

K-48245

**TRUSTEE'S DEED**

KNOW ALL MEN BY THESE PRESENTS that the Bankruptcy Estate of FARRELL T. CUMMINGS and CHERYL L. CUMMINGS Bankruptcy Case No. 692-64284-aer7, now pending in the United States Bankruptcy Court for the District of Oregon, by and through its duly appointed and acting Trustee, BOYD C. YADEN, herein called "GRANTOR", acting in his capacity as Trustee and not individually, by virtue of the power and authority given a bankruptcy trustee under the laws of the United States of America, for the consideration hereinafter stated, does hereby grant, bargain, sell, convey and release to GRACE JOHNSON, herein called "GRANTEE", and unto Grantee's successors and assigns, all of the interest vested in the Debtors in the subject property described herein, at the time of the filing of the above referenced bankruptcy case, and which passed to the Bankruptcy Estate by operation of law and became subject to administration of the Trustee, together with all after acquired title of the Bankruptcy Estate, if any, all tenements, hereditaments, appurtenances thereunto belonging, or in any way appertaining, situated in KLAMATH County, State of Oregon, described as follows, to-wit:

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF AS THOUGH FULLY SET FORTH HEREIN.

**SUBJECT TO AND EXCEPTING:**

All liens, encumbrances, easements, or any other interest of record, of any type or nature.

1 - TRUSTEE'S DEED

Return To:  
Klamath County Title

The Trustee's power and authority to dispose of such property of the Bankruptcy Estate originates in 11 USC § 363, and this transfer is made following notice to "interested persons" and an opportunity for hearing pursuant to such law.

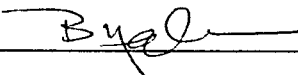
The consideration for this transfer is \$190,000.00.

Grantor makes this conveyance without any warranties express or implied. This conveyance and release is intended to transfer all of the Bankruptcy Estate's interest, if any, in the subject property described herein, to the Grantee, in its existing condition, AS IS, without any warranties express or implied. Grantee's recording of this Deed indicates Grantee's acceptance of this conveyance and release upon that basis.

Grantor covenants that this Deed is to be absolute in effect as pertains to the Bankruptcy Estate and conveys whatever right, title and interest the Bankruptcy Estate may have in the described property. This conveyance and release is not intended to operate as a mortgage, trust deed or security of any kind.

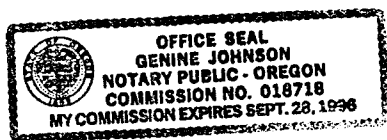
**WARNING: THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.**

In WITNESS WHEREOF, Grantor has executed this Deed this 17<sup>th</sup> day of August, 1995.

By 

STATE OF Oregon )  
 ) ss.  
 County of Klamath )

This instrument was acknowledged before me on the 17th day  
 of August 1995, ~~1994~~ by Ronald C. Liden, Trustee for the  
 Bankruptcy Estate of Farrell T. Cummings - Cheryl Cummings Case No. 695-104284 ER 7



Genine Johnson  
 Notary Public for  
 My Commission Expires: 9/28/96

## DESCRIPTION

The following described real property situate in Klamath County, Oregon:

A tract of land situated in the E½E½ of Section 28, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the North line of said Section 28, also being the centerline of Crystal Springs Road, from which the Northeast corner of said Section 28 bears South 89°54'41" East 457.69 feet; thence along the centerline of a drainage ditch, South 08°19'50" West 437.25 feet, South 32°08'50" East 525.15 feet, South 08°27'56" West 1184.39 feet and South 02°01'38" East 713.52 feet to the approximate intersection of said drain and the approximate shore line of Nuss Lake; thence continuing South 02°01'38" East 516.99 feet to a point in Nuss Lake; thence North 89°42'48" West 850.00 feet to the approximate shore line of Nuss Lake; thence continuing North 89°42'48" West 105.87 feet to the centerline of Hill Road; thence along the centerline of Hill Road, North 00°17'12" East 580.57 feet, along the arc of a curve to the right (central angle = 22°34'30" and Radius = 477.47 feet) 188.13 feet, North 22°51'42" East 87.70 feet, along the arc of a curve to the left (central angle = 39°42'10" and radius = 636.61 feet) Boiler Plat Not 441.14 feet, North 16°50'28" West 227.80 feet, along the arc of a curve to the right (Central angle = 17°10'00" and Radius = 572.96 feet) 171.67 feet and North 00°19'32" East 1611.54 feet to the North line of said Section 28 and the centerline of Crystal Springs Road; thence South 89°54'41" East 854.82 feet to the point of beginning.

Together with easement in document recorded in Volume M90 page 10546, Deed records of Klamath County, Oregon from John O. Hintze and Wanda June Hintze to Farrell T. Cummings and Cheryl L. Cummings, husband and wife.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title the 24th day  
of Aug A.D., 19 95 at 3:39 o'clock P M., and duly recorded in Vol. M95  
of Deeds on Page 22912

FEE \$45.00

By Bernetha O. Leisch County Clerk