

SA148892LI-009846
Tax Statements and
After Recording Return to:

Cambium Pacific LLC

2111 Prairie Road

Eugene, OR 97402

(Space Reserved for Recorder's Use)

2013-008739
Klamath County, Oregon
08/01/2013 02:25:36 PM
Fee: \$72.00

TRUSTEE'S DEED

KNOW ALL MEN BY THESE PRESENTS that the Bankruptcy Estate of **Sierra Cascade, LLC, Debtor, Case No. 12-61198-fra7**, now pending in the United States Bankruptcy Court for the District of Oregon, by and through its duly appointed and acting Trustee, Joseph M. Charter, herein called the "GRANTOR", whose current address is 258 A Street, #1-64, Ashland, OR 97520, acting in his capacity as Trustee and not individually, by virtue of the power and authority given a Bankruptcy Trustee under the laws of the United States of America, for the consideration hereinafter stated, does hereby convey to **Cambium Pacific LLC**, herein called "GRANTEE", whose current address is P.O. Box 11098, Eugene, OR 97440, and unto Grantee's successors and assigns, all of the interest, if any, vested in the Debtor's in the subject property described herein, at the time of the filing of the above referenced bankruptcy case, and which passed to the Bankruptcy Estate by operation of law, and became subject to administration of the Trustee, together with all after acquired title of the Bankruptcy Estate, if any, all tenements, hereditaments, appurtenances thereunto belonging, or in any way appertaining, situated in the County of Klamath, State of Oregon, described as follows, real property located at 108300 Highway 97 N., Chemult, OR 97331 and legally described as:

(SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE INCORPORATED HEREIN)

SUBJECT TO AND EXCEPTING:

All liens, encumbrances, easements, or any other interest of record, of any type or nature.

The Trustee's power and authority to dispose of such property of the Bankruptcy Estate originates in 11 U.S.C. §363, and this transfer is made following notice of intent to sell to "interested persons" and an opportunity for hearing pursuant to such law.

The consideration for this transfer is \$46,000.00.

Grantor makes this conveyance without any warranties express or implied. This conveyance and release is intended to transfer all of the Bankruptcy Estate's interest, if any, in the subject property described herein, to the Grantees, in its existing condition, "**AS IS**", without any warranties express or implied. Grantee's recording of this Deed indicates Grantee's acceptance of this conveyance and release upon that basis.

Grantor covenants that this Deed is to be absolute in effect as pertains to the Bankruptcy Estate and conveys whatever right, title and interest the Bankruptcy Estate may have in the described property. This conveyance and release is not intended to operate as a mortgage, trust deed, or security of any kind.

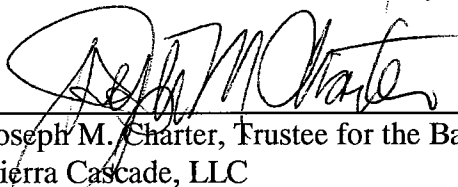
TRUSTEE'S DEED - 1

Return to:

AménTitle

STATUTORY DISCLOSURE UNDER ORS 93.040 (2011): BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

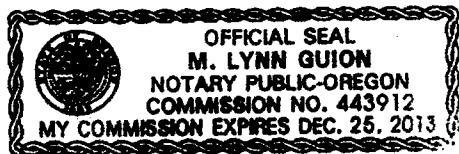
IN WITNESS WHEREOF, Grantor has executed this Deed this 22nd day of July, 2013.

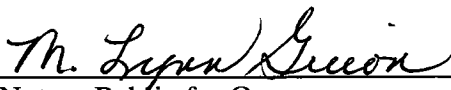


Joseph M. Charter, Trustee for the Bankruptcy Estate of
Sierra Cascade, LLC

STATE OF OREGON)
) ss.
County of Jackson)

This instrument was acknowledged before me on the 22nd day of July, 2013, by Joseph M. Charter, as Trustee, acting on behalf of the Bankruptcy Estate of Sierra Cascade, LLC, Case No. 12-61198-fra7, United States Bankruptcy Court for the District of Oregon.





