

MT080177

After Recording Return to:

Walter L. Cauble
CAUBLE, DOLE & SORENSON
111 S. E. Sixth Street, P. O. Box 398
Grants Pass, OR 97528

2007-021049

Klamath County, Oregon



12/17/2007 03:49:52 PM

Fee: \$36.00

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Josephine) ss.

I, Walter L. Cauble, being first duly sworn, say that:

At all times hereinafter 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of the trust deed described in the notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME	ADDRESS
Michael Menefee and Marsha Menefee Grantors	3220 Snowy Butte Lane Central Point, OR 97502-1584
Michael Menefee, Registered Agent of Altus Construction Inc. Successor-in-Interest to Grantors	3220 Snowy Butte Lane Central Point, OR 97502-1584

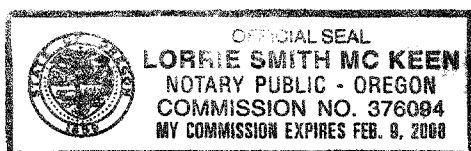
The above-named persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Walter L. Cauble, attorney for the trustee named in the 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 Grants Pass, Oregon, on August 13, 2007. With respect to each person or entity listed above, one such notice was mailed with by first class mail delivery and another such notice was mailed by certified mail, return receipt requested. Both mailings were made with the required postage prepaid. Each of the notices was mailed after recording of the notice of default and election to sell described in the notice of sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Walter L. Cauble

SUBSCRIBED and SWORN to before on September 18, 2007, by Walter L. Cauble.



Notary Public for Oregon
My Commission Expires: 2/9/2008

300 HMT

TRUSTEE'S NOTICE OF SALE

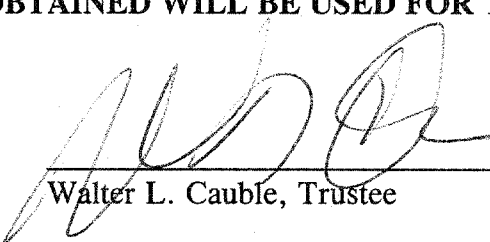
The obligations secured by the trust deed described in this notice are in default and the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 through ORS 86.795. No action is currently pending to recover any part of the debt secured by the trust deed.

The following information is given, pursuant to ORS 86.735 and ORS 86.745:

1. **PARTIES:** The parties to the trust deed described in this notice are: Grantor: **MICHAEL MENEFEE and MARSHA MENEFEE**, as tenants by the entirety; Trustee: **LAWYERS TITLE INSURANCE COMPANY**, a Virginia corporation; Beneficiary: **RONALD E. JENNER and MARY JENNER**, as Joint Tenants with rights of survivorship.
2. **PROPERTY:** The address of the property covered by the trust deed is 2165 Jeffrey Lane, Klamath Falls, Oregon, more particularly described as follows: **Lot 34, in Tract 1378, PLEASANT VISTA STAGE 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**
3. **DESCRIPTION OF THE TRUST DEED SUBJECT OF THIS NOTICE:** Dated September 5, 2006; recorded September 7, 2006; Document Number 2006-018069.
4. **DEFAULTS:** The defaults for which foreclosure is made is grantor's failure to pay when due the following sums: **payment of minimum monthly installments of \$1,630 due on June 5, and July 5, 2007; transfer of the real property subject of the trust deed without Beneficiary's prior written consent.**
5. **BALANCE OWING:** The sums owing on the obligations secured by the trust deed are: **The entire unpaid principal balance of One Hundred Sixty-three Thousand and no/100ths Dollars (\$163,000.00), together with interest thereon at the rate of twelve percent (12%) per annum from May 5, 2007, until paid; together with late charges of \$163.00 each accrued for the June and July payments which are 10 or more days past due, and \$163.00 for each additional payment not received within 10 days of the due date.**
6. **ELECTION TO SELL:** The beneficiary and the trustee, by reason of the defaults set out above have elected to sell the property to satisfy the obligations secured by the trust deed. A Notice of Default has been recorded pursuant to ORS 86.735(3) and the beneficiary has declared all sums owing on the obligations secured by the trust deed immediately due and payable.
7. **SALE:** The property will be sold in the manner prescribed by law on Thursday, December 27, 2007, at 11:00 A.M. in accord with the standard of time established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon.
8. **RIGHT TO CURE DEFAULT UNDER ORS 86.753:** 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 the portion of the principal that would not be due had no default occurred) together with costs and expenses actually incurred in enforcing the obligations, including trustee's and attorney's fees (not exceeding the amounts provided by ORS 86.753) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the note and trust deed.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

