

2006-019783

Klamath County, Oregon



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10/02/2006 11:11:58 AM

Fee: \$46.00

MTCT 5125

AFFIDAVIT OF MAILING OF NOTICE OF SALE

STATE OF OREGON           )  
  ) ss.  
COUNTY OF LANE         )

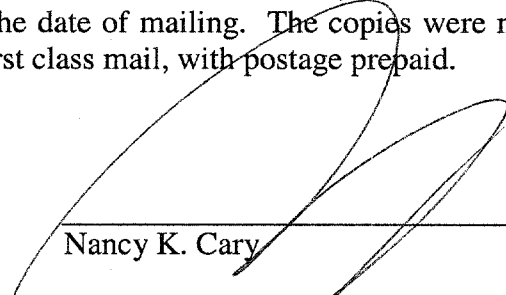
I, NANCY K. CARY, being first duly sworn, depose and say:

1. I am the Successor Trustee of the Trust Deed described in the attached Trustee's Notice of Sale.

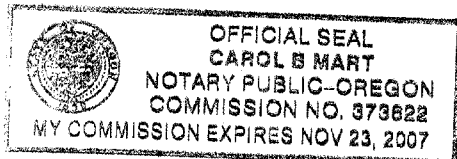
2. I served the attached Trustee's Notice of Sale upon the following parties by depositing true copies thereof in the United States Mail at Eugene, Oregon, on June 23, 2006:


Nancy C. Collman  
453 Allison St.  
Ashland, OR 97520-2907

3. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below their names which, to the best of my knowledge, were their last known addresses as of the date of mailing. The copies were mailed by certified mail, return receipt requested, and by first class mail, with postage prepaid.

  
\_\_\_\_\_  
Nancy K. Cary

Signed and sworn to before me on June 23, 2006, by NANCY K. CARY.



  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 11/23/2007

AFTER RECORDING RETURN TO:  
Hershner Hunter LLP  
Attn: Carol Mart  
PO Box 1475  
Eugene, OR 97440

AFFIDAVIT OF MAILING

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440

**PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS**

STATE OF: Oregon  
COUNTY OF: Klamath

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: TRUSTEE'S NOTICE OF SALE

FOR THE WITHIN NAMED: Occupants of **26360 Highway 66 Keno, OR 97627**

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to Jerry Hemenway at the address below.

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Jerry Hemenway, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: **Nancy Collman**

☐ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on \_\_\_\_\_ and after personal inspection, I found the above described real property to be unoccupied.

26360 Highway 66 Keno, OR 97627

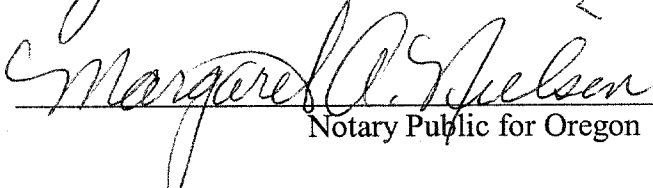
**ADDRESS OF SERVICE**

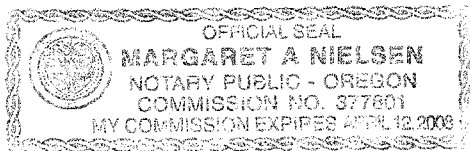
I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

June 22, 2006      6:54 PM  
**DATE OF SERVICE**      **TIME OF SERVICE**  
☐ or non occupancy

By:   
Thomas A. Bolenbaugh

Subscribed and sworn to before on this 26<sup>th</sup> day of June, 2006.

  
Notary Public for Oregon



**AFTER RECORDING RETURN TO:**  
Hershner Hunter LLP  
Attn: Carol Mart  
PO Box 1475  
Eugene, OR 97440

NOTICE OF SUBSTITUTE SERVICE

TO:

Nancy C. Collman  
26360 Highway 66  
Keno, OR 97627

You are hereby notified that you were served with a Trustee's Notice of Sale, a true copy of which is attached hereto, by delivery of an original copy of the Notice of Sale at your dwelling house or usual place of abode indicated above, as follows:

Date and Time of Service: June 22, 2006 @ 6:54 p.m.

