

ORRS

95465

TRUSTEE'S DEED

Vol. 95 Page 4309

THIS INDENTURE, Made this 13th day of February, 1995, between William M. Ganong, hereinafter called trustee, and Aaron E. Abts, as Trustee of the Aaron E. Abts 1993 Revocable Living Trust, hereinafter called the second party.

WITNESSETH:

RECITALS DOUGLAS W. R BEY and REGINA L. ROBEY, as grantor, executed and delivered to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, as trustee, for the benefit of AARON E. ABTS, TRUSTEE OF THE AARON E. ABTS 1993 REVOCABLE LIVING TRUST, as beneficiary, a certain trust deed dated November 18, 1985, duly recorded on November 27, 1985, in the mortgage records of Klamath County, Oregon, in book 131/volume No. M35 at page 19510, or as fee/file instrument, microfilm/reception No. 5360 (indicate which). In said trust deed the real property therein and hereinafter described was conveyed to 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 his 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 power and hold of the obligation secured by said trust deed, being the beneficiary, the named or his 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 advertise and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on September 11, 1994, in book 131/volume No. M94 at page 29763 thereof or as fee/file instrument, microfilm/reception No. (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 him and as required by law; copies of the Trustee's Notice of Sale were served pursuant to ORCP 7D(1) 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 86.750(1) 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 10 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 said needed 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 first 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 time of sale in the official records of said county; said affidavits and proofs, together with the said notice of default and the said notice of sale, being now referred to and incorporated in and made a part of this trust deed in full as if set out here in verbatim. The undersigned trustee has no actual notice of any person, other than the persons named in said affidavits and proofs, 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).

Pursuant to said notice of sale, the undersigned trustee on February 13, 1995, 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 sets 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 him by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$33,968.75, he 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 \$33,968.75.

CONTINUE ON REVERSE SIDE

Delete words in parentheses if inapplicable.

Robey

GRANTOR'S NAME AND ADDRESS

Abts

GRANTEE'S NAME AND ADDRESS

AR recording return to

William M. Ganong
635 Main Street
Klamath Falls OR 97601

NAME, ADDRESS ZIP

If a change is required all tax statements shall be sent to the following address:

Aaron E. Abts
1549 Berkeley Street
Klamath Falls OR 97601

NAME, ADDRESS ZIP

STATE OF OREGON.

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.

NAME

TITLE

By Deputy

NOW THEREFORE, in consideration of the 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 and to the following described real property, to-wit:

Tract 92 of PLEASANT HOME TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

More commonly referred to as: 1772 Hope Street
Klamath Falls OR 97603

Tax Lot No. 3 09-2BA-E100

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

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 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 set his hand; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers 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 SINGING OR ACCEPTANCE OF THIS INSTRUMENT THE PERSON ACQUIRING TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES

William M. Ganong
William M. Ganong, Successor Trustee

If every notary is a corporation
it has corporate seal

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

STATE OF OREGON

County of Klamath

The foregoing instrument was acknowledged before me this February 13, 1995 by
William M. Ganong, Successor Trustee

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Wm. M. Ganong
on this 27th day of Feb A.D. 19 95
at 1:01 o'clock P.M. and duly recorded
in Vol. M95 of Deeds Page 4309
Bernetha G. Letsch County Clerk
By *Bernetha G. Letsch* Deputy

Fee \$35.00

