

KELLINGTON, KRACK, RICHMOND, BLACKHU
& SUTTON, LLP
ATTN: SANDRA VINZANT
P.O. BOX 1583
MEDFORD, OR 97501

2006-024595

Klamath County, Oregon



12/12/2006 02:29:41 PM

Fee: \$46.00

TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the trust deed described below is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: Richard Barnett
Trustee: Aspen Title & Escrow, Inc.
Successor Trustee: Bruce Kellington
Mailing Address of Successor Trustee: P O Box 1583, Medford, Oregon 97501
Beneficiary: Calvin A. Lanfear, Sr.
2. Property covered by trust deed:

Lots 10, 11 and the Northerly 19.5 feet of Lot 12, Block 7, CHILOQUIN DRIVE ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.
3. Trust deed was recorded on April 26, 2004, as Volume M04, Page 24844-46 of the Microfilm Records of Klamath County, Oregon.
4. Default for which foreclosure is made is the failure to pay the following: (1) Failure to pay the 2005-2006 real property taxes before the same became past due and delinquent. (2) Failure to pay the monthly installment payments of interest, each initially in the sum of \$725, for the months of September and October 2006. (3) Failure to pay the late charges of 5% of each payment over 15 days late. (4) Failure to provide proof of fire insurance protecting the interest of beneficiary in the subject real property.
5. The sum owing on the obligation secured by the trust deed is: \$57,632.67, together with unpaid interest in the sum of \$2,291.86 as of October 31, 2006, and interest on \$57,632.67, at the rate of twelve percent (12%) per annum, from October 31, 2006, until paid, plus late charges accrued as of October 31, 2006 in the sum of \$108.75, and accruing at the rate of 5% of the amount of each interest payment due on the 26th of each month, commencing November 26, 2006 and continuing until paid, and for sums advanced by the beneficiary for fire insurance in the sum of \$218.39, and for any additional sums advanced by the beneficiary after the date of this notice of default, in order to protect the subject real property.

1 - TRUSTEE'S NOTICE OF SALE

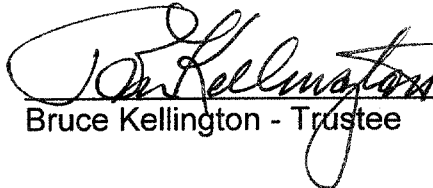
6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of Default was recorded as No. 2006-023335 of the Official Recorded Real Property Record of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on April 27, 2007, at 10:30 o'clock a.m., based on the standard of time as established by ORS 187.110, at 316 Main St., in the City of Klamath Falls, County of Klamath, Oregon.

8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER, IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.

DATED this 29 day of November, 2006.


Bruce Kellington - Trustee

2 - TRUSTEE'S NOTICE OF SALE

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF OREGON)
 ss.
County of Jackson)

I, Bruce Kellington, being first duly sworn, depose, say and certify that:

At all times herein mentioned, I was and now am, a resident of the state of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original Notice of Sale, given under the terms of that certain trust deed described in said notice, and that I am the trustee named therein;

I gave notice of the sale of the real property described in the attached Notice of Sale by mailing a copy thereof, by certified mail and first class mail, to each of the following named persons at their respective last known addresses:

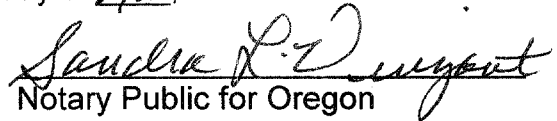
<u>Name</u>	<u>Address</u>
Richard Barnett	P.O. Box 123 Macdoel, CA 96058
Richard Barnett	P.O. Box 1014 Chiloquin, OR 97624
Clifton H. McMillian	c/o Neal G. Buchanan Attorney at Law 435 Oak Avenue Klamath Falls, OR 97601
Clifton H. McMillian	1444 Pacific Terrace Klamath Falls, OR 97001

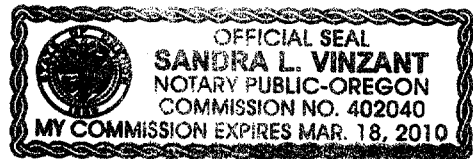
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Bruce Kellington, the trustee named in said notice; each such copy was contained in a sealed envelope with postage thereon fully prepaid, and was deposited by me in the United States Post Office at Medford, Oregon, on the 29 day of November, 2006; each of said notices was mailed after the Amended Notice of Default

and Election to Sell described in said Notice of Sale was recorded, and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.


Bruce Kellington

Subscribed and sworn to before me this 29 day of Nov, 2006.


Notary Public for Oregon



2 - AFFIDAVIT OF MAILING NOTICE OF SALE

TRUSTEE'S AFFIDAVIT AS TO NONOCCUPANCY

STATE OF OREGON)
 ss.
County of Jackson)

I, Calvin A. Lanfear, Sr., being first duly sworn, depose, say and certify that:

I am the beneficiary in that certain trust deed executed and delivered by Richard Barnett, grantor, to Aspen Title & Escrow, Inc., Calvin A. Lanfear, Sr. is the beneficiary, recorded on April 26, 2004, as Volume M04, page 24844, Microfilm Records of Klamath County, Oregon, covering the following described real property situate in said county:

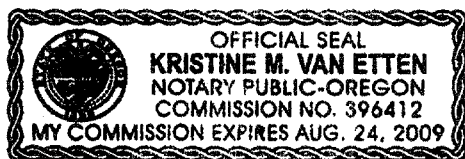
Lots 10, 11 and the Northerly 19.5 feet of Lot 12, Block 7, CHILOQUIN DRIVE ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

I hereby certify that on November 29, 2006, the above described real property consisted of bare land and was not occupied by any of the persons named in subsection 1 of Section 86.750, Oregon Revised Statutes.

The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.


Calvin A. Lanfear, Sr.

Subscribed and sworn to before me this 6 day of December, 2006.




Notary Public for Oregon

AFFIDAVIT OF NONMILITARY SERVICE

STATE OF OREGON)
 ss.
County of Jackson)

Bruce Kellington, of legal age and being duly sworn, deposes and says:

That he is the trustee herein, who has invoked the power of sale under ORS 86.735 by a Notice of Default and Election to Sell recorded as No. 2006-023335 of the Official Recorded Real Property Record of Klamath County, Oregon.

That a true copy of the Trustee's Notice of Sale was served on the following persons on the following dates:

<u>Name</u>	<u>Date of Service</u>
Richard Barnett	November 29, 2006

That the persons above named were not at the time they were served, nor are they now, on active service with any branch of the Armed Services within the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and are not unrepresented minors or incapacitated persons or financially incapable, as defined by ORS 125.005.



Bruce Kellington

Subscribed and sworn to before me this 29 day of November, 2006.



Notary Public for Oregon

