

52571

'92 OCT 20 PM 2 56

Vol. m92 Page 24572

K-44303

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

U.S. BANKRUPTCY COURT
DISTRICT OF OREGON
FILED

IN RE:

Case No. 691-62830-R7

SEP 30 1992

BRENDAN CAPITAL
CORPORATION,

Debtor.

STIPULATED ORDER ALLOWING
SALE OF REAL PROPERTY
FREE AND CLEAR OF LIENS
BY H. DUNN, CLERK
DEPUTY

THIS MATTER having come before the Court upon the motion of the Trustee for an order allowing the sale of real property free and clear of liens, and it appearing to the Court that Ray Petersen, Vernon Durant, and the Trustee have stipulated to the sale of that property free and clear of liens, and the Court being fully advised,

IT IS HEREBY ORDERED that the motion be and hereby is granted.

IT IS FURTHER ORDERED that the Trustee is authorized to sell the following described real property free and clear of the liens of Ray Petersen, Vernon Durant, and the Wray Partnership:

The following described real property situate in Klamath County, Oregon:

A tract of land in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25 Township 39 South, Range 9 E.W.M., more particularly described as follows: Commencing at the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25; thence South 89°33' West on centerline of Henley Road 2172.58 feet; thence North 0°39' East 30.01 to the point of beginning; thence North 0°39' East 563.83 feet to an iron pipe on the Northwesterly boundary of the A-4-B Lateral; thence North 51°28' East on said Lateral 739.12 feet; thence South 89°58' West

1 - STIPULATED ORDER ALLOWING SALE OF REAL PROPERTY
FREE AND CLEAR OF LIENS

RETURN TO: Klamath County Title Company
422 MAIN STREET
KLAMATH FALLS, OREGON 97601

HAMMONS, MILLS
& SPICKERMAN
ATTORNEYS AT LAW
EUGENE, OREGON

EUGENE, OREGON 97401
PHONE 484-1216

32

1062.75 feet, more or less, to the West boundary of Section 25; thence South 0°20' West along West boundary of Section 25, 1027.46 feet to the North boundary of Henley Road; thence North 89°33' East along said road 484.17 feet, more or less, to the point of beginning.

IT IS FURTHER ORDERED that the net proceeds from the sale of the property shall be paid to the Trustee who shall hold them in the estate's bank account. The liens claimed by Ray Petersen, Vernon Durant, and the Wray Partnership (held by the Trustee for the benefit of the estate) shall attach to the net proceeds of the sale proceeds from the property paid to the Trustee subject to the further order of the U.S. Bankruptcy Court in the foregoing bankruptcy. The validity, priority and avoidability of the claimed liens on the net proceeds shall be the same as if the property had not been sold.

Albert E. Radcliffe
ALBERT E. RADCLIFFE
BANKRUPTCY JUDGE

PRESENTED BY:

HAMMONS, MILLS & SPICKERMAN

By: *[Signature]*
David B. Mills, OSB No. 77281
Attorney for Trustee

Certified to be a true and correct copy of original filed in my office.
Date: October 15, 1992
Terence H. Dunn, Clerk, U.S. Bankruptcy Court
By: *C. Hastings* Deputy

2 - STIPULATED ORDER ALLOWING SALE OF REAL PROPERTY
FREE AND CLEAR OF LIENS

24574

LBR 9021-1(b) LIST

X The list of all interested persons including name and complete mailing address of each person to be served with a copy of the foregoing order is as follows:

David B. Mills
Attorney at Law
1342 High Street, Suite 3
Eugene, OR 97401

U.S. Trustee
44 W. Broadway, Suite 500
Eugene, OR 97401

Ronald R. Sticka
Attorney at Law
1257 High Street
Eugene, OR 97401

Wilson C. Muhlheim
Attorney at Law
975 Oak, Suite 630
Eugene, OR 97401

James R. Uerlings
Attorney at Law
110 N. Sixth Street
Klamath Falls, OR 97601-0215

Owen B. McCullen
Attorney at Law
1420 Green Acres Road
Eugene, OR 97401

Pre-addressed and self adhesive mailing labels are attached.

STATE OF OREGON: COUNTY OF KLAMATH: 22

Filed for record at request of Klamath County Title Co. the 20th day
of Oct. A.D. 19 92 at 2:56 o'clock P.M., and duly recorded in Vol. M92
of Needs on Page 24572
By Evelyn Biehn County Clerk
Caroline Muhlheim

FEE \$20.00