

2020-001008

Klamath County, Oregon

Grantor's Name and Address:

Scott D. MacArthur, Successor Trustee
125 S. 6th Street
Klamath Falls, OR 97601



00253558202000010080050056

01/24/2020 03:22:21 PM

Fee: \$102.00

Grantee's Name and Address:

1510 Cross Road, LLC, an Oregon
Limited Liability Company
892 Cross Road
Klamath Falls, OR 97603

After recording return to:

1510 Cross Road, LLC, an Oregon
Limited Liability Company
892 Cross Road
Klamath Falls, OR 97603

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

Same

TRUSTEE'S DEED

THIS INDENTURE, Made this 24th day of January, 2020, between Scott D. MacArthur, hereinafter called trustee, and 1510 Cross Road, LLC, an Oregon Limited Liability Company, hereinafter called the second party;

WITNESSETH:

RECITALS: MARIA M. EGBERT, as grantor, executed and delivered to EDWARD O. SUMMERS and CLAIRE A. SUMMERS, or the survivor thereof, as beneficiary, under a certain trust deed dated September 30, 1999, duly recorded on October 1 1999, as instrument No. M99 at page 39302 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:

Failure to make payments in the amount of \$5,000.00 per month, payable in installments of Not less than \$1,500.00 each, beginning September 1, 2010.

Failure to make payments in the amount of real property taxes for the tax year 2015-2016 in the amount of \$1,255.71 plus interest.

Failure to make payments in the amount of real property taxes for the tax year 2016-2017 in the amount of \$801.78 plus interest.

Failure to make payments in the amount of real property taxes for the tax year 2017-2018 in the amount of

Returned at Counter

Failure to make payments in the amount of real property taxes for the tax year 2018-2019 in the amount of \$824.30 plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 501586208 in the sum of \$270,262.48, Recorded December 31, 2008 as Instrument No. 2008-016987, plus interest
re-file Serial No. 330648618, Recorded November 7, 2018 as Instrument No. 2018-013587, plus interest

Allowing the property to become subject to an Oregon Department of Revenue Distraint Warrant, Warrant No. R054470868 in the sum of \$190,388.59, Recorded May 12, 2009 as Instrument No. 2009-006685, plus interest. Renewed on March 27, 2019 as Instrument No. 2019-003339.

Allowing the property to become subject to a federal tax lien, Serial No. 673224210 in the sum of \$86,712.35, Recorded July 13, 2010 as Instrument No. 2010-008423, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 682692710 in the sum of \$96,080.93, Recorded August 31, 2010 as Instrument No. 2010-009147, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 893405012 in the sum of \$61,912.10, Recorded September 25, 2012 as Instrument No. 2012-010585, plus interest.

Allowing the property to become subject to an Oregon Department of Revenue Distraint Warrant, Warrant No. R074245466 in the sum of \$42,247.06, Recorded March 17, 2014 as Instrument No. 2014-002230, plus interest.

Allowing the property to become subject to an Oregon Department of Revenue Distraint Warrant, Warrant No. R076092228 in the sum of \$154,243.23, Recorded September 30, 2014 as Instrument No. 2014-010141, plus interest.

Allowing the property to become subject to an Oregon Department of Revenue Distraint Warrant, Warrant No. R0801838962 in the sum of \$6,840.53, Recorded September 22, 2015 as Instrument No. 2015-010435, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 220049216 in the sum of \$3,915.16, Recorded July 18, 2016 as Instrument No. 2016-007571, plus interest.

Allowing the property to become subject to an Oregon Department of Revenue Distraint Warrant, Warrant No. L1536702080 in the sum of \$10,780.14, Recorded March 20, 2018 as Instrument No. 2018-002996, plus interest.

Allowing the property to become subject to a Klamath County, State of Oregon, Personal Property Tax Warrant, Warrant No. 2018-12 in the sum of \$883.34, Recorded March 22, 2018 as Instrument No. 2018-003138, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 325414418 in the sum of \$35,244.20, Recorded October 3, 2018 as Instrument No. 2018-012128, plus interest.

Allowing the property to become subject to a Tax Lien re-file of a federal tax lien, Serial No. 501586208

in the sum of \$383,264.07, as against Maria M. Egbert, Re-file Serial No. 330648618, Recorded November 7, 2018 as Instrument No. 2018-013587, plus interest.

Allowing the property to become subject to a Tax Lien re-file of a federal tax lien, Serial No. 544939209 in the sum of \$383,264.07, as against Mac Technology Inc., as an alter ego of Maria Egbert regarding all property owned by Mac Technology, Inc., Re-file Serial No. 332470818, Recorded November 19, 2018 as Instrument No. 2018-014051, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 336498118 in the sum of \$4,328.08, Recorded December 12, 2018 as Instrument No. 2018-014921, plus interest.

Allowing the property to become subject to a Klamath County, State of Oregon, Personal Property Tax Warrant, Warrant No. 2019-003056 in the sum of \$1,877.35, Recorded March 26, 2019 as Instrument No. 2019-003056, plus interest.

Allowing the property to become subject to a federal tax lien, Serial No. 384044219 in the sum of \$593,689.89, Recorded October 7, 2019 as Instrument No. 2019-011624, plus interest.

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: \$236,073.65 as of May 28, 2019, 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 August 7, 2019, at Volume No. 2019, at page 008978 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 and again after a notice of postponement was recorded, 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 January 24, 2020 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 \$255,363.75, 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 \$255,363.75, 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:

The NW 1/4 and the W 1/2 of the NE 1/4 of Section 9, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM the Easterly 780 feet of the W 1/2 of the NE 1/4 of Section 9, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH the perpetual easement in the now existing lateral over the E 1/2 of the SE 1/4 and the W 1/2 of the SE 1/4 of Section 4, said township and range for the purpose of irrigating the grantees premises, and reserving the perpetual easement in the now existing laterals over the the granted premises for purposes of irrigating said E 1/2 of the SW 1/4 and the W 1/2 of the SE 1/4 of said section 4.

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

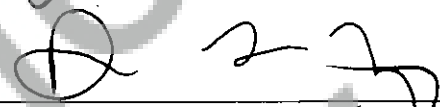
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL 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 January 24, 2020,
by Scott D. MacArthur.




Notary Public for Oregon
My commission expires 10/10/23