

2019-014031

Klamath County, Oregon



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12/03/2019 12:19:47 PM

Fee: \$92.00

AFTER RECORDING RETURN TO:

Lee C. Nusich, Esq.
Lane Powell PC
601 SW Second Ave, Suite 2100
Portland, OR 97204

PLEASE SEND ALL TAX STATEMENTS TO:

Prewitt Properties LLC
C/o Jill Prewitt
PO Box 544
Chiloquin, OR 97624

TRUSTEE'S DEED

True and Actual Consideration for this Conveyance: \$236,000.

LEE C. NUSICH, Successor Trustee, whose current address is 601 SW Second Avenue, Suite 2100, Portland, OR 97204 ("Trustee"), under the Trust Deed hereinafter more particularly described, conveys to PREWITT PROPERTIES LLC an Oregon limited liability company, whose current address is 305 Wasco Street, Chiloquin, OR 97624 ("Grantee"), all of the real property and improvements, situated in Klamath County, State of Oregon, described as follows (the "Real Property"):

Lots 4A, 4B, 5A, 5B, 6A and 6B, Block 2, RAILROAD ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

RECITALS

Marvin L Schenck and Tina L. Schenck, as grantor, executed and delivered to Aspen Title & Escrow, Inc. as trustee, for the benefit of Tom Prewitt and Jill Prewitt, husband and wife with full rights of survivorship, as beneficiary, a trust deed dated September 12, 1997, and recorded December 12, 1997, as Instrument No. M97, page 40425, Records of Klamath County, Oregon covering the Real Property (the "Trust Deed").

Tom Prewitt died on May 13, 2017. A Certificate of Death (Short Form) for Tom Prewitt was recorded on July 2, 2019, as Instrument No. 2019-007500, in the Records of Klamath County, Oregon,

In that Trust Deed, the Real Property was conveyed by the grantor to the trustee to secure the performance of certain obligations, indebtedness and liabilities of the grantor to the beneficiary. The grantor thereafter defaulted in performance of the obligations, indebtedness and liabilities secured by the 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 the default, the owner and holder of the obligations, indebtedness and liabilities secured by the Trust Deed, 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 Trust Deed by advertisement and sale to satisfy the asserting grantor's obligations was recorded on July 16, 2019 as Instrument No. 2019-007986, in the Records of Klamath County, Oregon, to which reference now is made.

After recording the notice of default, the undersigned Trustee gave notice of the time and place of sale of the Real Property, as fixed by the Trustee and as required by law. Copies of the notice of sale were mailed by both first class and certified mail with return receipt requested, to the address on file with the Trustee of the persons named in ORS 86.764(2) at least 120 days before the date the property was sold.

The Trustee published a copy of the notice of sale in the Klamath Falls Herald and News, a newspaper of general circulation in Klamath County, where 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 and publication of the notice of sale are shown by affidavits duly recorded prior to the date of sale in the Klamath County records. Those affidavits, together with the Notice of Default and Election to Sell, are incorporated in and made a part of this Trustee's Deed as if fully set forth herein. The undersigned Trustee has no actual notice of any person, other than the persons named in those affidavits, as having or claiming a lien on or interest in the Real Property, and entitled to notice pursuant to ORS 86.764(2).

The Trust Deed is not a "Residential Trust Deed", as defined in ORS 86.705(6), thus the requirements of Chapter 304 [S.B. 558], Oregon Laws 2013, Chapter 112 [S.B. 1552], Section 4a, Oregon Laws 2012, and ORS 86.771(10) do not apply

The Trust Deed and all notes, obligations, indebtedness and liabilities which it secured were assigned by the original beneficiary to Prewitt Properties LLC, an Oregon Limited Liability Company, by an Assignment of Trust Deed dated October 29, 2019, and recorded on November 6, 2019 in the office of the Official Records of Klamath County, Oregon, as Instrument Number 2019-013027.

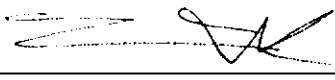
The Trustee's duly designated and authorized agent conducted a public sale of the Real Property on December 2, 2019 at 11:00 a.m. on the front steps of the main entrance to the Klamath County Courthouse, at 316 Main Street, Klamath Falls, Oregon. The Trustee's duly designated and authorized agent, on behalf of Prewitt Properties LLC, an Oregon limited liability company, the current beneficiary under the Trust Deed, bid the sum of \$236,000.00. No other bids were received. Accordingly, Prewitt Properties LLC, an Oregon limited liability company, was the successful bidder at the public sale and the purchase price was paid by a credit bid against the notes, obligations, indebtedness and liabilities performance and repayment of which were secured by the Trust Deed.

NOW, THEREFORE, the Trustee does hereby convey the Real Property to PREWITT PROPERTIES LLC, an Oregon limited liability company.

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.

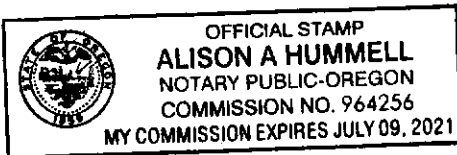
Dated this 2nd day of December, 2019.

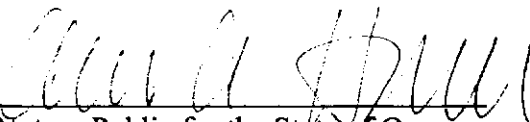


Lee C. Nusich, Successor Trustee

STATE OF OREGON)
)
COUNTY OF Multnomah)

This instrument was acknowledged before me on December 2, 2019, by Lee C. Nusich, Successor Trustee.





Notary Public for the State of Oregon