

2023-003078

Klamath County, Oregon



00314041202300030780140140

04/25/2023 08:38:20 AM

Fee: \$147.00

NOTICE OF AFFIDAVITS

Re: Notice of Default recorded as
Instrument No. 2022-006850 in the
records of Klamath County, Oregon

Grantor(s): Nathan E. Freeman

Beneficiary(ies): Matthew P. Andrews as to an
undivided 50% interest and John S. Morawiec as
to an undivided 50% interest

Original Trustee: AmeriTitle, LLC

Current Trustee: Nathan J. Ratliff,
OSB #034269

After recording return to:
Parks & Ratliff
620 Main Street
Klamath Falls, OR 97601

Dated: April 24, 2023

COVER PAGE

1. AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
2. TRUSTEE'S NOTICE OF SALE, DANGER NOTICE
3. AFFIDAVIT OF PUBLICATION, TRUSTEE'S NOTICE OF SALE
4. AFFIDAVIT OF NON-OCCUPANCY

Returned at Counter

After Recording Return to:
Parks & Ratliff, P.C.
620 Main Street
Klamath Falls, OR 97601

AFFIDAVIT OF MAILING: TRUSTEE'S NOTICE OF SALE

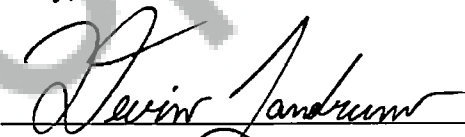
STATE OF OREGON)
) ss.
County of Klamath)

I, Devin Landrum, under penalty of perjury, state as follows:

1. Attached as Exhibit 'A' is a true and correct copy of the Trustee's Notice of Sale pertaining to the Trust Deed referenced therein.
2. The Trustee's Notice of Sale was mailed by both first-class and certified mail with return receipt requested to the following address(es) on December 22nd, 2022:

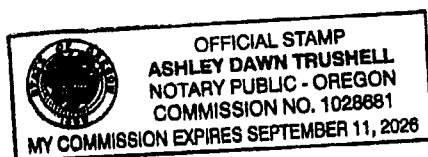
Nathan E. Freeman	Klamath County Counsel
326 'I' Street, PMB #110	305 Main Street
Eureka, CA 95501	Klamath Falls, OR 97601

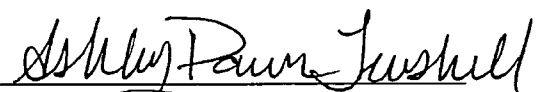
3. Attached as Exhibit 'B' is a copy of the Certified Mailing Receipt.
4. I make this affidavit as legal assistant to attorney Nathan J. Ratliff, OSB #034269, of Parks & Ratliff, P.C., for and on behalf of the Beneficiary, Matthew P. Andrews.


Devin Landrum
Legal Assistant to Nathan J. Ratliff

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING INSTRUMENT was acknowledged before me on the 21st day of February, 2023 by Devin Landrum.




NOTARY PUBLIC FOR OREGON
My commission expires: 9/11/2026

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by, Nathan E. Freeman, as Grantor to AmeriTitle, LLC, as Trustee, in favor of Matthew P. Andrews as to an undivided 50% interest and John S. Morawiec as to an undivided 50% interest as Beneficiary of the security instrument, its successors and assigns, dated as of December 9, 2020 and recorded on December 15, 2020 as Instrument No. 2020-016338 in the official records Klamath County, Oregon to-wit:

SEE ATTACHED LEGAL DESCRIPTION


Both the Beneficiary, Matthew P. Andrews as to an undivided 50% interest and John S. Morawiec as to an undivided 50% interest, and the Successor Trustee, Nathan J. Ratliff, OSB #034269, have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and notice has been recorded pursuant to Section 86.752(3) of Oregon Revised Statutes. The default for which the foreclosure is made is the Grantor's failure to pay when due payments on the Promissory Note at \$2,015.52 per month from June 1, 2021, until the present, pursuant to paragraph 1 under the Note, and pursuant to paragraph 12 of the Deed of Trust. By the reason of said default the Beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit: The sum of \$169,926.59 together with interest thereon from May 1, 2021, until paid; and all Trustee's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the terms of said Trust Deed.

Wherefore, notice is hereby given that, the undersigned Trustee will on Tuesday, April 25, 2023, at the hour of 10:00 AM, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at the Main Street entrance steps to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, sell at public auction to the highest bidder for cash the interest in the said described real property which the Grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the Grantor or his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the Trustee. Notice is further given that any person named in Section 86.778 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the Beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, Trustee's or attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or Trust Deed, at any time prior to five days before the date last set for sale.

