

## TRUST DEED

After recording, this Trust Deed shall be delivered to:

Lynn F. Jarvis, Esq.  
Bryant, Lovlien & Jarvis, P.C.  
P.O. Box 1151  
Bend, Oregon 97709-1151

Trust Deed made this 26<sup>th</sup> day of September, 1996, between ROY J. GIENGER, as Grantor, and ELLEN C. GIENGER, as Beneficiary, and AMERITITLE, as Trustee.

Grantor conveys to Trustee in trust with the power of sale the following-described property in Klamath County, Oregon.

24444 Modoc Point Road, Chiloquin, Oregon, more particularly described as follows:

Lot 21, Modoc Point, Klamath County, Oregon according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

This Trust Deed is given as additional security and for the purpose of voluntarily securing payment and performance of a judgment entered against Grantor and in favor of Beneficiary in that State of Oregon, Klamath County Circuit Court Case No. 950 2452-CV, encaptioned, *In the Matter of the Marriage of: Roy J. Gienger, Petitioner, and Ellen C. Gienger, Respondent.*

Grantor agrees:

- (1) To protect, preserve and maintain said property in good condition and repair and not to commit or permit any waste of said property.
- (2) To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting said property.
- (3) To keep the property free from all liens and to pay and maintain in a current and timely manner all existing encumbrances, taxes, assessments, maintenance charges or other charges that may be levied or assessed upon or against said property, before the same become past due or delinquent. Beneficiary, at her option, may pay such items when the same become delinquent and the amount so paid shall be added to the principal owing under the judgment above described at the same rate of interest and with costs for collection.
- (4) To pay all costs, fees and expenses incurred by Beneficiary or Trustee under this agreement, including the costs of title search and other costs and expenses incurred in connection with or enforcing this obligation, including attorneys' fees.

## 1 - TRUST DEED

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Bryant Lovlien & Jarvis  
ATTORNEYS AT LAW

40 N.W. Greenwood ■ P.O. Box 1151 ■ Bend, Oregon 97709-1151 ■ (503) 382-4331 ■ Fax (503) 389-3386

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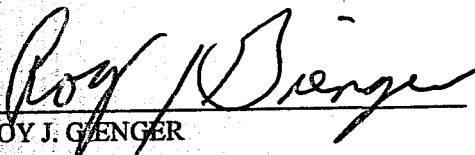
(5) Upon default by Grantor of any provision of this agreement Beneficiary may declare all sums secured hereby to be immediately due and payable.

(6) To maintain adequate fire insurance coverage on improvements on the said property, with Beneficiary as a loss payee to the extent of their interest and to furnish Beneficiary with a copy of the same, upon her request.

Grantor is the owner of the above described property free and clear of any encumbrances, except those above described and will warrant and defend the same against all persons.

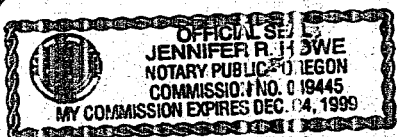
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

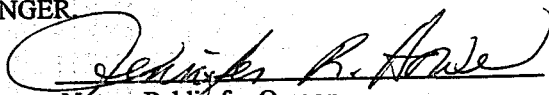
IN WITNESS WHEREOF, Grantor has executed this agreement the day and year first above written.

  
ROY J. GENGGER

STATE OF OREGON, County of Klamath : ss


The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of September, 1996, by ROY J. GIENGER



  
Notary Public for Oregon  
My Commission Expires: 12-4-99

## 2 - TRUST DEED

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Eriant Lovlien  Jarvis

40 N.W. Greenwood ■ P.O. Box 1151 ■ Bend, Oregon 97709-1151 ■ (503) 382-4331 ■ Fax (503) 389-3386

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Lynn F. Jarvis the 14th day  
of October A.D., 19 96 at 1:45 o'clock P. M., and duly recorded in Vol. M96  
of Mortgages on Page 32456.

Bernetha G. Letsch County Clerk

FEE \$15.00

By Kathleen Rose