

87044

08-29-94P03:16

(CVP)

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THIS INDENTURE, Made this 29th day of August, 1994, between

called trustee and Francis F. Farnworth and Mary B. Farnworth, hereinafter called the second party;

WITNESSETH:

RECITALS: H. Craig Gorton and Starla R. Gorton, as grantor, executed and delivered to Aspen Title & Escrow, Inc., as trustee, for the benefit of Francis F. Farnworth and Mary B. Farnworth, as beneficiary, a certain trust deed dated July 7, 1993, duly recorded at July 9, 1993, in the mortgage records of Clatsop County, Oregon, in book/reel/volume No. M93, at page 16590, or as fee/file instrument/microfilm/reception No. 4416 (indicate which). In said trust deed the real property therein and certain obligations of the grantor to said trustee to secure, among other things, the performance of the obligations secured by said trust deed as stated in the notice of default hereinafter mentioned and such default 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 beneficiary's successor in interest, declared all sums so secured immediately due and gave notice of default, containing an election to sell the said real property and to foreclose said trust deed by advertisement and sale to satisfy grantor's said obligations, was recorded in the mortgage records of said county or Clatsop County, Oregon, in book/reel/volume No. M94, at page 11388, thereof or as fee, file instrument/microfilm/reception No. 1228 (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 date of sale of said real property as fixed by the trustee 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 at least 20 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 20 days before the date the property was sold, pursuant to ORS 86.750(1). If the foreclosure proceedings were stayed or 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 general 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 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 affidavit 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) and (1)(c).

(Continued on reverse side)

STATE OF OREGON,

County of \_\_\_\_\_ ss.

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 Deeds of said county.

Witness my hand and seal of County affixed.

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

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:  
Francis F. Farnworth  
593 Harold Road  
Bonanza, OR 97623

NAME, ADDRESS, ZIP

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

same

NAME, ADDRESS, ZIP

SPACE RESERVED  
FOR  
REORDER'S USE

22  
35

Pursuant to said notice of sale, the undersigned trustee on AUGUST 29, 1994, at the hour of 10:00 o'clock A.M., of said day, in accordance 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 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 said trustee by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$43,527.85, said second party 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 consideration paid for this transfer is the sum of \$43,527.85.

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:

beginning at a point located 30 feet East of the Southwest corner of the Southeast quarter of the Northwest quarter of Section 3, Township 39 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence due East along the South line of said forty acre tract for a distance of 790 feet to a point near the irrigation canal; thence due North 56 feet to a Juniper tree on the North side of the irrigation canal; thence North 60 degrees West to a second Juniper tree 321 feet; thence Westerly 485 feet to the Easterly line of the Bonanza-Bonatty Market Road; thence South along the Easterly line of said road 447 feet to the point of beginning.

DEED MAP 3911-300 TL 1200

TO HAVE AND TO HOLD the same unto the second party, second party's heirs, successors-in-interest and assigns forever.

In construing this instrument and whenever the context so requires the singular includes the plural; the word "grantor" includes any successor in interest of 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 executed this document; if the undersigned is a corporation, it has caused its corporate name to be signed and its seal affixed hereto by an officer 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 TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

\* Delete words in parentheses if inapplicable.

(If used by a corporation, affix corporate seal.)

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

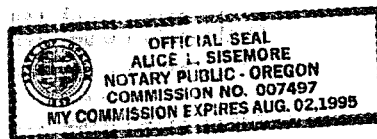
STATE OF OREGON,

County of Klamath

This instrument was acknowledged before me on August 29, 1994, by William L. Sisemore

(SEAL)

My commission expires: 8/21/95



My commission expires:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. L. Sisemore the 29th day of Aug A.D. 19 94 at 3:46 o'clock P.M., and duly recorded in Vol. M94 of        on Page 27054

Evelyn Biehn - County Clerk

By Randee M. Mendenhall

FEES \$35.00