

# Sample Deed of Trust with Power of Sale Clause

This Deed of Trust is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_ ("Trustor"), whose address is \_\_\_\_\_, and \_\_\_\_\_ ("Trustee"), with \_\_\_\_\_ ("Beneficiary").

## RECITALS

For valuable consideration, receipt of which is hereby acknowledged, Trustor irrevocably grants, conveys, and assigns to Trustee, in trust, with power of sale, the following described real property located in the County of \_\_\_\_\_, State of \_\_\_\_\_ (the "Property"):

*(Insert legal description of the property here)*

## 1. SECURED OBLIGATION

This Deed of Trust secures the payment of all sums evidenced by a promissory note executed by Trustor, dated \_\_\_\_\_, in the principal amount of \$\_\_\_\_\_, payable to Beneficiary, and all renewals, modifications, and extensions thereof, together with interest thereon, as well as all other obligations secured hereby.

## 2. POWER OF SALE

If Trustor defaults in payment or performance of any obligation secured by this Deed of Trust, Beneficiary may invoke the power of sale and instruct Trustee to sell the Property at public auction to the highest bidder. The sale shall be made in accordance with applicable law after giving such notice and publishing such notices as required by law. Trustee or Beneficiary may postpone sale of all or any portion of the Property by public announcement at the time and place last appointed for sale.

## 3. TRUSTOR COVENANTS

Trustor promises to keep the property in good condition, pay all taxes and assessments, and comply with all laws affecting the property. Trustor further covenants and agrees to promptly pay the secured indebtedness when due and to perform all obligations secured by this Deed of Trust.

## 4. MISCELLANEOUS

This Deed of Trust shall bind and benefit successors and assigns of the Trustor, Trustee, and Beneficiary. This instrument is governed by the laws of the state where the property is located.

## IN WITNESS WHEREOF,

The parties hereto have executed this Deed of Trust as of the day and year first above written.

\_\_\_\_\_  
Trustor  
Signature

Trustee  
Signature

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Beneficiary  
Signature