FORM No. 1175 - TRUSTEE'S DEED EVENS-NEES LAW PUBLISHING CO., PORTLAND, OR 97204 65222 Vol. 198 Page\_ **\*9**8 AUG 26 P3:35 314 Carlton D. Warren STATE OF OREGON, 850 N.E. 122nd Avenue County of \_\_\_\_\_ Portland, OR 97230 I certify that the within instrument Trustee's Hame and Address Mainlander Services Corporation was received for record on the \_\_\_\_\_ day 25 - 82nd Drive, Suite 200 , 19\_\_\_\_, at Gladstone, OR 97027 Second Party's Name and Address book/reel/volume No. ..... on page After recording, return to (Name, Address, 2ip): SPACE RESERVED and/or as fee/file/instru-Carlton D. Warren FOR ment/microfilm/reception No. \_\_\_\_\_, 850 N.E. 122nd Avenue RECORDER'S USE Records of said County." Portland, OR 97230 Witness my hand and scal of County Unst requested otherwise, send all tax statements to (Neme, Address, Zip): Mainlander Services Corporation affixed. 25 - 82nd Drive, Suite 200 Gladstone, OR 97027 MALLE ATC. MAN 19.98, between herringfter TRUSTEE'S DEED THIS INDENTURE, Made this Carlton D. Warren ----- day of \_. called trustee, and Mainlander Services Corporation , hereinafter hereinafter called the second party; WITNESSETH: RECITALS: Diversified Assets, Inc., a California corporation, as grantor, executed and delivered to <u>Carlton D. Warren</u>, as trustee, for the benefit of Mainlander Services Corporation dated May 17, 1996, recorded May 23, 1996, in the Records of Klamath County, Oregon, in BORNSEL/volume No. M96..... at page 15024..., 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 the 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 the asserting grantor's in **book** was recorded on <u>March 30</u>. 19.98, in the Records of <u>Klamath</u> County, (indicate which), 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 7 D. (2) and 7 D. (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 86.740 (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 fiduciary or personal representative 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 7 D. (2) and 7 D. (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 addresses 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,

The true and actual consideration for this conveyance is \$252,013,42. (Here comply with ORS 93.030.)

(OVER)

The undersigned trustee, on <u>August 21</u>, 19.98, at the hour of <u>11:00</u> o'clock, <u>A.M.</u>, in accord with the standard of time established by ORS 187.110, (which was the day and hour to which the sale was postponed as peraccordance with the laws of the State of Oregon and pursuant to the powers conferred upon the trustee by the trust deed, sold the reai accordance at public auction to the second party for the sum of \$252,013.42, the second party being the highest and best bidder at the sale, and that sum being the highest and best bid for the property.

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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: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORA-TED HEREIN AS THOUGH FULLY SET FORTH VERBATIM. Said property is also known as 63 acres more or less at intersection Hwy. 97 and Hwy. 140.

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TO HAVE AND TO HOLD the same unto the second party and the 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; "grantor" includes any successor in interest to the grantor, as well as each and every other person owing an obligation, the performance of which is secured by the trust deed; "trustee" includes any successor trustee; "beneficiary" includes any successor in interest of the beneficiary first named above; and "person" includes a corporation and any other legal or commercial entity.

IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document. If the undersigned is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly pathorized to do so by order of its

Carlton D.

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 CRS 30.30.

" Delete words in parentheses if inapplicable.

	STATE OF OREGO This instrum by <u>Carlton</u> This instrum		
	by as of		
UTARY P	CAL SEAL ( E A. COLE ( UBLIC-OREGON ( ION NO. 312275 ( RES JULY 3), 2002 ( I	Notary Public for Oregon My commission expires 07/30/02	

The SW 1/4 SW 1/4 of Section 27, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

The NW 1/4 NW 1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

EXCEPTING the following described parcels of land:

Beginning at the 1/16 section corner in the center of the NW 1/4 of Section 34; thence North 89 degrees 25' West 561.1 feet; thence North 0 degrees 19' West 776.3 feet; thence South 89 degrees 25' East 561.1 feet; thence South 0 degrees 19' East 776.3 feet to the point of beginning.

Beginning at the Southwest corner of the said NW 1/4 NW 1/4; thence North 0 degrees 28' West 253 feet to the Northerly right of way line of the State Highway; thence along said right of way line South 73 degrees 47' 15" East on the long chord of a curve to the right a distance of 188.1 feet; thence on a 1592.4 foot radius curve right (the long chord of which bears South 67 degrees 29' 15" East 182.1 feet) a distance of 182.2 feet; thence South 73 degrees 31' East 368.5 feet to the North line of a county road; thence South 89 degrees 46' East 70 feet to the East line of I.L.C. Gooding property; thence South 0 degrees 19' East 30 feet to the South line of said NW 1/4 NW 1/4; thence North 89 degrees 46' West 775.9 feet along the South line of said NW 1/4 NW 1/4 to the place of beginning.

ALSO SAVING AND EXCEPTING that portion deeded to the State of Oregon by and through its State Highway Commission by deed recorded January 29, 1965 in Book 359 at Page 112, Deed Records of Klamath County, Oregon.

AND FURTHER SAVING AND EXCEPTING the North 60 feet of the NW 1/4 NW 1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

AND FURTHER SAVING AND EXCEPTING that portion deeded to Klamath County by deed recorded September 3, 1992 in Book M-92 at Page 20200.

CODE 156 MAP 3809-2700 TL 600 CODE 154 MAP 3809-34BB TL 200.

Permitted Encumbrances: Rights of the public in and to any portion of the property lying within the boundaries of roads or highways; Easement recorded August 1, 1942 at Book 149 Page 54; Easement recorded February 4, 1944 at Book 162 Page 113; Easement recorded December 23, 1960 at Book 327 Page 289; Reservation in deed recorded January 29, 1965 at Book 359 Page 112; Trust Deed recorded October 3, 1990 at Book M-90 Page 19987

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All book and page references are to the real property records of the County of Klamath, State of Oregon.

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for r	record at request of	· · · · · · · · · · · · · · · · · · ·	Aspen	Title &	Escrow	the	26th	day
of	August	A.D., 19	<u>98</u> at	3:35	o'clock	P. M., and duly recorded	in Vol. M98	
	C	of	Deeds			on Page		
						Bernetha G Letsch	County Clerk	
FEE	\$40.00				Bv	Kotalux Rosal	i i	