Person to Whom the Notice Was Delivered: Jerry Hemenway

/s/ Patrick W. Wade

Patrick W. Wade  
Attorney for Successor Trustee

AFFIDAVIT OF MAILING

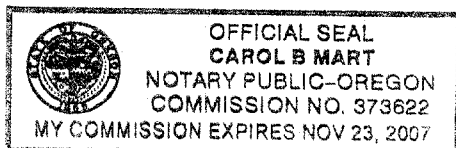
STATE OF OREGON       )  
                                  ) ss.  
COUNTY OF LANE       )

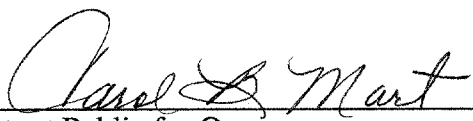
I, PATRICK W. WADE, being first duly sworn, depose and say that:

I mailed an original Notice of Substitute Service, a true copy of which appears above, together with a true copy of the Notice of Sale referred to therein, by placing them in a sealed envelope, addressed as shown above and mailed by certified mail, return receipt requested, with postage prepaid in the United States Mail at Eugene, Oregon, on June 23, 2006.

  
\_\_\_\_\_  
Patrick W. Wade

Signed and sworn to before me on June 23, 2006, by PATRICK W. WADE.



  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 11/23/2007

NOTICE OF SUBSTITUTE SERVICE

AFTER RECORDING RETURN TO:  
Hershner Hunter LLP  
Attn: Carol Mart  
PO Box 1475  
Eugene, OR 97440

The following Trustee's Notice of Sale is served on you (if mailed, by certified mail, return receipt requested and first class mail) pursuant to ORS Chapter 86, requiring notice of the foreclosure to be given to the grantor of the trust deed, to certain successors in interest of the grantor and junior lien holders, and to the occupants of the property.

TO:

TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES:

Grantor: NANCY C. COLLMAN  
Trustee: ASPEN TITLE AND ESCROW, INC.  
Successor Trustee: NANCY K. CARY  
Beneficiary: UMPQUA BANK

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

As described on the attached Exhibit A

3. RECORDING. The Trust Deed was recorded as follows:

Date Recorded: November 6, 2003  
Recording No.: Vol M03, Page 82752  
Official Records of Klamath County, Oregon

4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments in the amount of \$1,021.00 each, due the first of each month, for the months of A partial monthly payment in the amount of \$630.52 due February 1, 2006; plus monthly payments in the amount of ; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$139,731.10 plus interest at the rate of 6.00% per annum from January 1, 2006; plus late charges of \$388.60; plus advances and foreclosure attorney fees and costs.

6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.

7. TIME OF SALE.

Date: November 2, 2006  
Time: 11:00 a.m.  
Place: Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon

8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

AFTER RECORDING RETURN TO:  
Hershner Hunter LLP  
Attn: Carol Mart  
PO Box 1475  
Eugene, OR 97440

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-0344 (TS #30057.30130).

DATED: June 16, 2006.

*/s/ Nancy K. Cary*

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Nancy K. Cary, Successor Trustee  
Hershner Hunter, LLP  
P.O. Box 1475  
Eugene, OR 97440

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FAIR DEBT COLLECTION PRACTICES ACT NOTICE

We are attempting to collect a debt on behalf of the beneficiary named above (also referred to as the "creditor") and any information obtained will be used for that purpose. This debt is owed to the creditor in the amount described above. Under some circumstances, you may receive more than one copy of this notice. Unless you dispute the validity of this debt, or any portion thereof, within 30 days after your first receipt of the original or a copy of this notice, we will assume the debt to be valid. If you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that the debt, or any portion thereof, is disputed, we will obtain verification of the debt or (if applicable) a copy of a judgment against you and a copy of the verification or (if applicable) the judgment will be mailed to you. We will provide you with the name and address of the original creditor, if different from the creditor named above, if you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that you request such information.

EXHIBIT A

THE SW 1/4 OF THE NE 1/4 AND LOT 2, LESS THE HIGHWAY RIGHT OF WAY, ALSO LESS AND EXCEPT ANY PORTION LYING WEST OF STATE HIGHWAY 66, ALL IN SECTION 1, TOWNSHIP 40 SOUTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. AND GOVERNMENT LOT 11, SECTION 1, TOWNSHIP 40 SOUTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.