

2025-002881

Klamath County, Oregon

04/18/2025 12:18:01 PM

Fee: \$102.00

RECORDING COVER SHEET (Please Print or Type) this cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

AFTER RECORDING RETURN TO:

John A. McIntosh, OSB #172742

Schweet Linde & Rosenblum, PLLC

575 S. Michigan Street

Seattle, WA

SEND TAX STATEMENTS TO:

THIS SPACE RESERVED FOR USE BY
THE COUNTY RECORDING OFFICE

TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)

Affidavit of Publication

DIRECT PARTY(S) -- (i.e., DEEDS: Seller/Grantor; MORTGAGES: Borrower/Grantor; LIENS; Creditor/Plaintiff)

ORS 205.125(1) (b) and 205.160

Badger Flats Limited Partnership

INDIRECT PARTY(S) -- (i.e., DEEDS: Buyer/Grantee; MORTGAGES: Beneficiary/Lender; LIENS: Debtor/Defendant)

ORS 205.125(1) (a) and 205.160

WADOT Capital, Inc, a Washington corporation

Deed of Trust, Recording No. 2021-000999

Notice of Default and Election to Sell, Recording No. 2024-010722

TRUE AND ACTUAL CONSIDERATION-- (Amount in dollars or other) ORS 93.030(5)

\$ NA

JUDGMENT AMOUNT-- (obligation imposed by the order or warrant) ORS 205.125(1) (c)

\$ NA

If this instrument is being Re-Recorded, complete the following statement, in accordance with

ORS 205.244:

"RERECORDED AT THE REQUEST OF _____

TO CORRECT _____

PREVIOUSLY RECORDED IN BOOK/PAGE/FEE NUMBER _____

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

I, Heather Boozer, Advertising Specialist 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 afore-said county and state: that I know from my personal knowledge that the Legal # 25073 TNOS - WADOT vs Badger Flats


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: 03/05/25, 03/12/25, 03/19/25, 03/26/25

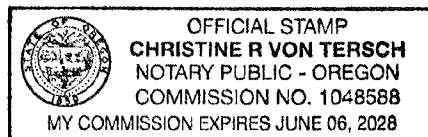
Total Cost: \$3,188.91

Heather Boozer

Subscribed and sworn by Heather Boozer before me on:
On 28th day of March, in the year of 2025



Notary Public of Oregon
My commission expires June 6, 2028



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[Back](#)

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Notice Content

TRUSTEE'S NOTICE OF SALE Reference is made to that certain commercial trust deed made by Badger Flats Limited Partnership, as grantor, to Amerititle, LLC, as original trustee, in favor of WADOT CAPITAL, INC., a Washington corporation, as beneficiary, recorded on January 21, 2021, in the Records of Klamath County, Oregon under Recording No. 2021-000999; and subsequently assigned to the current beneficiary KC Capital, LLC, a Washington limited liability company and said assignment was recorded on January 27, 2021 in the Records of Klamath County, Oregon under Recording No. 2021-001228, covering the following described real property situated in the above mentioned county and state, to wit: Parcel 1: The SE1/4 NW1/4, that portion of the N1/2 NW1/4 and SW1/4 NE1/4 lying South of Highway 140 all in Section 1, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon. Less and except that portion deeded to the State of Oregon by and through its Department of Transportation, recorded May 10, 2004 in Volume M04, page 28266, records of Klamath County, Oregon. Parcel 2: That portion of the NW1/4 NE1/4 lying South of Highway 140 all in Section 1, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon. Less and except that portion deeded to the State of Oregon by and through its Department of Transportation, recorded May 10, 2004 in Volume M04, page 28266, records of Klamath County, Oregon. The undersigned hereby certifies that based upon business records there are no known written assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above-described real property is situated. Further, no action has been instituted to recover the debt, or any party thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.752(7). Both the Beneficiary and the Trustee, John A. McIntosh, OSB# 172742, 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. There is a default by grantors or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure made is Grantors' failure to pay when the following sums: The default for which foreclosure is made is also the failure to pay the real property taxes. Because of interest, late charges, and other charges that may vary from day-to-day, the amount due on the day you pay may be greater. It will be necessary for you to contact the Trustee before the time you tender reinstatement or the payoff amount so that you may be advised of the exact amount you will be required to pay. Notice hereby is given that John A. McIntosh, the undersigned trustee, will on April 21, 2025, at the hour of 11:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at the front steps of the Klamath County Courthouse at

3/12/25, 9:33 AM

publicnoticeoregon.com/(S(n5ixk24icni2effzn0fdleuo))/DetailsPrint.aspx?SID=n5ixk24icni2effzn0fdleuo&ID=242558

316 Main St, 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. Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except: Name and Last Known Address and Nature of Right, Lien or Interest: Pursuant to Oregon law, this sale will not be deemed final until the Trustee's Deed has been issued by John A. McIntosh, OSB# 172742. If any irregularities are discovered within 10 days of the date of this sale, the trustee will rescind the sale, return the buyer's money and take further action as necessary. If the sale is set aside for any reason, including if the Trustee is unable to convey title, the Purchaser at the sale shall be entitled only to a return of the monies paid to the Trustee. This shall be the Purchaser's sole and exclusive remedy. The purchaser shall have no further recourse against the Trustor, Trustee, the Beneficiary, the Beneficiary's Agent, or the Beneficiary's Attorney. 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 singular includes the plural, the word "grantor" includes any successor in interest to this grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. NOTICE TO TENANTS: TENANTS OF THE SUBJECT REAL PROPERTY HAVE CERTAIN PROTECTIONS AFFORDED TO THEM UNDER ORS 86.782 AND POSSIBLY UNDER FEDERAL LAW. ATTACHED IS A NOTICE TO TENANTS THAT SETS FORTH SOME OF THE PROTECTIONS THAT ARE AVAILABLE TO A TENANT OF THE SUBJECT REAL PROPERTY AND WHICH SETS FORTH CERTAIN REQUIREMENTS THAT MUST BE COMPLIED WITH BY ANY TENANT IN ORDER TO OBTAIN THE AFFORDED PROTECTION, AS REQUIRED UNDER ORS 86.771. Dated: December 11, 2024 /s/John A. McIntosh John A. McIntosh, OSB # 172742 Successor Trustee (206) 381-0118 575 S. Michigan Street Seattle, WA 98108 #25073 March 5, 12, 19, 26, 2025

[Back](#)