

2018-008570

Klamath County, Oregon

AFTER RECORDING RETURN TO:

Lance B. Letner  
320 Delta Street  
Klamath Falls, OR 97601



00225548201800085700040047

07/19/2018 09:23:02 AM

Fee: \$97.00

GRANTOR'S NAME AND ADDRESS:

Jennifer Dean Schramm  
6800 South Sixth Street, Unit L  
Klamath Falls, OR 97603

GRANTEE'S NAME AND ADDRESS:

Lance B. Letner  
320 Delta Street  
Klamath Falls, OR 97601

SEND TAX STATEMENTS TO:

Lance B. Letner  
320 Delta Street  
Klamath Falls, OR 97601

**DEED IN LIEU OF FORECLOSURE**

**THIS INDENTURE** between JENNIFER DEAN SCHRAMM, hereinafter called the first party, and LANCE B. LETNER, a single man, ROBERT H. CAUCKWELL and CYNTHIA L. CAUCKWELL, husband and wife, hereinafter collectively called the second party;

**WITNESSETH:**

WHEREAS, the title to the real property hereinafter described is vested in fee simple in the first party, subject to a trust deed recorded in Klamath County, State of Oregon, at 2016-010559, Klamath County Records, on October 4, 2016, reference to which is hereby being made, and the notes and indebtedness secured by the trust deed are owned by the second party, on which notes and indebtedness there is now owing an unpaid sum and the first party has failed on certain obligations, the same being now in default and the trust deed being now subject to foreclosure; and

WHEREAS, the first party, being unable to pay the same, has requested the second party to accept an absolute deed of conveyance of the property in satisfaction of the indebtedness secured by the trust deed, and the second party does now accede to that request;

NOW, THEREFORE, for the consideration hereinafter stated (which includes the cancellation of the notes and indebtedness secured by the trust deed and the surrender thereof marked "Paid in Full" to the first party), the first party does hereby grant, bargain, sell and convey unto the second party and to second party's heirs, successors and assigns, as tenants in common, to LANCE B. LETNER, an undivided one-half interest, and to ROBERT H. CAUCKWELL and CYNTHIA L. CAUCKWELL, as tenants by the entirety, an undivided one-half interest, of all of the following described real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, to-wit:

*See Exhibit A.*

The true and actual consideration for this conveyance is \$1.00 and other valuable consideration, including the terms recited previously.

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

Justin Thron  
Returned at Counter

And the first party, for first party and first party's heirs and legal representatives, does covenant to and with the second party and second party's heirs, successors and assigns, that the first party is lawfully seized in fee simple of the property, free and clear of encumbrances except the trust deed; that the first party will warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, other than the liens above expressly excepted; that this deed is intended as a conveyance, absolute in legal effect as well as in form, of the title to the premises to the second party and all redemption rights which the first party may have therein, and not as a mortgage, trust deed or security of any kind; that possession of the premises hereby is surrendered and delivered to the second party; that in executing this deed the first party is not acting under any misapprehension as to the effect thereof or under any duress, undue influence, or misrepresentation by the second party, or second party's representatives, agents or attorneys; that this deed is not given as a preference over other creditors of the first party, and that at this time there is no person, partnership or corporation, other than the second party, interested in the premises directly or indirectly, in any manner whatsoever, except as set forth above.

In construing this instrument, it is understood and agreed that the second party is more than one person; that if the context so requires the singular includes the plural, and that all grammatical changes shall be made, assumed and implied to make provisions hereof apply equally to individuals and groups of individuals.

IN WITNESS WHEREOF, the first party has executed this instrument.

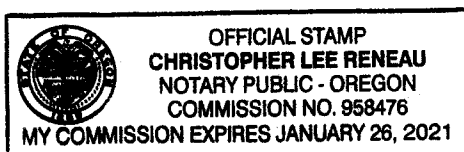
**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 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, SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTION 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

July 18, 2018  
Date

Jennifer Dean Schramm  
JENNIFER DEAN SCHRAMM

STATE OF OREGON; County of Klamath ) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 18 day of July, 2018, by Jennifer Dean Schramm, who personally appeared.



[Signature]  
NOTARY PUBLIC FOR OREGON

My Commission expires: January 26, 2021

## EXHIBIT 'A'

### PARCEL 1:

A parcel of land situated in Section 19, Township 34 South, Range 8 East of the Willamette Meridian, being more particularly described as follows:

Beginning at a 5/8 inch iron pin marking the Northeast corner of the Southwest quarter of said Section 19; thence South 88° 43' 06" West along the Northerly line of said SW1/4, 1,312.14 feet to a 5/8 inch iron pin marking the Northwest corner of the East half of said SW1/4; thence South 00° 18' 57" East along the Westerly line of said E1/2 SW1/4, 2,645.05 feet to a point of the Southerly line of said Section 19; thence North 89° 58' 07" East along said Southerly section line 105 feet more or less to the mean high water line of the Westerly bank of the Sprague River; thence following said high water line the meander line of which is the following courses and distances; North 02° 14' 38" East, 76.39 feet; North 18° 18' 09" East, 684.63 feet; North 25° 52' 24" East, 222.28 feet; North 31° 42' 03" East, 399.62 feet; North 56° 48' 35" East, 158.93 feet; North 63° 03' 38" East, 426.84 feet; thence leaving said mean high water mark North 28° 57' 55" West, 290 feet, more or less to the Southerly right-of-way line of the Sprague River-Chiloquin Highway, a county road; thence North 19° 46' 20" West, 588.60 feet; thence North, 40.00 feet; thence East, 493.00 feet to Easterly line of said SW1/4 of Section 19; thence North 00° 15' 13" West along said Easterly quarter Section line 279.97 feet to the point of beginning. EXCEPTING THEREFROM that portion of land contained within 100 foot wide right-of-way of the Sprague River-Chiloquin Highway, a county road.

