

Recording Requested by:

Escrow #:
Co. Bill #:
Code Area:

WHEN RECORDED MAIL TO:
Santa Clara County
Downpayment Assistance Program
Office of Affordable Housing
2310 No. First Street, #100
San Jose, CA 95131

\$ _____

Loan # _____

Short Form
DEED OF TRUST
(due on sale)

THIS DEED OF TRUST (“Deed of Trust”), made this ____ day of _____, 200__, among (Borrower) _____, whose address is _____ herein known as the “TRUSTOR” and Title Company, a corporation, herein known as the “TRUSTEE”, and **County of Santa Clara**, herein known as the “BENEFICIARY” **Witnesseth:** That Trustor irrevocably GRANTS, TRANSFERS AND ASSIGNS to TRUSTEE IN TRUST WITH POWER OF SALE, the following described property located in the County of SANTA CLARA, State of California (the “Real Property”):

SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF:

The Real Property or its address is commonly known as: _____
Assessor’s Parcel Number for the Real Property is: _____

Together with all the improvements, issues, rents, easements and appurtenances thereof, SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Beneficiary 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 herein contained.
2. Payment of the indebtedness evidenced by one or more promissory notes of even date herewith in the Principal sum of _____ Thousand Dollars (\$__0,000) payable to Beneficiary or order.
3. Payment of additional sums and interest thereon which may hereafter be loaned to Trustor, or his successors or assigns, when evidenced by a promissory note or notes reciting that they are secured by this Deed of Trust. Such additional loans shall be secured hereby only if made to the owner of record of said property at a time when he is such owner of record.

Upon payment of all sums secured by this Deed of Trust, lender shall request Trustee to reconvey the Property and shall surrender this Deed of Trust and all notes evidencing indebtedness secured by this Deed of Trust to Trustee. Trustee shall reconvey the Property without warranty and to the person or persons legally entitled thereto. Such persons shall pay all costs of recordation, if any.

This Loan is Subordinate to Deed of Trusts Recording Concurrently Herewith; One in the amount of \$_____ to the First Mortgage Lender, one in the amount of \$_____ to the Second Mortgage Lender.

By the execution and delivery of this Deed of Trust and the notes secured hereby the parties hereto agree that there are adopted and included herein for any and all purposes by reference as though the same were written in full herein in the provisions of Section A, including paragraphs 1 through 6 thereof, and of Section B, including paragraphs 1 through 10 thereof, of that certain fictitious Deed of Trust recorded in the official records in the offices of the County Recorders of the following counties: San Mateo County on Jan. 10, 1963 in Book 4368 pg. 576; Santa Cruz County on Feb. 25, 1965 in Book 1677 pg. 481; Alameda County on Jan. 29, 1965 in Reel 1425 image 648; and in Santa Clara County on July 14, 1959 in Book 4480 pg. 441.

The undersigned Trustor requests that a copy of any Notice of Delinquency or Default, and any Notice of Sale hereunder be mailed to him/her at his/her address herein before set forth.

Borrower:

Date

Borrower:

Date

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On _____ before me, _____, a notary public, personally appeared

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who, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person (s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Name: _____
(typed or printed)