

2006-018495

Klamath County, Oregon



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09/13/2006 03:46:25 PM

Fee: \$41.00

1st-782006

COVER SHEET

ORS: 205.234

This cover sheet has been prepared by the persons presenting the attached instrument for recording. Any errors in this cover sheet **DO NOT** affect the transaction(s) contained in the instrument itself.

After recording, return to:
James P. Laurick
Kilmer, Voorhees & Laurick
732 NW 19th Avenue
Portland, OR 97209

Send Tax Statements to:
Same as on file

The date of the instrument attached is 5/15/06.

1) NAMES(S) OF THE INSTRUMENT(S) required by ORS 205.234(a)
Trustee's Notice of Sale

2) PARTY(IES)/GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160:

Shirl Mitchell

John Boyd

3) PARTY(IES)/GRANTEE, required by ORS 205.125(1)(b) and ORS 205.160

Nancy L. Peterson

Green Tree Financial Servicing

4) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

\$ 73,526.84

5) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY CLERK'S LIEN RECORDS, ORS 205.121(1)(c)

6) RE-RECORDED to correct: _____
Trust Deed recorded as: M98-32337

41-F

TRUSTEE'S NOTICE OF SALE

After Recording, Return To:
James P. Laurick
Kilmer, Voorhees & Laurick
732 NW 19th Avenue
Portland, OR 97209

Reference is made to that certain trust deed made by Shirl Mitchell and John Boyd as grantors, to Nancy L. Peterson as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated August 4, 1998, recorded on September 2, 1998, in the Records of Klamath County, Oregon, as Volume Number M98 at page 32337 covering the following described real property situated in that county and state, to wit:

Parcel 3 of Land Partition 14-97, being a portion of a tract of land situated in the NE1/4 of the NE1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

The real property has a physical address of 3027 Crest Street, Klamath Falls, Oregon

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantors' failure to pay when due the following sums:

See Exhibit "A"

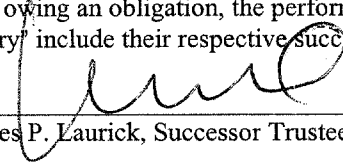
By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

See Exhibit "A"

WHEREFORE, notice is hereby given that the undersigned trustee will on **September 29, 2006**, at the hour of 1:00 p.m., in accord with the standard of time established by ORS 187.110, at the front of the main entrance of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, in the City of Klamath Falls, County of Klamath, and State of Oregon, sell at public auction to the highest bidder for cash the interest in the real property described above which the grantors had or had power to convey at the time of the execution by grantors of the trust deed together with any interest which the grantors or grantors' successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying those sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee and attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the 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.

DATED: 5/15/06


James P. Laurick, Successor Trustee

State of Oregon, County of Multnomah)ss.

On this 15th day of May, 2006, before me, a Notary Public in and for said County and State, personally appeared James P. Laurick, personally known to me to be the person whose name subscribed to the within instrument and acknowledged that he executed the same.

SUBSCRIBED AND SWORN to before me this 15th day of May, 2006.




NOTARY PUBLIC FOR OREGON

My Commission Expires: 6-16-2010

State of Oregon, County of Multnomah)ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

Attorney for Trustee

\\G\GREENTREE\MITCHELL\CORRESPONDENCE\NOTICEOFSALE.DOC

EXHIBIT A

DEFAULT AMOUNT

Payment Date	Amount	Insurance
11/15/05	\$554.33	\$25.93
12/15/05	\$554.33	\$25.93
01/15/06	\$554.33	\$25.93
02/15/06	\$554.33	\$25.93
03/15/06	\$554.33	\$25.93
04/15/06	\$554.33	\$25.93
		\$
		\$
		\$
TOTAL	\$3,325.98	\$155.58

TOTAL DEFAULT: \$3,481.56

TOTAL DUE AND OWING

Principal	\$70,358.34
Interest	\$3,153.50
Late Charges	<u>\$15.00</u>
Total	\$73,526.84

Per diem of \$15.40

V:\G\greentree\mitchell\correspondence\exhibitA.doc

NOTICE UNDER THE FAIR DEBT COLLECTION PRACTICES ACT 15 U.S.C. 1692

- 1) The amount of the debt is stated in the Trustee's Notice of Sale attached hereto.
- 2) The beneficiary as named in the attached Trustee's Notice of Sale is the original creditor to whom the debt was owed; if the debt has been assigned, the Trustee's Notice of Sale will name the current holder of the beneficial interest.
- 3) The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the Trustee unless the debtor, within thirty (30) days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
- 4) If the debtor notifies the Trustee in writing within thirty (30) days of the receipt of this notice that the debt or any portion thereof is disputed, the Trustee will provide a verification of the debt, and a copy of the verification will be mailed to the debtor by the Trustee.
- 5) If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the Trustee within thirty (30) days from the receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
- 6) Written request should be addressed to James P. Laurick, at Kilmer, Voorhees & Laurick, P.C., 732 NW 19th Avenue, Portland, Oregon 97209.

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