

Returned at Counter



10/27/2017 02:03:28 PM

Fee: \$57.00

Grantor's Name and Address:
Scott D. MacArthur, Successor Trustee
125 S. 6th Street
Klamath Falls, OR 97601

Grantee's Name and Address:
Carl R. Faith and Debra L. Fiath
8616 Faith Road
Montague, CA 96064

After recording return to:
Carl R. Faith and Debra L. Faith
8616 Faith Road
Montague, CA 96064

Until a change is requested all tax statements shall be sent to
the following address:
Same

TRUSTEE'S DEED

THIS INDENTURE, Made this 27th day of October, 2017, between Scott D. MacArthur, hereinafter called trustee, and Carl R. Faith, Trustee and Debra L. Faith, Trustee, Trustees of the 2016 Carl R. Faith and Debra L. Faith Revocable Trust, hereinafter called the second party;

WITNESSETH:

RECITALS: DENNIS L. JUSTICE and TYRA L. JUSTICE, as tenants by the entirety, as grantor, executed and delivered to AMERITITLE, an Oregon Corporation, as trustee, for the benefit of CARL R. FAITH and DEBRA L. FAITH, as trustees of the 2016 Carl R. Faith and Debra L. Faith Revocable Trust, as beneficiary, under a certain trust deed dated May 2, 2005, duly recorded on May 6, 2005, as instrument No. M05 at page 033073 of the Mortgage records of Klamath County, Oregon. 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 grantor's performance of the obligations secured by said trust deed:

- Payment of the 2010-2011 real property taxes in the amount of \$608.22, plus interest.
- Payment of the 2011-2012 real property taxes in the amount of \$1,216.43, plus interest.
- Payment of the 2012-2013 real property taxes in the amount of \$1,958.18, plus interest.
- Payment of the 2013-2014 real property taxes in the amount of \$2,077.19, plus interest.
- Payment of the 2014-2015 real property taxes in the amount of \$2,172.97, plus interest.
- Payment of the 2015-2016 real property taxes in the amount of \$2,278.33, plus interest.
- Payment of the 2016-2017 personal property taxes in the amount of \$2,373.13, plus interest.
- Foreclosure redemption fees paid to Klamath County in the amount of \$536.76.

By reason of said default, the beneficiary declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$70,193.17 as of March 6, 2017, plus

costs incurred and interest.

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 19, 2017, at Volume No. 2017, at page 006653 et seq, to which reference now is made.

After the recording of said notice of default, as aforesaid, the undersigned trustee gave notice to the grantor(s) and occupant(s) of the time for and place of sale of said real property as fixed by the trustee 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 representatives, 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 ORS 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 86.755(6) were mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.740 and 86.750(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. 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 of service duly recorded prior to the date of sale in the official records of said county, said affidavits and 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).

Pursuant to said notice of sale, the undersigned trustee on October 27, 2017 at the hour of 11:00 o'clock, A.M., 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 said trustee by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$95,862.27, said second party 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 \$95,862.27, receipt of which is hereby acknowledged.

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 had 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:

Lot 13 in Block 2 of FIRST ADDITION TO ALTAMONT ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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

In construing this instrument and whenever the context so requires 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.

IN WITNESS WHEREOF, the undersigned trustee has hereunto executed this document; if the undersigned is a corporation, it has caused its corporate name to be signed and its seal affixed hereto by an officer duly authorized thereunto by order of its Board of Directors.

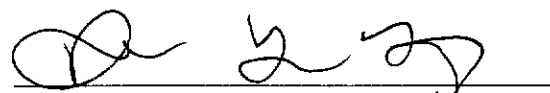
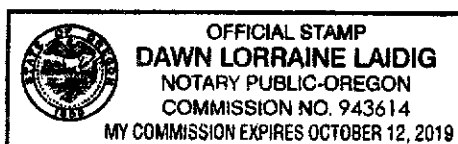
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2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



Scott D. MacArthur, Successor Trustee

STATE OF OREGON)
) ss.
County of Klamath)

This instrument was acknowledged before me on October 27, 2017,
by Scott D. MacArthur.


Notary Public for Oregon
My commission expires 10/12/19

I, Scott D. MacArthur, being first duly sworn, depose, and say: I am the Attorney for Grantees, Carl R. Faith, Trustee and Debra L. Faith, Trustee, Trustees of the 2016 Carl R. Faith and Debra L. Faith Revocable Trust.

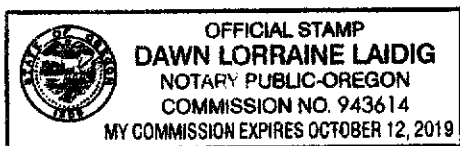
Carl R. Faith, Trustee and Debra L. Faith Trustee,)
)
Grantee,)
)
vs.)
)
Dennis L. Justice and Tyra L. Justice,)
)
Grantor.)

1. I am over the age of eighteen years and am competent to make this affidavit.
2. I am the grantee or grantee's agent in the foreclosure of the Trust Deed from Tyra L. Justice to Carl R. Faith, trustee and Debra L. Faith, trustee, trustees of the 2016 Carl R. Faith and Debra L. Faith Revocable Trust. To Dennis L. Justice and Tyra L. Justice, dated May 2, 2005 and duly recorded on May 6, 2005, in the mortgage records of Klamath County, Oregon, Instrument No. M05-033073.
3. That I have either made a personal investigation or personally reviewed the records of Grantor.
4. As a result of the investigation or review, it is my belief that the above named Grantor is not in the military service on active duty of the United States.

I understand that any false statements in this document are made under perjury, and that making a false statement is a violation of Federal Law and is subject to both fine and imprisonment.


Scott D. MacArthur, OSB 892960
Attorney for Grantee's

Subscribed and sworn to before me this 27th day of October, 2017, by Scott D. MacArthur.



Notary Public for Oregon
My commission expires 10/12/19