

91736

11-29-94A11:06 RCVI ASPEN 0404769/F
TRUSTEE'S DEED

Vol. 94 Page 36329

THIS INDENTURE, Made this 11 day of November, 1994, between
ASPEN TITLE & ESCROW, INC., hereinafter
called trustee, and NICHOLAS V. CASTRIOTTA & JACALYN F. CASTRIOTTA, husband and wife,
hereinafter called the second party;

WITNESSETH:

RECITALS: RODNEY D. LAND & JERROLYN A. LANG, husband & wife, as grantor, executed and delivered to ASPEN TITLE & ESCROW, INC. as trustee, for the benefit of NICHOLAS V. CASTRIOTTA & JACALYN F. CASTRIOTTA, as beneficiary, a certain trust deed dated SEPTEMBER 29, 1993, duly recorded on OCTOBER 8, 1993, in the mortgage records of Klamath County, Oregon, in book ~~XXXXXX~~ No. 193 at page 26220, or as fee/~~XXXX~~ XXXXXX No. 693611 (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 grantor's 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 beneficiary's 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 advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on NOVEMBER 1, 1993, in book ~~XXXXXX~~ No. 193 at page 28117 thereof or as fee/~~XXXX~~ XXXXXX No. 70581 (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 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 (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 An end- 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 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).

(Continued on reverse side)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

MR. & MRS. NICHOLAS V. CASTRIOTTA
3445 ANDERSON AVENUE
KLAMATH FALLS, OREGON 97603

NAME, ADDRESS, ZIP

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

Same as above

NAME, ADDRESS, ZIP

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 Deeds of said county.

Witness my hand and seal of County affixed.

By _____ Deputy

* SEE ATTACHED

EXHIBIT "A, B, & C"

Pursuant to said notice of sale, the undersigned trustee on the _____ day of _____, 19____, at the hour of _____ o'clock, _____ 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 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 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 \$65,959.03, 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 \$65,959.03.

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 grantor's successors in interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

The E₂ of Tract No. 17, The Resubdivision of Tract 25 to 32 of Altamont Ranch Tracts, in the County of Klamath, State of Oregon. Excepting Therefrom that portion taken by Klamath County for the widening of Bisbee Street by instrument recorded July 1, 1965 in Book 362 at Page 563, Deed Records.
Code 41 Map 3909-15AB-TL 2000

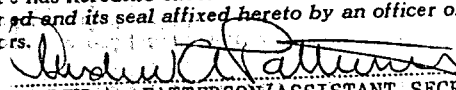
TO HAVE AND TO HOLD the same unto the second party, second party's heirs, successors-in-interest and assigns forever.

In construing this instrument and whenever the context so requires the singular includes the plural; the word "grantor" includes any successor in interest 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 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 or other person 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.

* Delete words in parentheses if inapplicable.


ANDREW A. PATTERSON/ASSISTANT SECRETARY

STATE OF OREGON, County of KLAMATH) ss.

This instrument was acknowledged before me on _____, 19____,

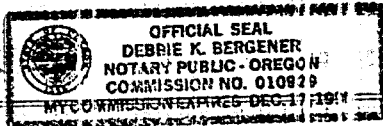
by _____, 1994.,

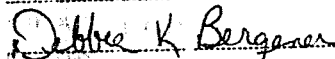
This instrument was acknowledged before me on NOVEMBER 28, 1994.,

by ANDREW A. PATTERSON

as ASSISTANT SECRETARY

of ASPEN TITLE & ESCROW, NC.




Debbie K. Bergener
Notary Public for Oregon
My commission expires 12-17-95

March 14, 1994
at 11:00 AM

EXHIBIT "A"

36331

POSTPONEMENT OF SALE

This, being the time set for sale of certain real property, by trustees notice of sale, wherein, reference is made to that certain Trust Deed including the terms and provisions thereof executed by Rodney D. Lang and Jerrolyn A. Lang, husband and wife and Nicholas V. Castriotta and Jacalyn F. Castriotta, husband and wife as Grantor Beneficiaries, said Trust Deed having been recorded on July 6, 1993 as Document # M93-16101 of the Official Records of Klamath County Clerk's Office, Klamath Falls, Or.

On behalf of the trustee ASPEN TITLE & ESCROW, INC. and at the request of the beneficiaries, the sale date as specified is hereby postponed until April 6, 1994 at 11:00 A.M. on the front steps of Aspen Title & Escrow, INC.

BY: Susie Patterson
Of: Aspen Title & Escrow, INC.

