

2023-003079

Klamath County, Oregon



00314042202300030790040040

04/25/2023 08:40:18 AM

Fee: \$97.00

Returned at Counter

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

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

Melvin E. Foltz
10191 East Puffin Drive
Palmer, AK 99645

TRUSTEE'S DEED

Consideration: \$420,879.14

THIS INDENTURE is made April 25, 2023, between Nathan J. Ratliff, OSB #034269, hereinafter called the first party, and Charles Saenger, as to an undivided 50% interest and Melvin E. Foltz, as to an undivided 50% interest, hereinafter called the second party.

Pursuant to the Notice of Sale described herein, the undersigned Trustee at 10:00 am on Friday, April 21, 2023, 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 by the Trust Deed described herein, sold the real property described herein in one parcel at public auction to the said second party for the sum of \$420,879.14 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: Reference is made to the Trust Deed dated November 30, 2020, made by Nathan E. Freeman as Grantor, executed and delivered to AmeriTitle, LLC, as Trustee, for the benefit of Charles Saenger, as to an undivided 50% interest and Melvin E. Foltz, as to an undivided 50% interest, as Beneficiary and recorded on December 15, 2020, as Instrument No. 2020-016344 in the official records of Klamath County, Oregon.

In said Trust Deed, the real property therein and hereinafter described was conveyed by said Granter to said Trustee to secure, among other things, the performance of certain obligations of the Granter to the said Beneficiary. The said Granter 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 May 31, 2022, as Instrument No. 2022-006848 in the official records of Klamath County.

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; 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, 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; and 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 or before the time of sale in the official records of said county. 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 Notice of Postponement of Sale, are 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 said sum paid by the second party in cash, or by credit bid if the second party was the beneficiary of said Trust Deed, 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 Granter had or had the power to convey at the time of Grantor's execution of said Trust Deed, together with any interest the said Granter or Grantor's successors in interest acquired after the execution of said Trust Deed in and to the following described real property, to-wit:

Township 39 South, Range 11 East of the Willamette Meridian, Klamath County,

Oregon:

Section 27: WI/2 SWI/4

Section 28: SI/2

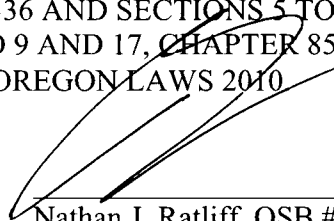
Section 34: NWI/4 NWI/4

County Tax Account(s)/Parcel No(s): 604974/3911-00000-07300, 604983/3911-00000-07700, 605116/3911-00000-09400

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.

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.

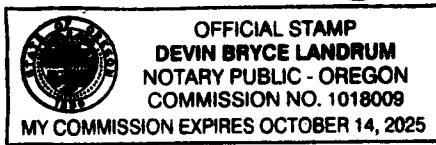


Nathan J. Ratliff, OSB #034269
Successor Trustee

State of Oregon }
 } ss
County of Klamath }

On April 25th, 2023 (date), Nathan J. Ratliff, known or identified to me to be the

person(s) whose name(s) is/are subscribed to the within Instrument, personally appeared before me and acknowledged to me that he/she/they executed same.



Devin Landrum
Notary Public for the State of Oregon
Commission Expires: 10-14-25