RECORDING RETURN TO  
KCTC-COLLECTION DEPARTMENT

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, } ss.  
County of \_\_\_\_\_

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.

NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
By \_\_\_\_\_ Deputy