

2016-012194

Klamath County, Oregon

11/15/2016 02:02:01 PM

Fee: \$57.00

After recording, return to:

Robert A. Smejkal
800 Willamette Street, Suite 800
Eugene, OR 97401

**Until a change is requested,
send tax statements to:**

CHEWKO §401(k) Profit Sharing Plan
Attn: James Treanor-Weaver
Wicks, Emmett, LLP
P.O. Box 2350
Roseburg, OR 97470

TRUSTEE'S DEED

THIS INDENTURE, made this 3rd day of November, 2016, between ROBERT A. SMEJKAL, Attorney at Law, hereinafter called Trustee, and CHEWKO §401(k) Profit Sharing Plan, hereinafter called Grantee:

RECITALS:

LaRae, LLC, as Grantor, executed and delivered to ROBERT A. SMEJKAL, Attorney at Law, as Trustee, for the benefit of CHEWKO §401(k) Profit Sharing Plan, as Beneficiary, a certain Deed of Trust dated May 18, 2007, recorded May 18, 2007 as Instrument No. 2007-009127 in the Deeds and Records of Klamath County, Oregon.

In the Deed of Trust, the real property therein, and hereinafter described, was conveyed by the Grantor to the Trustee to secure, among other things, the performance of certain obligations of the Grantor to the Beneficiary. The Grantor thereafter defaulted in the performance of the obligations secured by the Deed of Trust as stated in the Notice of Default hereinafter mentioned, and such default still existed at the time of the sale hereinafter described.

The true and actual consideration for this conveyance is **\$83,762.20 (Eighty-Three Thousand, Seven Hundred Sixty-Two Dollars and Twenty Cents)**.

By reason of the default, the Beneficiary declared all sums so secured immediately due and owing. A Notice of Default containing an election to sell the real property, and to foreclose the Deed of Trust by advertisement and sale to satisfy the asserting Grantor's obligations, was recorded June 22, 2016 in the Deeds and Records of Klamath County, Oregon, as Instrument No. 2016-006625.

After recording the Notice of Default, the Trustee gave notice of the time for and place of the sale of the real property, as fixed by the Trustee, and as required by law. Copies of the Trustee's Notice of Sale was 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 representatives, if any, named in ORS 86.764 at least 120 days before the date the property was sold. Copies of the Trustee's Notice of Sale was served upon occupants of the property described in the Deed of Trust 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 ORS 86.774. The Trustee published a copy of the Trustee's Notice of Sale in a newspaper of general circulation in each county in which the real property is situated once a week for four

consecutive weeks. The last publication of the Trustee's Notice of Sale occurred more than 20 days prior to the date of the sale. The mailing and service of the Trustee's Notice of Sale and the publication of the Trustee's Notice of Sale, are shown by affidavits duly recorded prior to the date of sale in the county records, those affidavits, together with the 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 if fully set forth herein. The Trustee has no actual notice of any person, other than the persons named in those affidavits as having or claiming a lien on or interest in the real property, entitled to notice pursuant to ORS 86.764.

The Trustee, on **November 2, 2016**, at the hour of **11:00 a.m.**, in accord with the standard of time established by ORS 187.110, and at the place so fixed for the sale, in full accordance with the laws of the State of Oregon, and pursuant to the powers conferred upon the Trustee by the Deed of Trust, sold the real property in one parcel at public auction to the Grantee for the sum of **\$83,762.20**, the Grantee being the highest and best bidders at the sale, and that sum being the highest and best bid for the property.

NOW, THEREFORE, in consideration of that sum so paid by the Grantee in cash, the receipt of which is acknowledged, and by authority vested in the Trustee by the laws of the State of Oregon and by the Deed of Trust, the Trustee does hereby convey unto the Grantee all interest which the Grantor had or had the power to convey at the time of Grantor's execution of the Deed of Trust, together with any interest the Grantor or Grantor's successors acquired after the execution of the Deed of Trust, in and to that certain real property more particularly described as follows:

"Real property in the County of Klamath, State of Oregon, described as follows:

A portion of the NE 1/4 of the SW 1/4 of Section 17, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Commencing at a point where the North-South center line of said Section 17 intersects the Northeasterly line of the highway right of way of Oregon State Highway 58; thence along said Northeasterly line of said right of way in a general Northwesterly direction, a distance of 650.0 feet to a point which is the true point of beginning; thence at right angles to said highway right of way in a generally Northeasterly direction, 250.0 feet to a point; thence at right angles to said last mentioned course in a generally Southeasterly direction, 250.0 feet to a point; thence at right angles to last mentioned course and in a generally Southwesterly direction, 250.0 feet, more or less, to said Northeasterly right of way line of said Oregon State Highway 58; thence along said Northeasterly line of said right of way in a generally Northwesterly direction, a distance of 250.0 feet, more or less, to the point of beginning"

TO HAVE AND TO HOLD the same unto the Grantees and Grantee's heirs, successors in interest, and assigns forever.

In construing this instrument, and whenever the context so requires, the singular includes the plural, "Grantor" includes any successor in interest to the Grantor, as well as each and every other person owing an obligation, the performance of which is secured by the Deed of Trust; and "Beneficiary" includes any successor in interest of the Beneficiary first named above.

IN WITNESS WHEREOF, the Trustee has hereunto executed this document.

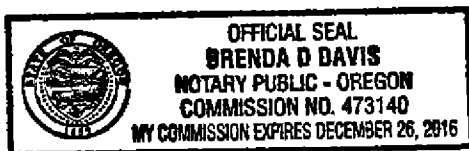
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 and 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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.

DATED this 3 day of November, 2016.

Robert A. Smejkal
ROBERT A. SMEJKAL, Trustee

STATE OF OREGON, County of Lane) ss.

This instrument was acknowledged before me on the 3rd day of November, 2016, by Robert A. Smejkal, Trustee.



Brenda D. Davis
NOTARY PUBLIC FOR OREGON