

MITC 80421

2008-003015

Klamath County, Oregon



00041457200800030150030033

03/10/2008 03:34:46 PM

Fee: \$31.00

AFFIDAVIT OF NON-SERVICE

TRUSTEE'S NOTICE OF SALE

Beneficiary:

KIMBERLY THOMPSON et al

vs.

Grantor:

RENEE BROWN,

For:

Dave Davis

Basin Proserve

422 N. 6th Street

Klamath Falls, OR 97601

Received by Basin Proserve on the 20th day of September, 2007 at 11:33 am to be served on **Occupants, 109330 Hwy 97, Chemult, OR 97731.**

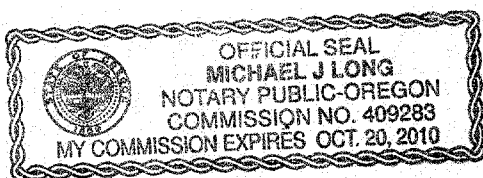
I, Eric Mathews, being duly sworn, depose and say that on the **26th day of September, 2007 at 2:26 pm, I:**

did attempt to serve the occupants of the dwelling/building listed above. After attempting service and upon personal inspection, I determined it to be unoccupied. I therefore **POSTED** this **TRUSTEE'S NOTICE OF SALE** on the front door, firmly affixing it by taping all four corners.

Additional Information pertaining to this Service:

9/27/2007 11:10 am Notice was POSTED on the main entrance.

I further certify that I am a competent person over the age of 18 and a resident 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, corporate or otherwise: that the person served by me is the identical person named in the action. I also declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service including service fees is true and correct.



Subscribed and Sworn to before me on the 27th day of September, 2007 by the affiant who is personally known to me.

NOTARY PUBLIC

Eric Mathews

Eric Mathews
Process Server

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

Our Job Serial Number: 2007002096

Service Fee: _____

26th

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that I know from my personal knowledge that the

Legal # 9816

Notice of Sale/Renee Brown

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)
Four

Insertion(s) in the following issues:

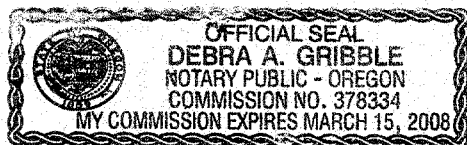
January 25, February 1, 8, 15, 2008

Total Cost: \$825.29

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: February 15, 2008

Debra A Grizzle
Notary Public of Oregon

My commission expires March 15, 2008



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

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.

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 original sale date was on January 18, 2008 at the Main Entrance to the Klamath County Courthouse, 316 Main Street, Klamath Falls, OR 97601 which was continued by public proclamation at the original sale date to March 21, 2008 at the same place 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 21st day of January, 2008.

Richard A. Stark,
Successor Trustee

State of Oregon)
County of Jackson)
ss

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.

Annette Young,
Notary Public For Oregon
My Commission Expires: 10/28/09
#9816 January 25,
February 1, 8, 15,
2008.