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07-25-94P03:35 RCVD

Vol. M94 Page 22670

*ATC 44079*  
**TRUSTEE'S DEED**

THIS INDENTURE, Made this 22 day of July, 1994, between Oregon Title Insurance Company, "Trustee", and The Nature Conservancy, a District of Columbia non-profit Corporation, "Second Party";

**WITNESSETH:**

RECITALS: Le Ly, as Grantor, executed and delivered to, Ticor Title Insurance Company as Trustee, for the benefit of The Nature Conservancy, a District of Columbia non-profit Corporation, as Beneficiary, a certain Trust Deed dated August 5, 1993, recorded on August 6, 1993, Vol. M93 Page 19537 Official Mortgage Records in the county clerk's office of Klamath County, Oregon.

In the Trust Deed, real property was conveyed by Grantor to Trustee to secure, among other things, performance by Grantor of obligations to Beneficiary. Grantor defaulted in performance of obligations secured by the Trust Deed. The default still existed at the time of the sale.

By reason of default, the owner and holder of the obligation secured by the Trust Deed declared all sums so secured immediately due and owing. A Notice of Default, containing an election to sell the real property and to foreclose the Trust Deed by advertisement and sale to satisfy Grantor's obligations was recorded, and to which reference now is made, on January 19, 1994, Vol. M94 Page 364 Official Mortgage Records in the county clerk's office of Klamath County, Oregon.

After the recording of the Notice of Default and Election to Sell, as aforesaid, the undersigned Trustee gave notice of the time for and place of sale of the real property as fixed by it 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 administrator 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 described 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 86.740 and 86.750(1) and 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 the Notice of Sale in a newspaper of general circulation in each county in which the real property is situated, once a week for four (4) successive weeks; the last publication of the 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 Klamath County, the affidavits and proofs, together with the 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 the affidavits and proofs, as having or claiming a lien on or interest in the described real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

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OTIC ORDER NUMBER A:700239

**AFTER RECORDING RETURN TO:**  
 Oregon Title Insurance Company  
 Trustee's Sale Foreclosure Dept.  
 1515 SW 5th Ave., Suite 840  
 Portland, OR 97201

Pursuant to the Notice of Sale, the undersigned Trustee on July 21, 1994, at the hour of 9:30 a.m., in accord with the standard of time established by ORS 187.110, which was the day and hour to which the sale was postponed as permitted by ORS 86.755(1) 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 the Trustee by the described Trust Deed, sold the real property in one parcel at public auction to the Second Party for the sum of \$26,136.44, second party being the highest and best bidder at such sale and the sum being the highest and best sum bid for the real property. The true and actual consideration paid for this transfer is the sum of \$26,136.44.

NOW, THEREFORE, in consideration of the sum so paid by the Second Party, and by the authority vested in the Trustee by the laws of the State of Oregon and by the described 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 the Trust Deed, together with any interest the Grantor or his successors in interest acquired after the execution of the Trust Deed in and to the following described real property, to-wit:

Lots 46,47,48,49,50 & 51B, Lakeshore Gardens, 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.

**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.**

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 the Trust Deed; the word "Trustee" includes any successor trustee; the word "Beneficiary" includes any successor in interest of the Beneficiary first named; and the word "person" includes corporation and any other legal or commercial entity.

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In witness whereof, the undersigned Trustee has subscribed this instrument on this 22<sup>nd</sup> day of July, 1994.

Oregon Title Insurance Company, Successor Trustee

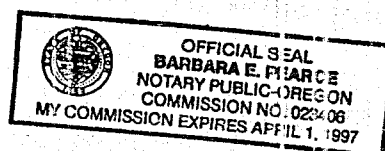
By: C. Cleveland Abbe

STATE OF OREGON

County of Multnomah

)  
) ss.  
)

This instrument was acknowledged before me on July 22, 1994 by C. Cleveland Abbe, as Senior V. Pres. of Oregon Title Insurance Company on behalf of the corporation.



Barbara E. Pearce  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

UNTIL A CHANGE IS REQUESTED,

SEND TAX STATEMENTS TO: \_\_\_\_\_

Nature Conservancy  
1815 N. Lynn Street  
Arlington, VA 22209

AFTER RECORDING RETURN TO:

Oregon Title Insurance Company  
Trustee's Sale Foreclosure Dept.  
1515 SW 5th Avenue Suite 840  
Portland, OR 97201

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co  
of July A.D., 19 94 at 3:35 o'clock P M., and duly recorded in Vol. M94 day  
of Deeds on Page 22670

FEE \$40.00

Evelyn Biehn  
By Barbara E. Pearce County Clerk

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