

2018-010389

Klamath County, Oregon

08/29/2018 09:48:01 AM

Fee: \$102.00

RECORDING REQUESTED BY:
Nathan F. Smith, Esq., OSB #120112
c/o Trustee Corps

WHEN RECORDED MAIL DEED
AND TAX STATEMENT TO:

BANK OF AMERICA, N.A.
c/o Bank of America, N.A.
7105 Corporate Drive
Building C
Plano, TX 75024

TS No OR08000155-17-1

APN R415759

Title Order No 97108662

TRUSTEE'S DEED

Consideration Amount **\$16,000.00**

THIS INDENTURE, made **August 22, 2018**, between **Nathan F. Smith, Esq., OSB #120112** c/o Trustee Corps, hereinafter called the first party and **BANK OF AMERICA, N.A.**, hereinafter called the second party;

Pursuant to said Notice of Sale, the undersigned Trustee on **August 22, 2018 at 10:00 AM** of said day, in accord with the Standard of Time established by ORS 187.110 which was the day and hour set in the 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 said Trust Deed, sold said real property in one parcel at public auction to the said second party for the sum of **\$16,000.00** 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.

WITNESSETH:

RECITALS: Trust Deed dated February 14, 2005, made to JAMES R MURPHY, AND DANA M MURPHY as Grantor, executed and delivered to FIDELITY NATIONAL TITLE INSURANCE CO., AN ARIZONA CORPORATION as Trustee, for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as designated nominee for COUNTRYWIDE HOME LOANS, INC., Beneficiary of the security instrument, its successors and assigns and recorded on February 22, 2005 as Instrument No. BK M05 PG 11520 in Book M05, on Page 11520 of official records in the Office of the Recorder 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 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 Beneficiary's 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 on **March 12, 2018** as Instrument No. **2018-002683** in the Mortgage Records of Klamath County, 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) as required by and in accordance with ORS 86.756, by mailing said Danger Notice by both first class and certified mail with return receipt requested. The mailing of said notice is shown by an affidavit of mailing recorded prior to sale date. In addition, the undersigned Trustee gave notice 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 7 D(2) and 7 D(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 (2) and (4), 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 to whom such notice was required under ORS 86.764 (4) 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 7 D(2) and 7 D(3) at least 120 days before the date the property was sold, pursuant to ORS 86.774. If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form and manner 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 ORS 86.774 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, pursuant to ORS 86.774(2), 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. In accordance with ORS 86.782(2), if the foreclosure sale was postponed for one or more periods that total not more than 180 days from the original sale date, a copy of each postponement notice giving the new sale date, time, and place was mailed at least fifteen-days before the new sale date in the manner required under ORS 86.764 to the grantor and to any person whom notice of the sale was given under ORS 86.771. Any and all notice of postponements were also made by public proclamation at the time and place set for sale. The mailing, service and/or publication of said Notice of Sale are shown by one or more affidavits or proofs of service duly recorded at least five-days prior to the date of sale in the official records of said county along with the affidavit of beneficiary's compliance with the foreclosure avoidance requirements under ORS 86.748. Said affidavits and proofs, together with said Notice of Default and Election to Sell, the Trustee's Notice of Sale, Danger Notice along with any Amended Notice thereto and any such Notice of Postponement 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 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.

NOW THEREFORE, in consideration of the said sum is 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 Trustee's 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 Grantor's successors in interest acquired after the execution of said Trust Deed in and to the following described real property, to-wit:

LOTS 45, 46, 47, BLOCK 11, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

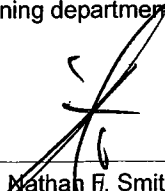
TO HAVE AND TO HOLD the same unto the second party, second party's heirs, successors-in-interest and assigns forever.

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 or another person duly authorized thereunto by order of its Board of Directors.

This instrument will 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 approved uses.

Dated: August 27, 2018


By: Nathan F. Smith, Esq., OSB #120112
Successor Trustee

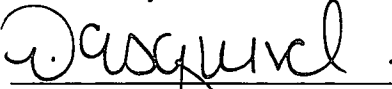
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF ORANGE

On August 27, 2018 before me, VERONICA LEIGH ESQUIVEL, Notary Public, personally appeared NATHAN F. SMITH, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.


Notary Public Signature



(RESERVED FOR RECORDER USE)

GRANTOR'S NAME AND ADDRESS:

Nathan F. Smith, Esq., OSB #120112
c/o TRUSTEE CORPS
17100 Gillette Ave
Irvine, CA 92614

State of _____

County of _____

I certify that the within instrument was received for record on the _____
day of _____, at _____ o'clock

GRANTEE'S NAME AND ADDRESS:

BANK OF AMERICA, N.A.
c/o Bank of America, N.A.
7105 Corporate Drive
Building C
Plano, TX 75024

____ M, and recorded in book / reel / volume no.

____ on page _____ or as

fee / file instrument / microfilm / reception no.

____, Record of Mortgages

of said County.

AFTER RECORDING RETURN TO:

Bank of America, N.A.
7105 Corporate Drive
Building C
Plano, TX 75024

Witness my hand and seal of County Affixed.

Name

UNTIL REQUESTED, SEND ALL
TAX STATEMENTS TO:

BANK OF AMERICA, N.A.
c/o Bank of America, N.A.
7105 Corporate Drive
Building C
Plano, TX 75024

By _____ Deputy