

AFTER RECORDING RETURN TO:

Carlyle F. Stout III
Attorney at Law
215 Laurel Street
Medford, OR 97501

SEND TAX STATEMENTS TO:

BLACKETOR & ASSOCIATES
c/o Robert S. Blacketor
11756 Dixie Road
Central Point, OR 97502

TRUSTEE'S DEED

THIS INDENTURE, made this 9th day of November, 1995, between **CARLYLE F. STOUT III**, hereinafter Successor Trustee, and **BLACKETOR & ASSOCIATES**, a partnership consisting of **HUGH R. BLACKETOR, NAOMI R. BLACKETOR, ROBERT S. BLACKETOR, PENNY A. WHITNEY** and **JAMES L. WHITNEY**, hereinafter Grantee;

RECITALS:

WHEREAS, ANNETTE K. PELLETIER, as Grantor, executed and delivered to Trustee, **CRATER TITLE INSURANCE COMPANY**, for the benefit of **BLACKETOR & ASSOCIATES**, a partnership consisting of **Hugh R. Blacketor, Naomi R. Blacketor, Robert S. Blacketor, Penny A. Whitney** and **James L. Whitney**, as Beneficiary, a certain trust deed, recorded the 18th day of October, 1994, in Volume M94, Page 32387, and re-recorded October 24, 1994, in Volume M94, Page 32952, Mortgage Records of Klamath County, Oregon.

WHEREAS, Carlyle F. Stout III was appointed successor trustee dated June 20, 1995, recorded June 27, 1995, in Volume M95, Page 16820, records of Klamath County, Oregon.

WHEREAS, 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, and **WHEREAS**, the said Grantor thereafter defaulted in his performance of the obligations secured by said trust deed as stated in the notice of default and notice of sale 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 his successor in interest, declared all sums so secured immediately due and owing; a notice of default and notice of sale pursuant to ORS 86.735 and 86.745 containing the requisite statutory allegations, was recorded June 27, 1995, in Volume M95, Page 16822, records of Klamath County.

After the recording of said notice of default and notice of sale, as aforesaid, the undersigned Successor 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 Successor Trustee's said notice of default and 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 all persons or their legal representatives named in ORS 86.740(1); the notice prescribed in ORS 86.745 was served upon all 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 day the Successor Trustee conducts the sale pursuant to ORS 86.750(1). The Trustee caused to be published a copy of the notice of sale in a newspaper of general circulation in each of the county in which the property is situated once a week for four (4) successive weeks with the last publication being made more than 20 days prior to the date the Successor Trustee conducts the sale pursuant to ORS 86.750(2). On or before the date of the sale the Successor Trustee

460

recorded an affidavit of mailing notice of sale, proof of service (if any) and an affidavit of publication of notice of sale in the Official Records in the county or counties in which the property described in the deed is situated pursuant to ORS 86.750(3). On the date of said notice of sale, the undersigned Successor Trustee had 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 subsequent to the interest of the Successor Trustee in the trust deed.

Pursuant to said notice of sale, the undersigned Successor Trustee on November 9, 1995, at the hour of 11:00 o'clock a.m., of said day, Standard Time as established by Section 187.110, Oregon Revised Statutes, 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 Grantee for the sum of \$41,700, said Grantee 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 \$41,700.

NOW, THEREFORE, in consideration of the said sum so paid by the Grantee in cash, the receipt whereof is acknowledged, and by the authority vested in said Successor Trustee by the laws of the State of Oregon and by said trust deed, the Successor Trustee does hereby convey unto the Grantee 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:

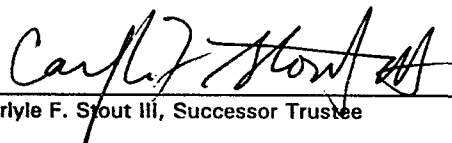
See Exhibit "A" attached hereto and incorporated by reference.

TO HAVE AND TO HOLD the same unto the Grantee, 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, and the word "beneficiary" includes any successor in interest of the Beneficiary first named above.

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.

IN WITNESS WHEREOF, the undersigned Successor Trustee has hereunto set his hand.


 Carlyle F. Stout III, Successor Trustee

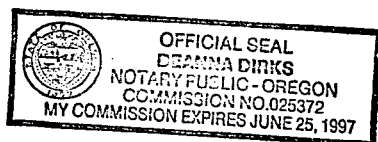
30767


STATE OF OREGON)
) ss.
County of Jackson)

November 9, 1995

Personally appeared the above named Carlyle F. Stout III and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:




Notary Public for Oregon
My Commission Expires: 6/25/97

(Dee\clients\blacketor\pelletier\TrusteeDeed)

EXHIBIT A

DESCRIPTION

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

A parcel of land situated in Government Lot 16, Section 7, Township 35 South, Range 7 East of the Willamette Meridian, more particularly described as follows:

Commencing at the Southeast corner of said Government Lot 16, thence N. 89°57'40" W., along the South line of said Government Lot 16 a distance of 571.43 feet more or less to the West right of way line of State Highway 427; thence N. 01°23'30" W. along the West right of way line of said State Highway 427 a distance of 379.19 feet to the True point of beginning; thence from said true point of beginning N. 01°23'30" W. along the West right of way line of said State Highway 427, a distance of 140.42 feet; thence N. 89°57'40" W. a distance of 605 feet to a point on the Westerly line of said Government Lot 16; thence S. 14°24'30" W. along the Westerly line of Government Lot 16 a distance of 201.26 feet; thence S. 89°57'40" E. a distance of 220 feet; thence N. 00°02'20" E a distance of 55 feet; thence S. 89°57'40" E, a distance of 438.45 feet to the true point of beginning.

With the common street address of 35850 Modoc Point Road, Chiloquin, OR.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Carlyle F. Stout III the 13th day
of November A.D., 19 95 at 10:14 o'clock A M., and duly recorded in Vol. M95
of Deeds on Page 30765

FEE \$45.00

By Bernetha G. Letsch, County Clerk
Annette Mueller