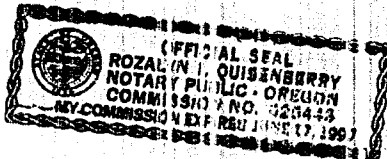
on behalf of ASPEN TITLE & ESCROW, INC., trustee and Nicholas V. Castriotta and Jacalyn F. Castriotta beneficiaries.

Postponement witnessed by: Barbara Lockman

STATE OF OREGON, KLAMATH COUNTY ss.

Be it remembered, that on the 14th day of March, 1994, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Susie Patterson & Barbara Lockman known to me to be the identical individual described in and who executed the within instrument and acknowledged to me the executed the same freely and voluntarily.

Rozalyn I. Quisenberry
OREGON My Commission Expires 6-17-97 NOTARY PUBLIC for



April 6, 1994
11:00 A.M.
Wednesday

EXHIBIT "B"

36332

POSTPONEMENT OF SALE

This, being the time set for sale of certain real property, by trustees notice of sale, wherein, reference is made to that certain Trust Deed including the terms and provisions thereof executed by Rodney D. Lang and Jerrolyn A. Lang, h & w

as Grantor
and Nicholas V. Castriotta and Jacalyn F. Castriotta,
H & W as
Beneficiaries, said Trust Deed having been recorded
on July 6, 1993 as Document
M93 - 16101 of the Official Records of Klamath
County Clerks Office Klamath Falls, Oregon

On behalf of the trustee ASPEN TITLE & ESCROW, INC. and at the request of the beneficiaries, the sale date as specified is hereby postponed until May 6, 1994 at 11:00 A.M. on the front steps of Aspen Title & Escrow, INC.

BY: Susie Patterson
Of: Aspen Title & Escrow, INC

on behalf of ASPEN TITLE & ESCROW, INC., trustee and Nicholas V. Castriotta and Jacalyn F. Castriotta beneficiaries.

Postponement witnessed
by: William B. DeWalt

STATE OF OREGON)ss. KLAMATH COUNTY)ss.

Be it remembered, that on the 6th day of April, 1994, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Susie Patterson & William B. DeWalt known to me to be the identical individual described in and who executed the within instrument and acknowledged to me the executed the same freely and voluntarily.

Rozalyn I. Quisenberry NOTARY PUBLIC for
OREGON My Commission Expires 2-17-97

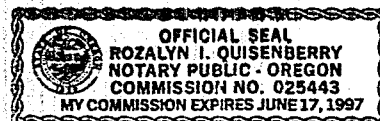


EXHIBIT "C"

36333



525 Main Street
Klamath Falls, Oregon 97601
(503) 884-5137

DATE: May 6, 1994, FRIDAY
TIME: 11:00 A.M.

POSTPONEMENT OF SALE

This, being the time set for sale of certain real property, by Trustees Notice of Sale, wherein, reference is made to that certain Trust Deed including the terms and provisions thereof executed by Rodney D. Lang and Jerrolyn A. Lang, h & w as Grantor, and Nicholas V. Castriotta and Jatalyn F. Castriotta as Beneficiaries Aspen Title & Escrow, INC, 1993 said Trust Deed having been recorded on July 6, 1993 as Document No: M93, Page 16101 of the Official Records of Klamath County Clerks Office

On behalf of the Trustee/Successor Trustee Aspen Title & Escrow, INC and at the request of the Beneficiaries, the sale date as specified is hereby postponed until See * , 19 at at the of .

By: Susie Patterson
Of: Aspen Title & Escrow, INC

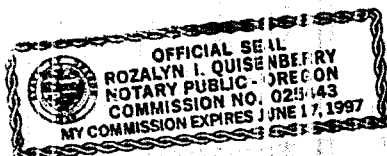
*UNTIL STAY IS LIFTED OR THE BANKRUPTCY IS COMPLETED

Postponement Witness:

By: Andrew A. Patterson

State of Oregon, County of Klamath) ss.

This instrument was acknowledged before me on May 6, 19 94, by Susie Patterson and Andrew A. Patterson as Assistant Secretary and Auctioneer of Aspen Title & Escrow, INC.



Rozalyn I. Quisenberry
Notary Public for Oregon
My Commission Expires 6-17-97

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 29th day of Nov A.D. 19 94 at 11:06 o'clock A.M., and duly recorded in Vol. M94 on Page 36329 of Deeds By Evelyn Biehn County Clerk
By Dawnie Millender

FEE \$50.00