

22031

AFTER RECORDING RETURN TO:

De L. Dishman  
Stoel Rives LLP  
900 SW Fifth Avenue, Suite 2300  
Portland, OR 97204-1268

UNTIL A CHANGE IS REQUESTED ALL TAX  
STATEMENTS SHALL BE SENT TO:

Conklin-Fenstermaker, Inc.  
41634 Big Stage Court  
Temecula, CA 92591

UTC 37489

## TRUSTEE'S DEED

THIS INDENTURE made this 24th day of July, 1996, between Christine A. Kosydar, hereinafter called trustee, and Conklin-Fenstermaker, Inc., a California corporation hereinafter called the second party. The true and actual consideration paid for the transfer is \$38,965.37;

## WITNESSETH:

RECITALS: Richard Barnett as grantor executed and delivered to Mountain Title Company of Klamath County as trustee for the benefit of Conklin-Fenstermaker, Inc., a California corporation as beneficiary a certain trust deed dated June 27, 1995, duly recorded on August 2, 1995 in the mortgage records of Klamath County, Oregon Volume M95 at Page 20437. In the 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 grantor's performance of the obligations 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 obligation secured by the trust deed, being the beneficiary therein named, or beneficiary's successors 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 in the mortgage records of Klamath County on March 14, 1996, to which reference now is made.

After the recording of the Notice of Default, as aforesaid, 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 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 86.740(2)(a), at least 120 days before the date the property was sold, and copies of the Trustee's Notice of Sale were 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 Trustee's 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). Further, the trustee published a copy of the Trustee's 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 20 days prior to the date of such sale. The mailing, service and publication of the Trustee's 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 Klamath County, the affidavits and proofs, together with the 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 the affidavits and proofs as having or claiming a lien on or interest in the described real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

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Pursuant to the Trustee's Notice of Sale, the undersigned trustee on July 23, 1996 at the hour of 3:45 p.m. of the day, in accordance with the standard of time established by ORS 187.110, 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 the trustee by the trust deed, sold the real property in one parcel at public auction to the second party for the sum of \$38,965.37 the second party being the highest and best bidder at such sale and the sum being the highest and best sum bid for the property. The true and actual consideration paid for this transfer is the sum of \$38,965.37.

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 the trustee by the laws of the State of Oregon and by the trust deed, the trustee does hereby convey without any warranties whatsoever, including without limitation, warranties on the status of title and the condition of the real property 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 real property located and described as follows:

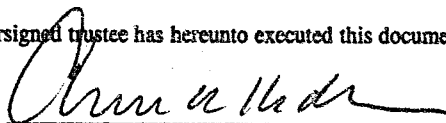
The NW ¼ of the SW ¼; the W½ of the NW ¼ of Section 26 and the NE ¼ of the NE ¼ of the Section 27, all situate in Township 38 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon..

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 corporation and any other legal or commercial entity.

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.

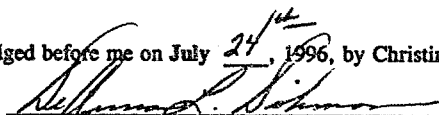
IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document.



Christine A. Kosydar, Successor Trustee

STATE OF OREGON     )  
                                  ) ss.  
County of Multnomah    )

This instrument was acknowledged before me on July 24<sup>th</sup>, 1996, by Christine A. Kosydar.



Notary Public for Oregon



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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of AmeriTitle the 25th day of July A.D., 19 96 at 11:46 o'clock AM., and duly recorded in Vol. M96 of Deeds on Page 22524

FEE \$35.00

Bernetha G. Letsch, County Clerk

By 