ALSO SAVING AND EXCEPTING: Beginning at the Southwest corner of the SE1/4 SW1/4 of said Section 19; thence North along the West boundary of the E1/2 SW1/4 of said section a distance of 1,900 feet to a point; thence East parallel to the South boundary of said section a distance of 780 feet, more or less, to a point in the centerline of an existing roadway; thence Southeasterly along the centerline of said roadway a distance of 140 feet to the Southern boundary of the Chiloquin-Sprague River Highway; thence Southwesterly along said Southern boundary to its intersection with the South line of said Section 19; thence West along said South line to the point of beginning.

SAVING AND EXCEPTING: ALSO, Beginning at the intersection of the South line of said Section 19 and the Southeasterly boundary of the Chiloquin-Sprague River Highway; thence Northeasterly along said Southeasterly boundary a distance of 2,150 feet, more or less, to the Northwest corner of a parcel of land described in Volume M81, page 21187, Deed Records of Klamath, Oregon; thence South 28° 57' 55" East along the Southwest boundary of said parcel a distance of 320 feet, more or less to the mean high water line of the Sprague River; thence Southwesterly along said high water line to its intersection with the South line of said Section 19; thence West along said South line to the point of beginning.

SAVING AND EXCEPTING therefrom the public right of way of the Sprague River Chiloquin Highway.

ALSO SAVING AND EXCEPTING: Beginning at an aluminum cap marking the C-W 1/16 corner of said Section 19; thence South 00° 18' 57" East, along the West line of said NE1/4 SW1/4, 745.06 feet to a 5/8 inch Tru-Line Surveying plastic cap; thence North 89° 58' 07" East 756.60 feet to a 5/8 inch Tru-Line Surveying plastic cap; thence North 761.65 feet to point on the North line of said NE1/4 SW1/4; thence South 88° 43' 06" West 760.90 feet to the point of beginning, with bearings based on recorded Survey No. 4975.

### PARCEL 2:

A parcel of land situated in Section 19, Township 34 South, Range 8 East of the Willamette Meridian, being more particularly described as follows:

Commencing at a 5/8 inch iron pin marking the Northeast corner of the SW1/4 of said Section 19; thence South 00° 15' 13" East along the Easterly boundary of said SW1/4, 279.97 feet, more or less, to the POINT OF BEGINNING for this description; thence continuing along said Easterly boundary line South 00 degrees 15' 13" East 388.45 feet to the Intersection of said Easterly boundary line with the Northerly line of the S1/2 of the N1/2 of the SE1/4 of said Section 19; thence along said Northerly line of S1/2 of N1/2 of SE1/4 of said Section 19 North 89 degrees 00' 02" East, 256.53 feet to the intersection of said Northerly line with the Southerly right-of-way line of the Sprague River Highway; thence South 71 degrees 15' 00" West along said Southerly right-of-way line, 51.45 feet; thence leaving said right-of-way line South 00 degrees 59' 58" East, 375.00 feet, more or less, to the mean high water line on the Northerly side of the Sprague River; thence along said high water line the meander line of which is the following courses and

distances: South 81 degrees 25' 25" West 296.81 feet, more or less, South 69 degrees 49' 55" West, 80.95 feet, more or less; thence leaving said mean high water line North 28 degrees 57' 55" West, 290.00 feet, more or less to the said Southerly right-of-way line of Sprague River Highway; thence leaving said right-of-way line North 19 degrees 46' 20" West, 588.60 feet; thence North 40.00 feet; thence East 493.00 feet to the point of beginning, more or less.

EXCEPTING THEREFROM: That portion of land lying within the 100 foot wide right-of-way of the Sprague River Highway.

ALSO EXCEPTING THEREFROM: An 80.00 foot wide easement for roadway purposes adjacent to and parallel with the Westerly property line of the above described property between the Sprague River Highway and the Northerly bank of the Sprague River.

PARCEL 3:

That portion of the S1/2 of the N1/2 of the SE1/4 of Section 19, Township 34 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, lying North and West of the Sprague River, EXCEPTING THEREFROM the Westerly 256.53 feet as described in Deed recorded February 26, 1973, in Volume M73, page 1977, Microfilm Records of Klamath County, Oregon, and EXCEPTING that portion lying within the right of way of Sprague River.

EXCEPTING THEREFROM that portion of land lying within the right of way of the Sprague River Highway.

ALSO EXCEPTING THEREFROM an 80.00 feet wide easement for road way purposes adjacent to and parallel with the Westerly property line of the above described property between the Sprague River Highway and the Northerly bank of the Sprague River.