Without limiting the Trustee's disclaimer of representations or warranties, Oregon law requires the Trustee to state in this notice that some residential property sold at a Trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the Trustee's sale.

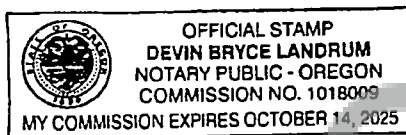
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "Grantor" includes any successor in interest to the Grantor as well any other persons owing an obligation, the performance of which is secured by said Trust Deed, the words "Trustee" and "Beneficiary" includes their respective successors in interest, if any.

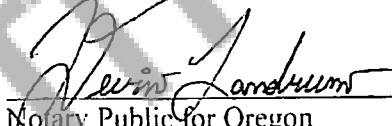
Dated: 12.22.22


By: Nathan J. Ratliff, OSB #034269
Successor Trustee

State of Oregon)
) ss.
County of Klamath)

On 12-22-22 before me, Devin B. Landrum, Notary Public, personally appeared Nathan J. Ratliff, 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.




Notary Public for Oregon
Commission Expires: 10-14-25

Parks & Ratliff, PC
Attention: Nathan Ratliff, Esq., OSB #034269
620 Main St
Klamath Falls, OR 97601
541-882-6331

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

LEGAL DESCRIPTION

Unsurveyed Parcel 2, Land Partition 30-06 being a replat of Parcel 3 of "Land Partition 4-03" situated in Section 33, Township 39 South, Range 11 East of the Willamette Meridian, and in the East 1/2 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

County Tax Account(s)/Parcel Nos.: 892922/3911-00000-09203, 892926/4012-00000-00902

Unofficial
Copy



KLAMATH FALLS
317 S 7TH ST
KLAMATH FALLS, OR 97601-6170
(800)275-8777

12/22/2022 05:01 PM

Product	Qty	Unit Price	Price
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First-Class Mail® Letter	1		\$0.84
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Klamath Falls, OR 97601

Weight: 0 lb 1.10 oz

Estimated Delivery Date

Sat 12/24/2022

Certified Mail®			\$4.00
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Tracking #:

70212720000310745670

Return Receipt			\$3.25
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Tracking #:

9590 9402 7116 1251 3372 56

Affixed Postage			-\$8.09
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Affixed Amount: \$8.09

Total			\$0.00
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First-Class Mail® Letter	1		\$0.84
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Eureka, CA 95501

Weight: 0 lb 1.10 oz

Estimated Delivery Date

Tue 12/27/2022

Certified Mail®			\$4.00
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Tracking #:

70212720000310745694

Return Receipt			\$3.25
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Tracking #:

9590 9402 7116 1251 3372 49

Affixed Postage			-\$8.09
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Affixed Amount: \$8.09

Total			\$0.00
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First-Class Mail® Letter	1		\$0.84
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Klamath Falls, OR 97601

Weight: 0 lb 1.10 oz

Estimated Delivery Date

Sat 12/24/2022

Certified Mail®			\$4.00
-----------------	--	--	--------

Tracking #:

70212720000310745687

Return Receipt			\$3.25
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Tracking #:

9590 9402 7116 1251 3372 63

Affixed Postage			-\$8.09
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Affixed Amount: \$8.09

Total			\$0.00
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First-Class Mail® Letter	1		\$0.84
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Eureka, CA 95501

Weight: 0 lb 1.10 oz

Estimated Delivery Date

Tue 12/27/2022

Certified Mail®			\$4.00
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Tracking #:

70212720000310745755

Return Receipt			\$3.25
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Tracking #:

9590 9402 7116 1251 3373 00

Affixed Postage			-\$8.09
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Affixed Amount: \$8.09

Total			\$0.00
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Grand Total:			\$0.00
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U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To Nathan E. Freeman

