

MT80421

2008-003013

Klamath County, Oregon



03/10/2008 03:32:57 PM

Fee: \$31.00

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Re: Trust Deed from

Renee Brown
109330 Hwy. 97 North
Klamath Falls, OR 97601

Grantor

Richard A. Stark
201 W. Main Street, Suite 1B
Medford, OR 97501

Trustee

After Recording, Return to

Stark and Hammack, P.C.
201 W Main, Suite 1B, Medford, OR 97501

STATE OF OREGON,)
)ss.
County of Klamath)

I certify that the within instrument was received for record on the ____ day of _____, 2007, at To _____ o'clock ____ M., and recorded in book/reel/volume No. ____ on page ____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE
By: _____
Deputy

STATE OF OREGON, County of Jackson)ss:

I, **RICHARD A. STARK**, being first duly sworn, depose and 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 the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies 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

Renee Brown
Klamath County
IRS - Attn: Advisory Group Mgr.

109330 Hwy. 97 North, Klamath Falls, OR 97601
305 Main Street, Klamath Falls, OR 97601
P.O. Box 145595, Stop #8420-G Team 206, Cincinnati, OH 54250-5595
875 Union St., NE Room 107, Salem, OR 97311
785 NE 7th Street, Grants Pass, OR 97526
PO Box 340, Klamath Falls, OR 97601
955 Center St., NE Salem, OR 97301-2555
PTAC, Compliance - Medford, P.O. Box 14725
Salem, OR 97309-5018

State of Oregon Employment Department
Southern Oregon Credit Service
Klamath County Tax Collector
Oregon Department of Revenue
D. A. Hyrup, Revenue Agent

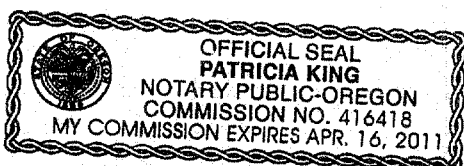
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or interest 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 set forth in ORS 86.785.

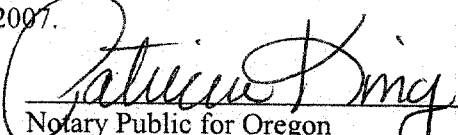
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Eric R. Stark, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Medford, Oregon on September 17, 2007. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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


RICHARD A. STARK

Subscribed and sworn to before me on September 17, 2007.




Notary Public for Oregon
My Commission Expires: 04/16/2011

MTC80421
**NOTICE OF DEFAULT
ELECTION TO SELL AND
NOTICE OF SALE
(ORS 86.705 to 86.795)**

After recording return to:
Stark and Hammack, P.C.
201 West Main Street, Suite 1B
Medford, OR 97501

2007-015883
Klamath County, Oregon



09/10/2007 03:08:48 PM

Fee: \$31.00

**CERTIFIED TRUE COPY
STARK AND HAMMACK**

The undersigned successor trustee hereby gives the notice required by the foregoing statute:

1. Grantor: Renee Brown, 109330 Hwy. 97 North, Klamath Falls, Oregon 97601.

Trustee: AmeriTitle, 300 Klamath Avenue, PO Box 5017, Klamath Falls, Oregon 97601.

Successor Trustee: Richard A. Stark, Attorney at Law, Stark and Hammack, P.C., 201 West Main, Suite 1B, Medford, OR 97501;

Present Beneficiary: Kimberly Thompson; Irene E. St. Germaine, Trustee; Susan Weiss; Donald A. Macri and Melissa K. Macri, Trustees; Marilyn M. Roydan, Trustee; John H. Tindall and Nancy J. Tindall, Trustees; Duncan Lemmon; Darlene Edgington; and Rex H. Stevens, Trustee.

2. The Trust Deed was recorded on the 29th day of April, 2005 in Volume M05, page 30839, Microfilm Records of Klamath County, Oregon. An Addendum to Deed of Trust was recorded on April 3, 2006 in Volume M06, page 06356, Microfilm Records of Klamath County, Oregon.

3. The legal description of the property secured by the Trust Deed is more particularly described as follows:

LOT 2 and 3 in Block 7, ORIGINAL TOWN OF CHEMULT, according to the official plat thereof file in the office of the County Clerk of Klamath County, Oregon.

4. The common street address of the real property is: 109330 Hwy. 97 North, Klamath Falls, Oregon.

5. The default for which the foreclosure is made is as follows:

Failure to pay the principal and interest on August 1, 2007.


Failure to pay late fees of ten percent (10%) of the payment.

Failure to pay real property taxes for Fiscal Year 2004/2005 in the amount of \$596.29, plus interest; 2005/ 2006 in the amount of \$631.51, plus interest; and 2006/2007 in the amount of \$865.17, plus interest.

1/ AMT

7. The sum owing on the obligations secured by the Trust Deed is \$218,000.00, plus interest at the default rate of thirty-one percent (31%) per annum after August 1, 2007., plus a late charge in the amount of ten percent (10%) of the delinquent payment paid fifteen (15) days after its due date, plus real property taxes, trustee's fees, attorney fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the Trust Deed.
8. The beneficiary elects to sell the property to satisfy the obligation secured by the Trust Deed.
9. The time of the sale is at 2:00 pm based on the standard of time established by ORS 187.110. The date and place of sale is on January 18, 2008 at the Main Entrance to the Klamath County Courthouse, 316 Main Street, Klamath Falls, OR 97601.
10. Pursuant to ORS 86.753, the Grantor, the Grantor's Successor in interest to all or any part of the Trust property, any Beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property may have the proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, together with costs, trustee's and attorney's fees, and by curing any other default complained of in the Notice of Default, at any time prior to five (5) days before the date last set for the sale.
11. No action has been instituted to recover the debt or any part of it then remaining secured by the Trust Deed, or, if such action has been instituted the action has been dismissed.

DATED this 7th day of September, 2007.

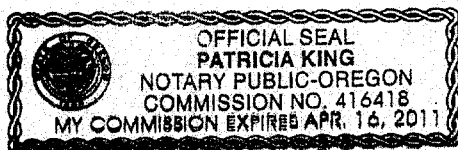


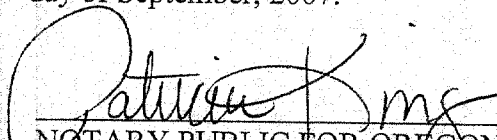
RICHARD A. STARK
Successor Trustee

STATE OF OREGON)
) ss
County of Jackson)

Before me, a Notary Public, personally appeared RICHARD A. STARK, known to me to be the person who executed the foregoing instrument, and acknowledged to me that he signed the same as his free and voluntary act and deed.

WITNESS my hand and seal this 7th day of September, 2007.





NOTARY PUBLIC FOR OREGON
My Commission Expires: 04-16-2011