

**Successor Trustee's Name and Address**

Alan N. Stewart  
Merrill O'Sullivan, LLP  
805 SW Industrial Way, Ste. 5  
Bend, OR 97702

**2019-002170**

Klamath County, Oregon

03/11/2019 09:10:01 AM

Fee: \$92.00

**Second Party's Name and Address**

United States of America acting through the  
Rural Housing Service or successor agency,  
United States Department of Agriculture  
PO Box 66889  
St. Louis, MO 63166

**After recording, return to:**

Alan N. Stewart  
Merrill O'Sullivan, LLP  
805 SW Industrial Way, Ste. 5  
Bend, OR 97702

**Until requested otherwise, send all  
tax statements to:**

USDA-RD  
1201 NE Lloyd Blvd., Suite 801  
Portland, OR 97232

The true and actual consideration for this conveyance is \$118,500.00.  
Situs Address: 34117 Oregon Shores Drive, Chiloquin OR 97624.

**TRUSTEE'S DEED**

THIS INDENTURE, made this 15<sup>th</sup> day of October, 2018, between **Alan N. Stewart**, hereinafter called Successor Trustee, and **United States of America acting through the Rural Housing Service or successor agency, United States Department of Agriculture**, hereinafter called Second Party;

**WITNESSETH:**

**RECITALS:** Joseph C. McFarlan and Kimberly K. McFarlan, as Grantors, executed and delivered to Farmers Home Administration, United States Department of Agriculture, acting through the State Director of the Farmers Home Administration for the State of Oregon, Trustee, for the benefit of United States of America acting through the Farmers Home Administration, United State Department of Agriculture, as Beneficiary, a certain Deed of Trust dated November 7, 2008, and recorded November 14, 2008, as 2008-015422, Official Records of Klamath County, Oregon. In that Deed of Trust, the real property therein and hereinafter described was conveyed by the Grantors to the Trustee to secure, among other things, the performance of certain obligations of the Grantors to the Beneficiary. The Grantors thereafter defaulted in 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.

Alan N. Stewart of Merrill O'Sullivan, LLP was appointed Successor Trustee by the Beneficiary on February 1, 2018.

By reason of the default, the owner and holder of the obligations secured by the Deed of Trust, being the Beneficiary therein named, or the Beneficiary's successor in interest, 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 Grantors' obligation was recorded on May 17, 2018, as 2018-006049, Records of Klamath County, Oregon, to which reference is now made.

After recording the Notice of Default, the undersigned Successor Trustee gave notice of the time for and place of sale of the real property, as fixed by the Successor Trustee and as required by law. True copies of the Notice of Default and Election to Sell with attached Beneficiary Exemption Affidavit, Notice Required by the Fair Debt Collection Practices Act, 15 USC Section 1692, with attached Trustee's Notice of Sale, Residential Foreclosure Notice, and Notice to Residential Tenants 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(1) and 86.764(2)(a), at least 120 days before the date the property was sold. True copies of the Notice of Default and Election to Sell with attached Beneficiary Exemption Affidavit, Notice Required by the Fair Debt Collection Practices Act, 15 USC Section 1692, with attached Trustee's Notice of Sale, Residential Foreclosure Notice and Notice to Residential Tenants were mailed by first class and certified mail with return receipt requested to the last known addresses of the fiduciary or personal representative of any person named in ORS 86.764(1), promptly after the trustee received knowledge of the disability, insanity or death of any such person. True copies of the Notice of Default and Election to Sell with attached Beneficiary Exemption Affidavit, Notice Required by the Fair Debt Collection Practices Act, 15 USC Section 1692, with attached Trustee's Notice of Sale, Residential Foreclosure Notice and Notice to Residential Tenants were 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(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 addresses 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. The Successor 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 successive weeks. The last publication of the notice occurred more than twenty days prior to the date of sale. The mailing, service and publication of the notice of sale are shown by affidavits and/or proofs of service duly recorded prior to the date of sale in the county records, those affidavits and proofs, together with the notice of sale, being now referred to and incorporated in and made a part of this deed as if fully set forth herein. The undersigned Successor Trustee has no actual notice of any person, other than the persons named in those affidavits and proofs as having or claiming a lien on or interest in the real property, entitled to notice pursuant to ORS 86.764(2)(b) or (2)(c).

The undersigned Successor Trustee, on October 10, 2018, at the hour of eleven o'clock, A.M., 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, in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon the Successor Trustee by the Deed of Trust, sold the real property in one parcel at public auction to the Second Party for the sum of \$118,500.00, the Second Party being the highest and best bidder 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 Second Party, the receipt whereof is acknowledged, and by the authority vested in the Successor Trustee by the laws of the State of Oregon and by the Trust Deed, the Successor Trustee does hereby convey unto the Second Party all interest which the Grantor has or had the power to convey at the time of Grantors' execution of the Deed of Trust, together with any interest the Grantors or Grantors' successors in interest acquired after the execution of the Deed of Trust in and to the following described real property, to-wit:

**Lot 9, Block 20, TRACT 1113 – OREGON SHORES UNIT 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

**Commonly referred to as 34117 Oregon Shores Drive, Chiloquin OR 97624.**

TO HAVE AND TO HOLD the same unto the Second Party and the 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; 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, Trustee includes any Successor Trustee; Beneficiary includes any successor in interest of the Beneficiary first named above; and person includes a corporation and any other legal or commercial entity.

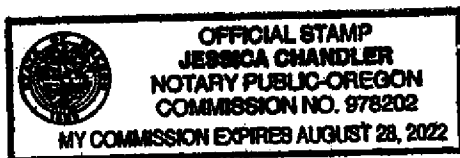
IN WITNESS WHEREOF, the undersigned Successor Trustee has hereunto executed this document. If the undersigned is a corporation, it has caused its name to be signed and its seal, if any affixed by an officer or other person duly authorized to do so by order of its board of directors.

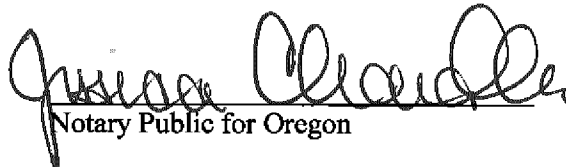
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2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

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ALAN N. STEWART, Successor Trustee

STATE OF OREGON, County of Deschutes) ss:

This instrument was acknowledged before me on October 15, 2018 by ALAN N. STEWART, as Successor Trustee.



  
Notary Public for Oregon