

2011-010318

Klamath County, Oregon



00107265201100103180030038

09/13/2011 09:26:35 AM

Fee: \$47.00

After Recording Return to:  
Jennifer J. Schade  
Law Office of Melinda M. Brown  
419 Main Street  
Klamath Falls, OR. 97601

### TRUSTEE'S DEED

THIS INDENTURE, Made this 12<sup>th</sup> day of September, 2011, between Jennifer J. Schade, hereinafter called trustee, and East Main Dental Center 401K Deferred Comp. Plan FBO Gregory N. Miller, D.M.D., hereinafter called the second party;

#### WITNESSETH:

RECITALS: Willamette Apex Industries, LLC, as grantor, executed and delivered to AmeriTitle, as trustee for the benefit of East Main Dental Center 401K Deferred Comp. Plan FBO Gregory N. Miller, D.M.D., a certain trust deed dated December 6, 2008 duly recorded on December 18, 2008 in the mortgage records of Klamath County, Oregon, as Instrument No. 2008-0166400. 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 his 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 his 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 May 12, 2011, as Instrument No. 2011-005960 thereof.

Send Future tax statements to:  
Gregory N. Miller, D.M.D.  
C/O Jennifer Schade  
419 Main Street  
Klamath Falls, OR. 97601

Consideration: \$87,658.21

After the recording of said notice of default, as foresaid, the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by her 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 representative, 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 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 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 86.750(1). 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, 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). The Trustee hereby certifies that any valid requests for information under ORS 86.757 have been responded to within the time allowed by statute. The Trustee also hereby certifies that all statutory requirements of ORS 86.737 were complied with in a timely manner.

Pursuant to said notice of sale, the undersigned trustee on August 29, 2011 at the hour of 10:00 a.m. PT, 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 her by said trust deed, sold real property in one parcel at public auction to the said second party for the sum of \$87,658.21, he 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 \$87,658.21.

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 has 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: Parcel 1 of Land Partition 120-06, being a Replat of Lot 17 and a portion of Lot 18 of INDEPENDENCE TRACTS, situated in the NE1/4 NE1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Commonly known as: 3055 Lodi Klamath Falls Oregon 97603

TO HAVE AND TO HOLD the same unto the second party, his heirs, successors-in-interest and assigns forever.

In construing this instrument and whenever the context so requires, the masculine gender includes the feminine and the neuter and 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.

JENNIFER J. SCHADE

Successor Trustee

By: \_\_\_\_\_

*Jennifer J. Schade*

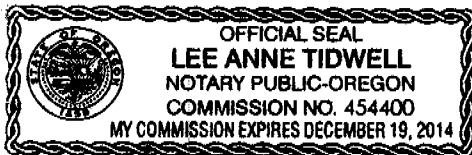
This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing and accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

STATE OF OREGON )

) ss.

County of Klamath )

The foregoing instrument was acknowledge before me on this 12<sup>th</sup> day of September, 2011, by Jennifer J. Schade, Successor Trustee.



*Lee Anne Tidwell*  
Notary Public for Oregon

My Commission Expires: 12/19/14