Notary Public for Oregon
My Commission Expires: Dec. 25, 2013

TAX ACCOUNT NO. R-2708-02800-00300-000
AFTER RECORDING RETURN TO:

Cambium Pacific LLC
P.O. Box 11098
Eugene, OR 97440

TRUSTEE'S DEED - 2

Exhibit "A"

The W1/2 NW1/4 of Section 28, Township 27 South, Range 8 East, Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM all that portion that lies within State Highway 97.

July 19, 2013

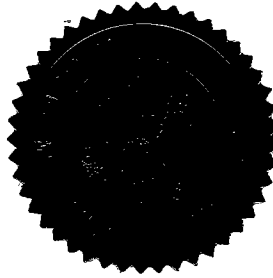
Clerk, U.S. Bankruptcy Court

Below is an Order of the Court.

**Certified to be a true and correct
copy of the original filed in my office.**

Dated 7-23-13
Charlene Hiss, Clerk, U.S. Bankruptcy Court

By [Signature] **Deputy**



[Signature]
FRANK R. ALLEY
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re

Sierra Cascade LLC,

Debtor.

Case No. 12-61198-fra7

**ORDER AUTHORIZING SALE OF REAL
PROPERTY**

(74.29-Acre Parcel-Docket No. 232)

This matter came before this Court on Notice of Intent to Sell Property, At Private Sale and Compensate Real Estate Broker, and/or Pay any Secured Creditor's Fees and Costs; (the "Motion") filed by Joseph M. Charter, Chapter 7 Trustee (the "Trustee"), regarding the proposed sale to Wen Yang("original Buyer") of the Debtor's interest in a certain approx. 74.29-acre parcel of real property in Klamath County, Oregon described as 108300 Hwy. 97 N, Chemult, OR 97331; Map Tax Lot# R-2708-02800-00300-000 with the legal description set forth in Exhibit A (the "Property").

The only objection filed was an overbid filed as an objection by Bradley Van Pelt. On July 2, 2013 Trustee's counsel was notified by counsel for Bradley Van Pelt that the overbid was withdrawn and he would not be participating in the auction. Pursuant to notice to the Original Buyer, Mr. Van Pelt, and other bidders expressing an interest in the Property, the Trustee

conducted an auction on July 2, 2013. The successful bidder at the auction was Cambium Pacific LLC, with a bid of \$46,000.00 ("Buyer"). Based on the Motion, the Declarations of Peter C. McKittrick and Oren Posner filed herewith, the representations at the hearing on July 11, 2013, including the representation by the Trustee that no objections had been served on the Trustee; the Trustee's Certificate of Service indicating that all interested parties and creditors were served with the Motion on May 30, 2013; and it appearing that the proposed sale to Buyer is in the best interest of the bankruptcy estate, its creditors, and other parties in interest, and good cause appearing therefore, it is hereby:

FOUND AND DETERMINED THAT:

A. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (N). Venue of this case and this matter in this district is proper under 28 U.S.C. §§ 1408 and 1409.

B. The statutory predicates for the relief provided in this order are 11 U.S.C. §§ 105(a) and 363(b), and FRBP 2002, 6004, and 9014.

C. As evidenced by the certificate of service of the Motion (Doc. 235), (i) proper, timely, adequate and sufficient notice of the proposed sale and the hearing thereon have been provided in compliance with the various applicable requirements of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the procedural due process requirements of the United States Constitution; (ii) such notice was good and sufficient, and appropriate in the particular circumstances; and (iii) no other or further notice is or shall be required.

D. A reasonable opportunity to bid, to object and to be heard regarding the relief requested in the Motion has been afforded to all creditors, parties in interest, and other entities, including, but not limited to (a) all creditors, (b) all parties who claim interests in or liens upon the Property, and (c) the Office of the United States Trustee.

E. Approval of the sale to Buyer is in the best interest of the bankruptcy estate, its creditors, and other parties in interest. The terms of the sale of the Property are fair

and reasonable and the transactions contemplated thereunder reflect the Trustee's prudent business judgment under all of the relevant circumstances.

