

5067

TRUSTEE'S DEED

Vol. 1115

Page

22816

THIS INDENTURE, Made this 17TH day of AUGUST

JERRY M. MOLATORE, 1915, between
 called trustee, and JOHN H. PETERSON, hereinafter
 hereinafter called the second party;

WITNESSETH:

RECITALS: ANTONIO F. TORQUATO, as grantor, executed and
 delivered to ASPEN TITLE & ESCROW, as trustee, for the benefit
 of DAVID DAVENPORT & GINA L. DAVENPORT, as beneficiary, a certain trust deed
 dated SEPTEMBER 15, 1992, duly recorded on OCTOBER 30, 1992, in the mortgage records
 of KLAMATH County, Oregon, in book/reel/volume No. M-92 at page 25754, and/or as fee/
 file/instrument/microfilm/reception No. 1111111111 (indicate which). In that trust deed the real property therein and
 hereinafter described was conveyed by the grantor to the trustee to secure, among other things, the performance of
 certain obligations of the grantor to the beneficiary. The grantor thereafter defaulted in performance of the obliga-
 tions secured by the 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 the default, the owner and holder of the obligations secured by the trust deed, being the bene-
 ficiary 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 real property and to foreclose the trust deed by advertisement
 and sale to satisfy grantor's obligations was recorded on MARCH 15, 1995, in book/reel/volume No.
 M-95 at page 5809 and/or as fee/file/instrument/microfilm/reception No. 1111111111 (indicate
 which), KLAMATH County mortgage records, to which reference now is made.

After recording the notice of default, the undersigned trustee gave notice of the time for and place of sale of
 the real property as fixed by the trustee and as required by law. Copies of the 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 addresses 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. A copy of the notice of sale was mailed by first class and certi-
 fied 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. Copies of the notice of sale were served upon occupants of the property de-
 scribed 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 86.755(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. 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 successive weeks. The last
 publication of the notice occurred more than twenty days prior to the date of sale. The mailing, service and publica-
 tion of the notice of sale are shown by affidavits and/or proofs of service duly recorded prior to the date of sale in
 the county records, those affidavits and proofs, together with the Notice of Default and Election to Sell and the
 notice of sale, being now referred to and incorporated in and made a part of this deed as if fully set forth herein.
 The undersigned trustee has no actual notice of any person, other than the persons named in those affidavits and
 proofs as having or claiming a lien on or interest in the real property, entitled to notice pursuant to ORS 86.740(1)-
 (b) or (1)(c).

The true and actual consideration for this conveyance is \$20,359.18. (Here comply with ORS 93.030.)

(Continued on reverse side)

JERRY M. MOLATORE
 426 MAIN STREET
 KLAMATH FALLS OR 97601

JOHN H. PETERSON
 1818 MCCLELLAN

KLAMATH FALLS OR 97603

After recording return to (Name, Address, Zip):

JERRY M. MOLATORE
 426 MAIN STREET
 KLAMATH FALLS OR 97601

Until requested otherwise send all tax statements to (Name, Address, Zip):

JOHN H. PETERSON
 1818 MCCLELLAN
 KLAMATH FALLS OR 97603

SPACE RESERVED
FOR
RECORDER'S USE

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
 _____ and/or as fee/file/instru-
 ment/microfilm/reception No. _____,
 Record of Deeds of said County.

Witness my hand and seal of
 County affixed.

NAME

TITLE

By _____, Deputy

08-24-95A11:12 RCVD 08-24-95A11:12 ARNV



The undersigned trustee on AUGUST 16, 1995, at the hour of 10:00 o'clock, 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(2)) (which was the day and hour set in the amended notice of sale)* and at the place so fixed for sale, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon the trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of \$ 20,359.18, the second party being the highest and best bidder at the sale and that sum being the highest and best bid for the property.

NOW THEREFORE, in consideration of that sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in the trustee by the laws of the State of Oregon and by the 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 grantor's successors in interest acquired after the execution of the trust deed in and to the following described real property, to-wit:

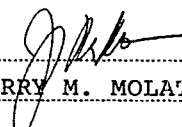
SEE ATTACHED EXHIBIT "A"

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 the 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 a 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 name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.


JERRY M. MOLATORE

* Delete words in parentheses if inapplicable.

STATE OF OREGON, County of KLAMATH ss.
This instrument was acknowledged before me on AUGUST 17, 1995,
by JERRY M. MOLATORE
This instrument was acknowledged before me on _____, 19____,
by _____
as _____
of _____



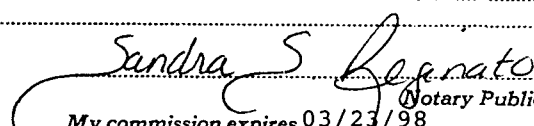

Sandra S. Reginato
Notary Public for Oregon
My commission expires 03/23/98

EXHIBIT "A"

The West 76 feet of Lot 9, Block 218, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northwestern corner of said Lot 9 and running; thence South 3 1/2 feet to the Southwesterly corner of said Lot on the Northerly line of South Sixth Street in said City of Klamath Falls; thence Southeasterly along the Southerly line of said Lot 9, 76 feet; thence Northeasterly 49.2 feet, more or less, to a point in the North line of said Lot 9, 76 feet East of the place of beginning; thence West to the place of beginning. SAVE AND EXCEPTING the following: Beginning at the intersection of the existing right of way of the Klamath Falls-Lakeview Highway and the East line of the West 76 feet of Lot 9, Block 218, Mills Second Addition to the City of Klamath Falls, Oregon, said intersection being 76.03 feet Southeasterly from the intersection of said right of way line and the East line of Martin Street; thence North 15 degrees 35' East along said East line of said property a distance of 9.34 feet to a point opposite and 40 feet from Station 65/05.04; thence parallel to the relocated center line of said Highway North 55 degrees 50' 30" West a distance of 66.63 feet to the North line of said Lot 9; thence South 89 degrees 23' 30" West along said North line a distance of 10.25 feet to the Northwestern corner of said Lot 9; thence South 0 degrees 30' 30" East along the West line of said Lot 9 a distance of 3.50 feet to the said Northerly right of way line; thence South 55 degrees 44' 45" East along said right of way line a distance of 76.03 feet to the point of beginning. TOGETHER WITH the right, privilege and easement to extend and maintain the slopes of cuts and/or fills for a distance of 10 feet measured at right angles to the highway center line upon the adjoining and abutting property.

CODE 1 MAP 3809-33DC TL 17200

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 24th day
of Aug A.D., 19 95 at 11:12 o'clock A M., and duly recorded in Vol. M95
of Deeds on Page 22816.

By Bernetha G. Lorsch County Clerk

FEE \$40.00