

2017-011437

Klamath County, Oregon

10/09/2017 09:59:00 AM

Fee: \$67.00

After Recording Return to:
SHAPIRO & SUTHERLAND, LLC
7632 SW Durham Road, Suite 350
Tigard, Oregon 97224
15-116244

TRUSTEE'S DEED

THIS INDENTURE, Made this 11th day of July, 2017, between Shapiro & Sutherland, LLC, duly-appointed successor trustee, hereinafter called trustee, and Wilmington Savings Fund Society, FSB, as trustee of Upland Mortgage Loan Trust A, whose address is 1600 South Douglass Road, Suite 200-A, Anaheim, California 92806, hereinafter called the second party;

WITNESSETH:

RECITALS: Philip L Googins, and Patti L Googins, as grantor, executed and delivered to Amerititle, as trustee, for the benefit of ABN Amro Mortgage Group, Inc., as beneficiary, a certain trust deed dated October 11, 2005, duly recorded on October 12, 2005, in the mortgage records of Klamath County, Oregon, in M05 at 66384, Document No. M05-66384. Ditech Financial LLC f/k/a Green Tree Servicing LLC is the present Beneficiary as defined by ORS 86.705(2). 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 June 17, 2016, as Document No. 2016-006428 thereof.

SEND FUTURE TAX STATEMENTS TO:
Carrington Mortgage Services, LLC
1600 South Douglass Road, Suite 200-A,
Anaheim, California 92806

CONSIDERATION AMOUNT: \$178,000.00

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by him 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 86.764(1) and (2), 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 86.764(4), promptly after the trustee received knowledge of the disability, insanity or death of any such persons; 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). If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form required by ORS 86.782(12) were mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.764 and 86.774(1) and to the address provided by each person who was present at the time and place set for the sale which was stayed within 30 days after the release from the stay and the trustee complied with all requirements of 86.782(12). 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 86.764(1) or (2). The Trustee hereby certifies that any valid requests for information under ORS 86.786 have been responded to within the time allowed by statute. Compliance with ORS 86.757, ORS 86.774 and the mailing, service and publication of the Trustee's Notice of Sale are evidenced by one or more affidavits or proofs of service duly recorded prior to the date of sale in the official records of the country in which the Property is located. Compliance with ORS 86.748 is evidenced by affidavit duly recorded in the official records of the country in which the Property is located at least five days prior to the date of sale.

Pursuant to said notice of sale, the undersigned trustee on June 30, 2017, at the hour of 10:00 AM PT, of said day, in accord with the standard of time established by ORS 187.110 (which was the day and hour to which said sale was postponed as permitted by ORS 86.782(2) (which was the day and hour set in the amended Notice of Sale) 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 him by said trust deed, sold real property in one parcel at public auction to the said second party for the sum of \$178,000.00, 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 \$178,000.00.

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:

Commonly known as: 7612 Jacks Way, Klamath Falls, OR 97603

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.

Dated: 7-11-17

By: James A. Craft
Associate Attorney

OSB # 090146

STATE OF WASHINGTON)
) SS.
County of Clark)

The foregoing instrument was acknowledged before me this 11th day of July 2017, by James A. Cratt, Successor Trustee.

Notary Public for Washington
My Commission Expires: 4/29/21

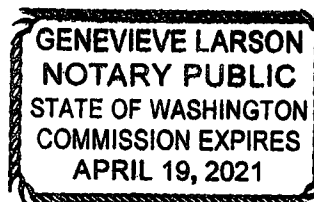


EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

A tract of land situated in the SW1/4 NW1/4, Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89° 47' 40" East along the Westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence North 70° 49' 32" East 102.63 feet to a point on the arc of a 50-foot radius curve; thence Southeasterly along the arc of said curve (central angle = 102° 21' 44") 90.25 feet; thence South 31° 36' 12" East 104.55 feet; thence South 65° 48' 00" West 10.00 feet; thence South 24° 12' 00" East 180.00 feet; thence South 65° 48' 00" West 91.43 feet to the beginning of a curve; thence along the arc of said curve to the left (central angle = 42° 41' 30" and radius = 135.77 feet) 101.16 feet; thence South 23° 06' 30" West 74.72 feet; thence along the arc of a curve to the right (central angle = 113° 45' 00" and radius = 100 feet) 198.53 feet; thence North 43° 08' 30" West 185.00 feet to the true point of beginning of this description; thence North 46° 51' 30" East 118.75 feet; thence North 43° 08' 30" West 49.88 feet; thence on the arc of a curve to the left (central angle = 16° 33' 45" and radius = 220 feet) 63.60 feet; thence South 30° 17' 45" West 114.36 feet; thence South 43° 08' 30" East 80.00 feet to the true point of beginning of this description.

TOGETHER WITH a perpetual and non-exclusive easement for access as described in deed recorded April 3, 1979 in Volume M79 page 7265, Deed records of Klamath County, Oregon.

PARCEL II:

A tract of land situated in the SW1/4 NW1/4, Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89° 47' 40" East along the Westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence North 70° 49' 32" East 102.63 feet to a point on the arc of a 50-foot radius curve; thence Southeasterly along the arc of said curve (central angle = 102° 21' 44") 90.25 feet; thence South 31° 36' 12" East 104.55 feet; thence South 65° 48' 00" West 10.00 feet; thence South 24° 12' 00" East 180.00 feet;

- Continued -

(Legal description continued)

thence South $65^{\circ} 48' 00''$ West 91.43 feet to the beginning of a curve; thence along the arc of said curve to the left (central angle = $42^{\circ} 41' 30''$ and radius = 135.77 feet) 101.16 feet; thence South $23^{\circ} 06' 30''$ West 74.72 feet; thence along the arc of a curve to the right (central angle = $113^{\circ} 45' 00''$ and radius = 100 feet) 193.53 feet; thence North $43^{\circ} 08' 30''$ West 265.00 feet to the true point of beginning of this description; thence continuing North $43^{\circ} 08' 30''$ West 74.64 feet; thence North $65^{\circ} 09' 30''$ West 116.01 feet; thence North $00^{\circ} 16' 00''$ West 25.21 feet; thence North $89^{\circ} 47' 40''$ East 102.35 feet; thence along the arc of a curve to the right (central angle = $30^{\circ} 30' 05''$ and radius = 220.00 feet) 117.12 feet; thence South $30^{\circ} 17' 45''$ West 114.36 feet to the true point of beginning of this description.

TOGETHER WITH a perpetual and non-exclusive easement for access as described in deed recorded May 2, 1979 in Volume M79 page 10005, Deed records of Klamath County, Oregon.

Tax Account No: 3910-018B0-01400-000

Key No: 598026