F. The transfer of the Property to Buyer pursuant to a Trustee's Deed or Quit Claim Deed will be a legal, valid and effective transfer of the Property, and will vest Buyer with all right, title and interest of the Debtor and the bankruptcy estate in and to the Property.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Motion is granted and, pursuant to 11 U.S.C. §§ 105(a) and 363(b), the Trustee is authorized to sell the Property to Buyer on the terms set forth in the Motion.

2. The Trustee's transfer of the Property to Buyer pursuant to a Trustee's Deed or Quit Claim Deed constitutes a legal, valid and effective transfer of the Property and shall vest Buyer with all right, title and interest of the Debtor and the bankruptcy estate in and to the Property.

4. Prior to delivering a Trustee's Deed or Quit Claim Deed for the Property to Buyer at closing, the Trustee shall have received the sum of \$46,000 in good funds from Buyer, and Buyer shall pay directly the court-appointed real estate brokers' commission of 10% (5% to auctioneer James G. Murphy Inc., and 5% to Realtor High Lakes Realty & Property Management).

5. The Trustee is authorized to distribute the non-refundable Sale Proceeds and pay in the following order: closing costs, unpaid property taxes due, then the remaining liens and interests to the extent they are valid and unpaid.

6. The title company or closing agent shall pay costs of closing (*e.g.*, escrow fees, title premiums, and real estate commissions) and the property taxes, both subject to approval of the Trustee, then shall remit the balance of the sales proceeds to the Trustee. In addition, the title company or closing agent is directed to record a copy of this order in the deed records of Klamath County.

7. This Court shall retain jurisdiction over any issues relating to the sale and to enforce this Order pursuant to 11 U.S.C. § 105.

8. This order is effective immediately and shall not be subject to a 14-day stay as provided in Bankruptcy Rule 6004(h).

#

LBR 9021-1(a)(2) Certification: This order has been lodged without circulation, in accordance with LBR 9021-1(a)(2)(A), because the only objection was withdrawn prior to the hearing to the requested relief in writing or at the noticed hearing.

Presented by:

McKITTRICK LEONARD LLP

By: /s/ Peter C. McKittrick
Peter C. McKittrick, OSB 85281
Direct: 971.634.0191
Email pmckittrick@ml-llp.com
Counsel for Trustee Joseph M. Charter

COPIES TO:

ELECTRONIC MAIL NOTICE LIST

The following is the list of parties who are currently on the list to receive email notice/service for this case.

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R SCOTT PALMER rspalmer@wrlaw.com, lsharkey@wrlaw.com
R SCOTT PALMER rspalmer@wrlaw.com, lsharkey@wrlaw.com
FRANK C ROTE frank.rote@southernoregonlawyer.com
US Trustee, Eugene USTPRegion18.EG.ECF@usdoj.gov

MANUAL NOTICE LIST

The following is the list of parties who are not on the list to receive email notice/service for this case (who therefore require manual noticing/service).

Rob L Cockburn
Moss Adams LLP
221 Stewart Ave #301
Medford, OR 97501

DeCarlo Inc.
c/o Scott DeCarlo
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Crescent, OR 97733

James G. Murphy Inc
POB 82160
Kenmore, WA 98028

George W. Kelly
303 W 10th Ave
Eugene, OR 97401

JUSTIN D LEONARD
111 SW COLUMBIA #1100
PORTLAND, OR 97201,

DARIEN S LOISELLE
1211 SW 5th Ave #1900
Portland, OR 97204

Krista Lacis
4088 Hampshire Ln
Eugene, OR 97404

Les Schwab Tire Centers of Portland, Inc,
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Liska & Assoc Inc
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Grants Pass, OR 97526

Rogue Valley Billing Svc
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Medford, OR 97501

Sierra Cascade LLC
PO Box 166
Chemult, OR 97731-0166

Suntex Enterprises
c/o Cliff Cowan
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Bend, OR 97702

Michael P Tougher
c/o POB 166
Chemult, OR 97731-0166

Dana Van Pelt

C Casey White
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Medford, OR 97504

Dianne Willis
High Lakes Realty
POB 3510
LaPine,