Street and Apt. No., or PO Box No. 326 E St. PMB #110

City, State, ZIP+4® Eureka, CA 95501

PS Form 3800, April 2015 PSN 7530-02-000-9047-117-5 See Reverse for Instructions



U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To Klamath County Counsel

Street and Apt. No., or PO Box No. 305 Main Street

City, State, ZIP+4® Klamath Falls, OR 97601

PS Form 3800, April 2015 PSN 7530-02-000-9047-117-5 See Reverse for Instructions

7021 2720 0003 1074 5755

7021 2720 0003 1074 5687

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by, Nathan E. Freeman, as Grantor to AmeriTitle, LLC, as Trustee, in favor of Matthew P. Andrews as to an undivided 50% interest and John S. Morawiec as to an undivided 50% interest as Beneficiary of the security instrument, its successors and assigns, dated as of December 9, 2020 and recorded on December 15, 2020 as Instrument No. 2020-016338 in the official records Klamath County, Oregon to-wit:

SEE ATTACHED LEGAL DESCRIPTION

Both the Beneficiary, Matthew P. Andrews as to an undivided 50% interest and John S. Morawiec as to an undivided 50% interest, and the Successor Trustee, Nathan J. Ratliff, OSB #034269, have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and notice has been recorded pursuant to Section 86.752(3) of Oregon Revised Statutes. The default for which the foreclosure is made is the Grantor's failure to pay when due payments on the Promissory Note at \$2,015.52 per month from June 1, 2021, until the present, pursuant to paragraph 1 under the Note, and pursuant to paragraph 12 of the Deed of Trust. By the reason of said default the Beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit: The sum of \$169,926.59 together with interest thereon from May 1, 2021, until paid; and all Trustee's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the terms of said Trust Deed.

Wherefore, notice is hereby given that, the undersigned Trustee will on Tuesday, April 25, 2023, at the hour of 10:00 AM, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at the Main Street entrance steps to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, sell at public auction to the highest bidder for cash the interest in the said described real property which the Grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the Grantor or his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the Trustee. Notice is further given that any person named in Section 86.778 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the Beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, Trustee's or attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or Trust Deed, at any time prior to five days before the date last set for sale.

Without limiting the Trustee's disclaimer of representations or warranties, Oregon law requires the Trustee to state in this notice that some residential property sold at a Trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the Trustee's sale.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "Grantor" includes any successor in interest to the Grantor as well any other persons owing an obligation, the performance of which is secured by said Trust Deed, the words "Trustee" and "Beneficiary" includes their respective successors in interest, if any.

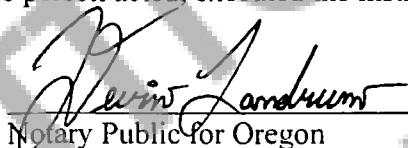
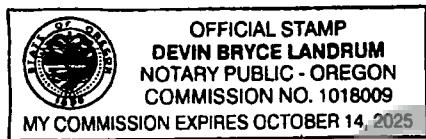
Dated: 12.22.22



By: Nathan J. Ratliff, OSB #034269
Successor Trustee

State of Oregon)
) ss.
County of Klamath)

On 12-22-22 before me, Devin B. Landrum, Notary Public, personally appeared Nathan J. Ratliff, 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.



Notary Public for Oregon
Commission Expires: 10-14-25

Parks & Ratliff, PC
Attention: Nathan Ratliff, Esq., OSB #034269
620 Main St
Klamath Falls, OR 97601
541-882-6331

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

LEGAL DESCRIPTION

Unsurveyed Parcel 2, Land Partition 30-06 being a replat of Parcel 3 of "Land Partition 4-03" situated in Section 33, Township 39 South, Range 11 East of the Willamette Meridian, and in the East 1/2 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

County Tax Account(s)/Parcel Nos.: 892922/3911-00000-09203, 892926/4012-00000-00902

**NOTICE: YOU ARE IN DANGER OF LOSING YOUR PROPERTY
IF YOU DO NOT TAKE ACTION IMMEDIATELY**

This notice is about your mortgage loan on your property at:

Unsurveyed Parcel 2, Land Partition 30-06 being a replat of Parcel 3 of "Land Partition 4-03" situated in Section 33, Township 39 South, Range 11 East of the Willamette Meridian, and in the East 1/2 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

County Tax Account(s)/Parcel Nos.: 892922/3911-00000-09203,
892926/4012-00000-00902

Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender. This is sometimes called 'foreclosure'.

The amount you would have had to pay as of December 22, 2022, to bring your mortgage loan current was \$57,318.20. The amount you must now pay to bring your loan current may have increased since that date.