DATED: August 10, 2007



Walter L. Cauble, Trustee

STATE OF OREGON, County of Josephine) 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 said Trustee

147080177
After Recording Return to:

Walter L. Cauble
CAUBLE, DOLE & SORENSON
111 S. E. Sixth Street, P. O. Box 398
Grants Pass, OR 97528

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON, County of Josephine) ss.

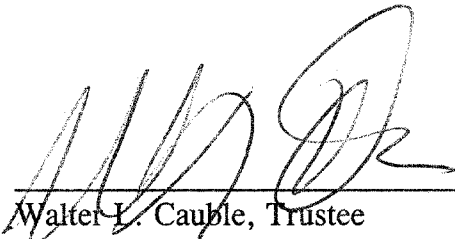
I, WALTER L. CAUBLE, being first duly sworn, depose, say and certify that:

I am the Trustee in that certain trust deed executed and delivered by MICHAEL MENEFEE and MARSHA MENEFEE, as tenants by the entirety, as Grantors; to LAWYERS TITLE INSURANCE COMPANY, a Virginia Corporation, as Trustee; in which RONALD E. JENNER and MARY JENNER, as joint tenants with rights of survivorship, is Beneficiary; recorded on September 7, 2006, in the Official Records of Klamath County, Oregon, as Document No. 2006-018069, covering the following described real property situated in said County:

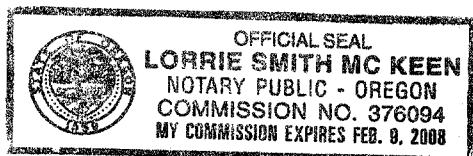
Lot 34, in Tract 1378, PLEASANT VISTA STAGE 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

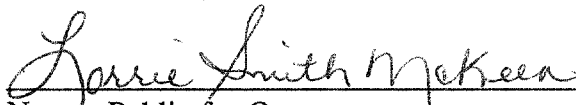
I hereby certify that on August 14, 2007, the above-described real property was not occupied.

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


Walter L. Cauble, Trustee

SUBSCRIBED and SWORN to and acknowledged before me this 19th day of September, 2007 by Walter L. Cauble, Trustee.




Notary Public for Oregon
My Commission Expires: 2/9/2008

Affidavit Return of Service

State of Oregon)
County of Klamath)

Court Case Number: _____

I HEREBY CERTIFY THAT on 08/14/07 the within:

- | | | |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Order |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Citation | <input type="checkbox"/> Small Claim | <input checked="" type="checkbox"/> Notice |

☒ TRUSTEE NOTICE OF SALE

for service on the within named: _____

☐ **SERVED:** _____ personally and in person at _____

☐ **SUBSTITUTE SERVICE:** By leaving a true copy with _____, a person over the age of fourteen years, who resides at the place of abode of the within named _____ at said abode: _____

☐ **OFFICE SERVICE:** By leaving a true copy with _____ the person in charge of the office maintained for the conduct of business by _____

☐ **CORPORATE:** By leaving a true copy with _____ of said corporation.

☒ **OTHER METHOD:** VACANT HOUSE

☐ **NOT FOUND:** After due and diligent search and inquiry, I hereby return that I have been unable to find the within named _____ within Klamath County.

ALL SEARCH AND SERVICE WAS MADE WITHIN KLAMATH COUNTY, STATE OF OREGON.

DATE AND TIME OF SERVICE OR NOT FOUND: 08/14/07 AT 2:35PM

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

By: DAVIS DAVIS

Basin Proserve
422 N. 6th Street
Klamath Falls, OR 97601
(541) 884-6060