

2025-008174

Klamath County, Oregon

09/12/2025 02:34:01 PM

Fee: \$112.00

Recording Cover Sheet

When recorded mail to and

Mail tax statements to:

Law Offices of Jason C. Tatman
9665 Chesapeake Dr., Suite 365
San Diego, CA 92123

TS# LO-53372-OR

Title of the Transactions:

Foreclosure Commissioner's Deed Upon Sale

Borrower/Trustor:

DURWARD L BAILEY

Lender/Beneficiary

The Secretary of Housing and Urban Development

Legal:

The Northeasterly 75 feet of Lot 10, Block 2, First Addition to Tonatee Homes, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Deed of Trust: recorded 12/21/07 #2007-021283

APN: 555009

Property Address:

4458 BARRY DRIVE, KLAMATH FALLS, OR 97603

RECORDING REQUESTED BY
LAW OFFICES OF JASON C. TATMAN

And When Recorded Mail To
The Secretary of Housing and Urban Development
c/o Compu-Link, HUD Division
14002 East 21st St., Ste 300
Tulsa, OK 74134

APN 555009

Space above this line for recorder's purposes

Order #: **250002233-OR-MSO**
TS #: **LO-53372-OR**

Documentary Transfer Tax -0-
Instrumentality of the U.S. Government
Pursuant to Section 12, USCA 3764 (c)
Grantee was the foreclosing beneficiary.
Consideration **\$223,212.36**
Unpaid debt **\$223,212.36**


Signature of Declarant or Agent

**FORECLOSURE COMMISSIONER'S
DEED UPON SALE**
Pursuant to 12 USC, Section 3707 thru 3713

This deed made this 9/10/2025 day by and between LAW OFFICES OF JASON C. TATMAN, Foreclosure Commissioner, ("Grantor") and **The Secretary of Housing and Urban Development**, ("Grantee").

WHEREAS, on 12/17/2007, a certain Deed of Trust was executed by DURWARD L BAILEY, as trustor, in favor of FIDELITY NATIONAL TITLE INS CO, trustee, and WELLS FARGO BANK, N.A., beneficiary, and was recorded on 12/21/2007, as Instrument No. 2007-021283, in Book XX, Page XX, in the Office of the County Recorder of Klamath County, Oregon.

WHEREAS, on 12/1/2020, the beneficial interest in the Deed of Trust was assigned to the United States Secretary of Housing and Urban Development (the Secretary); and

WHEREAS, by virtue of a default in the covenants and conditions of the Deed of Trust the Secretary designated LAW OFFICES OF JASON C. TATMAN as foreclosure commissioner to conduct a non-judicial foreclosure of the Deed of Trust under the provisions of the Single Family Mortgage Foreclosure Act of 1994 ("Act"), 12 U.S.C. 3751 et seq., the designation being recorded on 8/6/2019 as instrument number 2019-008864, book XX, page XX, in the Office of the County Recorder of Klamath County, Oregon; and

WHEREAS, a Notice of Default and Foreclosure Sale was sent by certified mail, return receipt requested, (1) on 8/7/2025, to DURWARD L BAILEY, the owner of the property secured by the deed of trust as shown by the public record on 12/21/2007, (2) on 8/7/25, to OR Dept of Human Services, the parties shown on the public record as of 7/1/08 to be liable for part or all of the secured debt, and (3) on 8/7/2025, to Secretary of Housing & Urban Development, the parties who, as of 12/21/2007, had a lien on the property secured by the deed of trust; and

WHEREAS, a copy of the Notice of Default and Foreclosure sale was published in the Herald and News on 8/20/2025, 8/27/2025, and 9/3/2025; and,

WHEREAS, a copy of the Notice of Default and Foreclosure Sale was filed on 8/5/2025 as instrument No. 2025-006830, in the Office of the County Recorder of Klamath, Oregon and

WHEREAS, pursuant to the Notice of Default and Foreclosure Sale and to the Act, a foreclosure sale was held on 9/10/2025, at which The Secretary of Housing and Urban Development submitted the highest bid in the amount of \$223,212.36; and

WHEREAS, the trustor is not entitled to benefits of the Soldiers' and Sailors' Civil Relief Act of 1940; and

WHEREAS, there is no right of redemption, or right of possession based upon a right of redemption, in the trustor or others subsequent to a foreclosure completed pursuant to the Act;

NOW THEREFORE, for one dollar and other good and valuable consideration, the undersigned hereby grants, bargains, sells, and conveys The Secretary of Housing and Urban Development, the following described property located in Klamath County, Oregon:

The Northeasterly 75 feet of Lot 10, Block 2, First Addition to Tonatee Homes, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Commonly known as: 4458 BARRY DRIVE, KLAMATH FALLS, OR 97603

The grantor hereby conveys to the grantee all right, title and interest in the above property held by the grantor herein, the Secretary, DURWARD L BAILEY, LAW OFFICES OF JASON C. TATMAN, or any other party claiming by, through or under them on the date the deed of trust referred to above was recorded and any interest acquired by any of them until the date of the foreclosure sale. This deed is given without warranty or covenants to the grantee.

By:



Rhonda Rorie, AVP
Law Offices of Jason C. Tatman
9665 Chesapeake Dr., Ste. 365
San Diego, CA 92123
(858) 201-3590

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

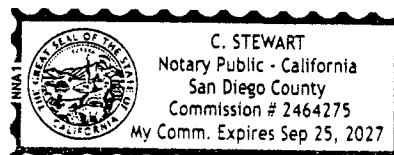
State of California)
County of San Diego)

On 9/11/2025 before me, C. Stewart, a Notary Public, personally appeared Rhonda Rorie who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature



[Acknowledgment]

When a mortgage foreclosed pursuant to 12 USCA 3761 et seq. is conveyed to the Secretary, no tax shall be imposed or collected with respect to the foreclosure commissioner's deed (including any tax customarily imposed upon the deed instrument or upon the conveyance or transfer of title to the property). Failure to collect or pay a tax of the type and under the circumstances stated in the preceding sentence shall not be grounds for refusing to record such a deed, for failing to recognize such recordation as imparting notice, or for denying the enforcement of such a deed and its provision in any State or Federal Court. 12 USCA 3763(f)

This Deed, and any other instruments submitted for recordation in relation to the foreclosure of the security property under 12 USCA 3761 et seq. shall be accepted for recordation by the registrar of deeds or other appropriate official in the county or counties in which the security property is located upon tendering of payment of the usual recording fees for such instruments, and without regard to the compliance of those instruments with any other local filing requirements. 12 USCA 3764