By law, your lender has to provide you with details about the amount you owe, if you ask. You may call 541-882-6331 to find out the exact amount you must pay to bring your mortgage loan current and to get other details about the amount you owe. You may also get these details by sending a request by certified mail to:

Parks & Ratliff, PC
Attention: Nathan Ratliff, Esq., OSB #034269
620 Main St
Klamath Falls, OR 97601
541-882-6331

**THIS IS WHEN AND WHERE YOUR PROPERTY WILL BE SOLD
IF YOU DO NOT TAKE ACTION:**

Date, time, and place: Tuesday, April 25, 2023, at 10:00 AM
at the Main Street entrance steps to the Klamath County
Courthouse, 316 Main Street, Klamath Falls, Oregon 97601.


THIS IS WHAT YOU CAN DO TO STOP THE SALE:

1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full any time before the sale.
3. You can call Parks & Ratliff, PC at phone no. 541-882-6331 to find out if your lender is willing to give you more time or change the terms of your loan.
4. You can sell your property, provided the sale price is enough to pay what you owe.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at 800-SAFENET (800-723-3638). You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you can visit its website at <http://www.osbar.org>. Legal assistance may be available to you if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to <http://www.oregonlawhelp.org>.

WARNING: You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

Dated: 12.22.22


By: Nathan J. Ratliff, OSB #034269
Successor Trustee
541-882-6331

**AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF KLAMATH**

I, Christine Von Tersch, Circulation Manager being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97601 in the aforesaid county and state: that I know from my personal knowledge that the Legal # 20983 Parcel Nos: 892992, 892926

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues: 01/07/23, 01/14/23, 01/21/23, 01/28/23

Total Cost: \$1,356.04

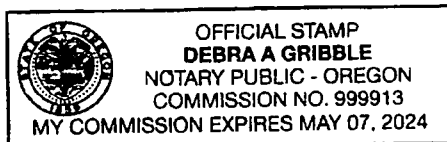


Subscribed and sworn by Christine Von Tersch before me on: On 6th day of February, in the year of 2023



Notary Public of Oregon

My commission expires May 7, 2024



TRUSTEE'S NOTICE OF SALE

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Dated: 12-22-22

By: /s/ Nathan J. Ratliff, OSB #034269
Successor Trustee

LEGAL DESCRIPTION

Unsurveyed Parcel 2, Land Partition 30-06 being a replat of Parcel 3 of "Land Partition 4-03" situated in Section 33, Township 39 South, Range 11 East of the Willamette Meridian, and in the East 1/2 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

County Tax Account(s)/Parcel Nos.: 892922/3911-00000-09203, 892926/4012-00000-00902
#20983 January 7, 14, 21, 28, 2023

After Recording Return to:
Parks & Ratliff, P.C.
620 Main Street
Klamath Falls, OR 97601

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

I, Douglas A. Kincaid, under penalty of perjury, state as follows:

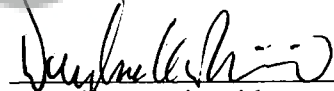
1. I have confirmed to the best of my knowledge that the property located near West Langell Valley Road, Klamath County Oregon with a legal description as follows is unoccupied.

2. Legal Description:

Unsurveyed Parcel 2, Land Partition 30-06 being a replat of Parcel 3 of "Land Partition 4-03" situated in Section 33, Township 39 South, Range 11 East of the Willamette Meridian, and in the North 1/2 of Section 4, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

County Tax Account(s)/Parcel Nos.: 892922/3911-00000-09203, 892926/4012-00000-00902

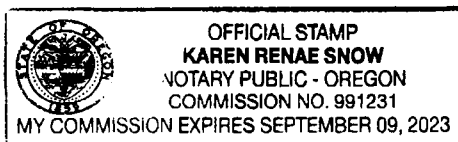
3. The Property does not contain a residence unit and consists only of agricultural land.
4. I make this affidavit as attorney for Trustee Nathan J. Ratliff, OSB #034269, of Parks & Ratliff, P.C., for and on behalf of the Beneficiary(ies), Matthew P. Andrews, as to an undivided 50% interest and John S. Morawiec, as to an undivided 50% interest.

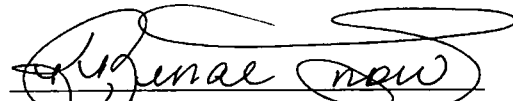


Douglas A. Kincaid
Attorney for Trustee

STATE OF OREGON; County of Klamath)ss.

THE FOREGOING INSTRUMENT was acknowledged before me on the April 21, 2023 by Douglas A. Kincaid.





NOTARY PUBLIC FOR OREGON
My commission expires: 9-9-23