

1999 OCT -6 PM 2:38

Vol M99 Page 39839

Grantor's Name and Address:

Scott D. MacArthur
280 Main Street
Klamath Falls, OR 97601

Grantee's Name and Address:

Rel: Wolforde E. Kiser and Cora V. Kiser, Trustees of the Kiser Living Trust, dated September 4, 1994
P.O. Box 97
Midland, OR 97634

After recording return to:

Wolforde E. Kiser and Cora V. Kiser, Trustees of the Kiser Living Trust, dated September 4, 1994
P.O. Box 97
Midland, OR 97634

Until a change is requested all tax statements shall be sent to
the following address:

Same

TRUSTEE'S DEED

THIS INDENTURE, Made this 30th day of September, 1999, between Scott D. MacArthur, hereinafter called trustee, and Wolforde E. Kiser and Cora V. Kiser, Trustees of the Kiser Living Trust, dated September 4, 1994, hereinafter called the second party;

WITNESSETH:

RECITALS: John C. Ryan, as grantor, executed and delivered to Mountain Title Company of Klamath County, as trustee, for the benefit of Wolforde E. Kiser and Cora V. Kiser, beneficiary, a certain trust deed dated February 25, 1994, duly recorded on March 29, 1994, in the mortgage records of Klamath County, Oregon, in volume No. M94 at page 9161. In said trust deed the real property therein and hereinafter described was conveyed by said grantor to said trustee to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in grantor's performance of the obligations secured by said 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 said default, the owner and holder of the obligations secured by said 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 said real property and to foreclose said trust deed by advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on April 16, 1999, at Volume No. M99, at page 14016, to which reference now is made.

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice of the time for and place of sale of said 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 (2)(a), at least 120 days before the date the property was sold, and the Trustee's Notice of Sale was mailed by

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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 property was vacant and no 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). 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. Further, the trustee published a copy of said notice of sale in a newspaper of general circulation in each county in which the said real property is situated, once a week for four successive weeks; the last publication of said notice occurred more than twenty days prior to the date of such sale. The mailing, service and publication of said 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 said county, said affidavits and proofs, together with the said 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 said affidavits and proofs as having or claiming a lien on or interest in said described real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

Pursuant to said notice of sale, the undersigned trustee on August 20, 1999 at the hour of 10:00 o'clock, A.M., of said day, in accord 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 said trustee by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$32,634.55, said second party being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$32,634.55

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said 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 said trust deed, together with any interest the said grantor or his successors in interest acquired after the execution of said trust deed in and to the following described real property, to-wit:

Exhibit "A" attached hereto and incorporated herein by this reference.

Tax Account NO. 3909-01800-00040-000


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 said 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.

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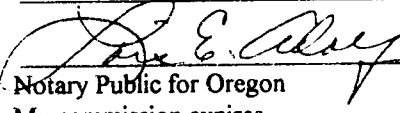
IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document; if the undersigned is a corporation, it has caused its corporate name to be signed and its seal affixed hereto by an officer duly authorized thereunto by order of its Board of Directors.

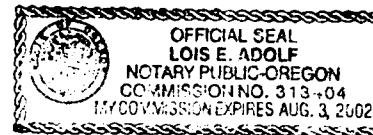
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO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


Scott D. MacArthur, Successor Trustee

STATE OF OREGON, County of Klamath)ss.

This instrument was acknowledged before me
on October 5, 1999, by Scott D.
MacArthur


Notary Public for Oregon
My commission expires _____



STATE OF OREGON, County of _____)ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

Name _____ Title _____

By _____, Deputy

EXHIBIT "A"
LEGAL DESCRIPTION

That part of the South 10 acres of the NW1/4 NE1/4 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Westerly of the Westerly line of The Klamath Falls-Weed Highway.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its Department of Transportation, Highway Division, as evidenced by Warranty Deed, recorded March 10, 1992 in Volume M92, page 5035, Microfilm Records of Klamath County, Oregon, more particularly described as follows:

Beginning at Engineer's center line Station 247+76.35, said station being 12,553.26 feet North and 905.45 feet West of the Southeast corner of Section 19, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence South 20 degrees 35' 30" West 255.81 feet; thence on a spiral curve left (the long chord of which bears South 19 degrees 33' West 499.93 feet) 500 feet; thence on an 4583.66 foot radius curve left (the long chord of which bears South 1 degree 51' 25.5" West 2466.75 feet) 2497.53 feet; thence on a spiral curve left (the long chord of which bears South 15 degrees 50' 09" East 499.93 feet) 500 feet; thence South 16 degrees 52' 39" East 1878.54 feet; thence on a spiral curve right (the long chord of which bears South 14 degrees 52' 40" East 599.71 feet) 600 feet; thence on a 2864.79 foot radius curve right (the long chord of which bears South 6 degrees 02' 16.5" East 483.38 feet) 483.96 feet; thence on a spiral curve right (the long chord of which bears South 2 degrees 48' 07" West 599.71 feet) 600 feet; thence South 4 degrees 48' 06" West 4533.62 feet; thence on a spiral curve right (the long chord of which bears South 6 degrees 11' 26" West 499.88 feet) 500 feet; thence on a 3437.75 foot radius curve right (the long chord of which bears South 21 degrees 14' 22" West 1461.30 feet) 1472.53 feet; thence on a spiral curve right (the long chord of which bears South 36 degrees 17' 18" West 499.88 feet) 500 feet; thence South 37 degrees 40' 38" West 2079.02 feet to Engineer's center line Station 411+77.36.

State of Oregon, County of Klamath
Recorded 10/06/99, at 2:38 p.m.
In Vol. M99 Page 39839
Linda Smith,
County Clerk Fee\$ 45⁰⁰