



2014-000140
Klamath County, Oregon
01/08/2014 11:31:25 AM
Fee: \$52.00

RETURN TO:
Andrew C. Brandsness
411 Pine Street
Klamath Falls, OR 97601

TAX STATEMENT TO
Brian and Eleanor Burger, Trustees
106 Franklin Avenue
Fortuna, CA 95540

MTC 091590

DEED IN LIEU OF FORECLOSURE - NO MERGER

THIS INDENTURE between Burt Family Partnership as to an undivided one-half interest and Rodger Burt and Lucia Burt as Trustees of the Burt Family Trust as to an undivided one-half interest, whose address is 5157 Ski Run, Pollock Pines, CA 95726, hereinafter called Grantors, and Brian G. Burger and Eleanor M. Burger, Trustees of the Brian & Elly Burger Trust dated September 27, 2003, whose address is 106 Franklin Avenue, Fortuna, CA 95540, hereinafter called Grantees:

Grantors convey and warrant to Grantees the following described real property situated in Klamath County, Oregon:

Lot 109, TRACT 1277, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Grantors covenant that:

This deed is absolute in effect and conveys fee simple title of the premises described above to Grantees and does not operate as a mortgage, trust conveyance, or security of any kind.

Grantors are the owners of the premises. The property is encumbered by a trust deed wherein Grantees are Beneficiary dated January 5, 2006 and recorded on January 19, 2006 at Volume M06, Page 01135 of the official records of Klamath County, Oregon. The property is free and clear of all other liens and encumbrances, excepting those preceding the trust deed above-referenced. The trust deed is in default.

This deed does not effect a merger of the fee ownership and the lien of the trust deed described above. The fee and lien shall hereafter remain separate and distinct.

The consideration of this transfer is the forbearance of foreclosure against Grantors and forbearance of an action on the debt against Grantors or a deficiency judgment against Grantors and the waiver of the Grantees' right to collect costs, disbursements and attorney's fees, as well as any deficiency balance due from the Grantors.

By acceptance of this deed, Grantees covenant and agree that Grantees shall forever forbear taking any action whatsoever to collect against Grantors on the promissory note given to secure the trust deed described above, other than by foreclosure of that trust deed, and that in any proceeding to foreclose the trust deed Grantees shall not seek, obtain, or permit a deficiency judgment against Grantors, or Grantors' heirs or assigns, such rights and remedies being waived.

Grantors waive, surrender, convey, and relinquish any equity of redemption and statutory rights of redemption concerning the real property and trust deed described above. Grantors surrender possession of the real property to Grantees.

Grantors are not acting under any misapprehension as to the legal effect of this deed, nor under any duress, undue influence, or misrepresentation of Grantees, Grantees' agent or attorney, or any other person.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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

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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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

IN WITNESS WHEREOF the Grantors above-named have executed this instrument.

DATED this 9 day of Oct., 2013.

BURT FAMILY TRUST DATED 9-27-03

☒ BURT FAMILY PARTNERSHIP

By Rodger G. Burt 10/11/13
Rodger G. Burt, Trustee

By Thomas Burt
Thomas Burt, Partner

By Lucia Burt 10/11/13
Lucia Burt, Trustee

By Judy Burt
Judy Burt, Partner

STATE OF CALIFORNIA)
County of El Dorado) ss.

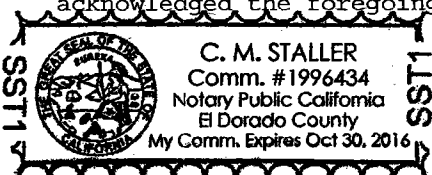
Personally appeared before me this 11th day of October, 2013, the above named Rodger G. Burt and Lucia Burt, as Trustees of the Burt Family Trust dated 9-27-13 and acknowledged the foregoing instrument to be their voluntary act and deed.



C. M. Staller
Notary Public for California
My Commission expires: 30 Oct 2016

☒ STATE OF CALIFORNIA)
County of El Dorado) ss.

Personally appeared before me this 9th day of October, 2013, the above named Thomas Burt and Judy Burt as Partners of the Burt Family Partnership and acknowledged the foregoing instrument to be their voluntary act and deed.



C. M. Staller
Notary Public for California
My Commission expires: 30 Oct 2016

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THE FOREGOING DEED IN LIEU OF FORECLOSURE IS ACCEPTED this 27 day of December 2013.

BRIAN & ELLY BURGER TRUST DATED
9-27-03

By Brian G. Burger
Brian G. Burger, Trustee

By Eleanor M. Burger
Eleanor M. Burger, Trustee

STATE OF CALIFORNIA)
County of Humboldt) ss.

Personally appeared before me this 27 day of December, 2013, the above named Brian G. Burger and Eleanor M. Burger as Trustees of the Brian & Elly Burger Trust Dated 9-27-03 and acknowledged the foregoing instrument to be their voluntary act and deed.



Brittany C. Olson
Notary Public for California
My Commission expires: July 29 2015

State of California
County of El Dorado

On 11th Oct 2015 before me, C.M. Staller Notary Public

personally appeared Robert Glenn Burt + Lucia Burt
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 signature(s) on the
instrument the person(s) or the 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.

C.M. Staller
Signature of Notary

(Seal)



State of California
County of El Dorado

On 9 OCT 2016 before me, C.M. Staller Notary Public

personally appeared Thomas Glenn Burt + Judy Ann Burt
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 signature(s) on the
instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the
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Signature of Notary

(Seal)

