

2023-004655

Klamath County, Oregon

06/16/2023 03:59:01 PM

Fee: \$102.00

RECORDING COVER SHEET PER ORS 205.234

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON
PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING.
ANY ERRORS IN THIS COVER SHEET DOES NOT AFFECT THE
TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

AFTER RECORDING RETURN TO:

**650 NE Holladay
Suite 1600
Portland, OR 97232**

1. TITLE OF THE TRANSACTION (ORS 205.234a)

Trustee's Deed

2. Grantor(s) and Address: (ORS 205.160)

Richard Hayes

3. Grantee(s) and Address: (ORS 205.1251a and 205.160)

Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I
Trust

4. TRUE AND ACTUAL CONSIDERATION PAID (ORS 93.030) \$151,000.00

5. SEND TAX STATEMENTS TO:

**PHH Mortgage Company
5720 Premiere Park Drive
West Palm Beach FL 33407**

**6. If this instrument is being Re-Recorded, complete the following statement: (ORS
205.244)**

Being Re-Recorded to correct

Previously recorded as Document No.

RECORDING REQUESTED BY:

The Mortgage Law Firm, LLC
650 NE Holladay St., Suite 1600
Portland, OR 97232

WHEN RECORDED MAIL TO:

PHH Mortgage Company
Attn: Vault
5720 Premiere Park Drive
West Palm Beach FL 33407

Until a change is requested all tax statements
Shall be sent to the following address:
5720 Premiere Park Drive
West Palm Beach FL 33407

Trustee Sale No. 157453

Space above for Recorder's use only

APN/ MAP: 246736

True and actual consideration: 151,000.00

Property Address: 32227 Modoc Point Rd, Chiloquin, OR 97624

TRUSTEE'S DEED

THIS INDENTURE, made **06/05/2023**, between The Mortgage Law Firm, LLC, hereinafter called trustee, and **Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust**, hereinafter called the second party;

WITNESSETH:

RECITALS: **Richard I. Hayes**, as Grantor, executed and delivered to **Amerititle**, as Trustee, for the benefit of, **Financial Freedom Senior Funding Corporation, a Subsidiary of IndyMac Bank, F.S.B.**, as Beneficiary, a certain Trust Deed dated **02/06/2008**, duly recorded on **02/11/2008**, in the mortgage records of **Klamath** County, Oregon, as Instrument No. **2008-001743**. The interest in the trust deed was transferred to the foreclosing entity, Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust in **Klamath** County, Oregon.

In said Deed of Trust 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 beneficiary. The grantor thereafter defaulted in the performance of the obligations 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(s), the beneficiary under the trust deed, declared all sums secured by the trust deed immediately due and owing; a Notice of Default, containing an election to sell the 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 **2/11/2008**, as Instrument No. **2022-013776** to which reference now is made.

After the recording of said Notice of Default, the trustee, gave notice of the time for and place of sale of said real property as fixed by it and as required by law; copies of the Trustee's Notice of Sale and Danger Notice were served pursuant to ORCP7D.(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 86.764 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 86.764,

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 86.774(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) was mailed by registered or certified mail to the last-known address of those persons listed in ORS 86.764 and 86.774(1) and to the address proved 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 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, pursuant to ORS 86.774(3). 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 OR 86.764.

Pursuant to said notice of sale and, if applicable, said amended notice of sale, the undersigned trustee on **06/05/2023**, at the hour of **10:00 AM**, 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 him by said trust deed, sold said real estate property in one parcel at public auction to the said second party for the sum of **\$151,000.00**, they 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 **\$151,000.00**.

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 an interest the said grantor or his successors in interest acquired after the execution of said deed in and to the following described real property, to-wit;

A portion laying in the SE1/4 SE1/4 of Section 19, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a point on the Easterly boundary of Highway 427, the old Dalles-California Highway, 200.0 feet Southeasterly measured along the Easterly line of said highway from its intersection with the Southerly line of that certain tract conveyed to the Williamson River Church in Deed Volume 61, page 128; thence Northwesterly along the Easterly boundary of said highway 200.0 feet to the South line of said church property; thence Easterly along the Southerly boundary of the church property 370.0 feet, more or less, to the Southeasterly corner thereof, (being the most Easterly corner of the church property); thence Southwesterly in a straight line 333.0 feet, more or less, to the point of beginning.

And commonly known as: **32227 Modoc Point Rd, Chiloquin, OR 97624**

TO HAVE AND TO HOLD the same unto the second party, his heirs, successors-in-interest and assigns forever. In constructing this instrument and whenever the context so requires, the masculine gender includes the feminine and the neuter, and the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligations, the performance of which is secured by said trust deed, and the word "trustee" and "beneficiary" include their respective successors in interest, if any. "Property" includes the real property described in the cited trust deed.

This conveyance is made without representations or warranties of any kind, express or implied. By

recording this Trustee's Deed, the second party understands, acknowledges and agrees that the Property was purchased in the contest of a foreclosure sale, that the current Trustee made no representations to the second party concerning the Property, and that the current Trustee owed no duty to make disclosures to the second party concerning the Property except as required by law, the second party relying solely on his/her/its own due diligence investigations before electing to bid for the Property.

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.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand; if the undersigned is a corporation, it has caused its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

The Mortgage Law Firm, LLC, trustee, has authorized the undersigned attorney to execute the document on the Successor Trustee's behalf as allowed under ORS 86.713(8).

The Mortgage Law Firm, LLC

X

By: Jason L. Cotton, OSB #22375

Eric A. Marshack, OSB #050166 ✓

State of Oregon
County of Multnomah

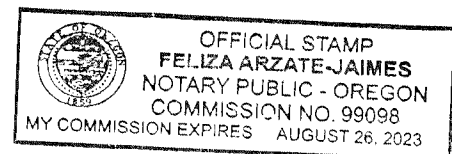
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On June 16, 2023 before me, Feliza Arzate J., a Notary Public in and for said state, personally appeared Eric Marshack who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Oregon that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Feliza Arzate Jaimes
Notary Public



(This area for Official Notary Seal)