

OF DECEMBER 1997  
 FIRST FULL RECORD IN RECORDS OF

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 POWERED LETTERS

on 6/86 1997  
 B. M. and wife recorded in Vol 353

FORM No. 1175 - TRUSTEE'S DEED - Oregon Trust Deed Series (Individual or Corporate).

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NA

49692

TRUSTEE'S DEED

Vol. M97 Page

39777

THIS INDENTURE, Made this 4th day of

December

1997, between

called trustee, and Highland Community Federal Credit Union

hereinafter called the second party;

WITNESSETH:

RECITALS: Jeffrey C. Mahan

delivered to Aspen Title & Escrow, Inc and Robert Foltyn (as successor), as trustee, for the benefit of Highland Community Federal Credit Union, as beneficiary, a certain trust deed dated May 26, 1994, duly recorded on May 26, 1994, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M94 at page 16826, and/or as fee/file/instrument/microfilm/reception No. (indicate which). In that 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 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 obligations secured by the trust deed, being the beneficiary therein named, or beneficiary's successor 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 on July 15, 1997, in book/reel/volume No. M97 at page 22307 and/or as fee/file/instrument/microfilm/reception No. (indicate which), Klamath County mortgage records, to which reference now is made.

After recording the notice of default, 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 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 the persons or their legal representatives, if any, named in ORS 86.740(1) and (2)(a), at least 120 days before the date the property was sold. A copy of the notice of sale was 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. Copies of the notice of sale were 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). If the foreclosure proceedings were stayed and released from the stay, copies of an amended notice of sale in the form required by ORS 86.755(6) were mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(1) and to the address provided by each person who was present at the time and place set for the sale which was stayed within 30 days after the release from the stay. The trustee published a copy of the 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 twenty days prior to the date of sale. The mailing, service and publication of the notice of sale are shown by affidavits and/or proofs of service duly recorded prior to the date of sale in the county records, those affidavits and proofs, together with the Notice of Default and Election to Sell and the notice of sale, being now referred to and incorporated in and made a part of this deed as if fully set forth herein. The undersigned trustee has no actual notice of any person, other than the persons named in those affidavits and proofs as having or claiming a lien on or interest in the real property, entitled to notice pursuant to ORS 86.740(1)-(b) or (1)(c).

The true and actual consideration for this conveyance is \$ 63,091.81 (Here comply with ORS 93.030.)

(Continued on reverse side)

Jeffrey C. Mahan

13908 Meadowbrook Lane

Klamath Falls, OR 97601

Grantor's Name and Address

Highland Community Federal Credit Union

3737 Shasta Way

Klamath Falls, OR 97603

Grantee's Name and Address

After recording return to (Name, Address, Zip):

Highland Community Federal Credit Union

3737 Shasta Way

Klamath Falls, OR 97603

Until requested otherwise send all tax statements to (Name, Address, Zip):

Highland Community Federal Credit Union

3737 Shasta Way

Klamath Falls, OR 97603

STATE OF OREGON,

County of

SS.

I certify that the within instrument was received for record on the day of 1997, at

book/reel/volume No. and recorded in

and/or as fee/file/instrument/microfilm/reception No.

Record of Deeds of said County.

Witness my hand and seal of

County affixed.

At the point of

NAME

By Deputy

97 DEC-8 P2:14

33

7873 205215 447

1997 at the hour of 10:00 o'clock, AM in

**NOW THEREFORE**, in consideration of that 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 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 following described real property, to-wit:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 07-01-2011 BY 60320 UCBAW/STP/STP

[illegible]

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 a 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 31.931.

ROBERT J. FOLTYN  
514 Walnut Avenue  
Klamath Falls, OR 97601

\* Delete words in parentheses if inapplicable.

STATE OF OREGON, County of ..... Klamath

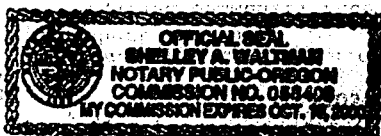
This instrument was acknowledged before me on December 5, 1997.

by Robert J. Foltyn

This instrument was acknowledged before me on ..... 19.....

**by**

89



Shelly Waltham  
Notary Public for Oregon  
My commission expires 10-18-08

STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of Robert Foltyn the 8th day  
of December A.D., 19 97 at 2:14 o'clock P. M., and duly recorded in Vol. M97,  
of Deeds on Page 39777

**FEE \$35.00**

By Bernetha G. Letsch, County Clerk