

34019

RECORDING REQUESTED BY

Vol. 1197 Page 6812

AND WHEN RECORDED MAIL TO:

'97 MAR -7 AIO:57

Return to:
Barbara A. Trebil
Klamath County
Title Co.
92703

Title Order No. K-50210

Escrow No. 51683-MAS

Assessor's Parcel No.

Date JANUARY 21, 1997

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

This Deed of Trust is made this TWENTY-FIRST day of JANUARY, 1997 between **James C. Cook and Marie J. Cook**, herein called TRUSTOR, whose address is 4987 Uhrman Road, Klamath Falls, Oregon 97601, **KLAMATH COUNTY TITLE COMPANY, A-SUBSIDIARY-OF FIRST AMERICAN TITLE INSURANCE COMPANY**, herein called TRUSTEE, and

Floyd N. Trebil and Barbara A. Trebil herein called BENEFICIARY.

Witnesseth: Trustor **IRREVOCABLY GRANTS, TRANSFERS, AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE**, that property in Klamath County, Oregon, described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

This Deed of Trust is given and accepted as a portion of the purchase price.

This Deed of Trust is given and accepted upon the express provision that should the property hereinbefore described, or any part thereof, be conveyed or alienated by Trustor, either voluntarily or by operation of law, without Beneficiary's written consent, then all sums secured hereby shall, at Beneficiary's option, become immediately due and payable.

INITIALS: RC
mjc

CONTINUED ON PAGE 2

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

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Page 2

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TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Beneficiary by paragraph (10) of the provisions incorporated herein by reference to collect and apply such rents, issues and profits.
For the Purpose of Securing: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of \$5,000.00 executed by Trustor in favor of Beneficiary or order.
3. Payment of such further sums as the then record owner of said property hereafter may borrow from Beneficiary, when evidenced by another note (or notes) reciting it is so secured.
To Protect the Security of this Deed of Trust, Trustor Agrees: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (14), inclusive, of the fictitious deed of trust recorded in Santa Barbara County and Sonoma County October 18, 1961, and in all other counties October 23, 1961, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:

COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE
Alameda	433	684	Imperial	1091	501	Blanco	184	851	San Francisco	A332	905	Solano	1105	182
Alpine	1	250	Inyo	147	598	Bloco	82	439	San Joaquin	2470	311	Sonoma	1851	689
Amador	104	348	Kern	3427	80	Monterey	2194	638	San Luis Obispo	1151	12	Stanislaus	1715	456
Butte	1145	1	Kings	792	833	Napa	639	86	San Mateo	4078	420	Sutter	572	297
Calaveras	145	152	Lake	362	39	Nevada	305	320	Santa Barbara	1878	660	Tahama	401	288
Columbia	296	617	Lassen	171	471	Orange	6886	611	Santa Clara	5336	341	Tehama	93	366
Contra Costa	3978	47	Los Angeles	12058	898	Piace	896	301	Santa Cruz	1431	494	Tulare	2294	278
Del Norte	78	414	Madera	810	170	Plumas	151	5	Shasta	684	538	Tuolumne	135	47
El Dorado	568	488	Marin	1908	330	Riverside	3008	623	San Diego	1981, Page 183887	29	Ventura	2082	386
Fresno	4626	572	Mariposa	77	282	Sacramento	4331	62	Sierra	29	335	Yolo	633	245
Glenn	422	184	Mendocino	579	530	San Benito	271	323	Slackyou	468	181	Yuba	334	466
Humboldt	657	827	Merced	1547	538	San Bernardino	5867	61						

(which provisions, identical in all counties, are printed on Page 3 hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provisions; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations and parties set forth in this Deed of Trust.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

Signature of Trustor

Signature of Trustor

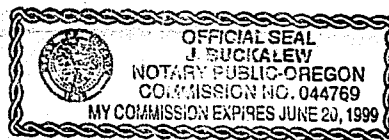
James C. Cook
James C. Cook

Marie J. Cook
Marie J. Cook

STATE OF CALIFORNIA }
COUNTY OF Oregon }
COUNTY OF Klamath } ss.

On 2-11-97 before me, a Notary Public in and for said State, personally appeared James C. Cook and Marie J. Cook, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity on behalf of which the persons acted, executed the instrument.
WITNESS my hand and official seal.

FOR NOTARY SEAL OR STAMP



Signature *(Buckalew)*

EXHIBIT "A"

DESCRIPTION OF PROPERTY

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

That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 38 South, Range 9 East of the Willamette Meridian, more particularly described as follows:

Commencing at the corner common to Sections 7, 8, 17 and 18, running thence along the West line of Section 8, North 00°28'00" East 517.41 feet; thence South 89°32'00" East 101.79 feet; thence parallel to the West line of Section 8, North 00°28'00" East 140.88 feet to a 5/8 inch rebar marking the North line of Parcel 2 and the point of beginning; thence continuing North 00°28'00" East 287.06 feet; thence North 89°32'00" West 101.79 feet to the West line of Section 8; thence along said Section line North 00°28'00" East 381.40 feet to the 1/16 section line that sets the North line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8; thence along said 1/16 line South 89°47'28" East 1326.43 feet to the 1/16 Section line that sets the East line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8; thence along said 1/16 line, South 00°35'43" West 667.31 feet to a point South 89°52'00" East of the point of beginning; thence along the North line of Parcel 2, North 89°52'00" West 50.00 feet to a 5/8 inch rebar marking said parcel line; thence continuing along said parcel line North 89°52'00" West 1173.15 feet to the point of beginning, all in Klamath County, Oregon.

TOGETHER WITH:

A 40.00 foot wide road easement located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, Township 38 South, Range 9 E.W.M.; being 20.00 feet on each side of the following described centerline:

Beginning at a point on the East line of Section 7 from which a 1/2 inch pipe marking the Southeast corner of Section 7 bears South 00°28'00" West 497.41 feet distant; thence North 89°32'00" West 252.43 feet; thence South 47°28'00" West 305.82 feet to a point on the Northeasterly right of way line of Uhrmann Road.

ALSO TOGETHER WITH:

A 40.00 foot wide road easement located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 38 South, Range 9 E.W.M., being 20.00 feet on each side of the following described centerline:

Beginning at a point on the West line of Section 8 from which a 1/2 inch pipe marking the Southeast corner of Section 8 bears South 00°28'00" West 497.41 feet distant; thence running South 89°32'00" East 121.79 feet; thence North 00°28'00" East 160.88 feet to the South line of the above described Parcel.

Easement, including the terms and provisions thereof, given to Merle R. Britton and Rena M. Britton to Heber E. Clason and Verda M. Clason, husband and wife, and Albert LeQuieu and Thora LeQuieu, husband wife, dated September 4, 1986, recorded December 11, 1986, in Volume M86, Page 22785, Deed of Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title the 7th day
of March A.D., 19 97 at 10:57 o'clock A. M., and duly recorded in Vol. M97
of Mortgages on Page 6812.

Bernetha G. Letsch, County Clerk

FEE \$20.00

by Kathleen Rose