

2008-004892

Klamath County, Oregon



00043586200800048920110117

04/02/2008 03:28:20 PM

Fee: \$71.00

1st 1087463

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
MARIE L. ANDERSON,
Grantor.

To:
Laura J. Walker,
Trustee.

After recording return to:
Laura J. Walker
Cable Huston Benedict et al
1001 SW Fifth Avenue #2000
Portland Oregon, 97204

STATE OF OREGON, County of Multnomah:

I, Laura J. Walker, 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 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 and by mailing copies thereof by both first class and certified mail with return receipt requested and by personal service to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

- (a) Marie L. Anderson, 730 Front Street, Merrill, OR 97633;
- (b) Citifinancial, Inc., 2848 S. 6th Street, Klamath Falls, OR 97603

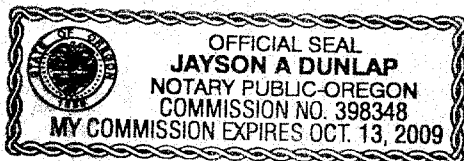
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 set forth in ORS 26.755.*

The Notice of Sale was certified to be a true copy of the original notice of sale by Robin Bellanca, 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 in Portland, Oregon, on November 29, 2007. With respect to each person listed above, one of each 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.

Laura J. Walker, Trustee
1001 SW Fifth Avenue, Suite 2000
Portland, OR 97204
(503) 224-3092

Subscribed and sworn to before me on the 31st of March, 2008.



Notary Public for Oregon
My commission expires 10/13/2009

F71-

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Marie L. Anderson, as grantor, to Nancy L. Peterson as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated September 12, 1997, recorded on September 22, 1997, in the microfilm records of Klamath County, Oregon at Volume M97, Page 30873, covering the following described real property situated in said county and state, to wit:

Lot 19 in GRAYBEAL ADDITION to the City of Merrill, according to the official plat on file in the office of the County Clerk of Klamath County, Oregon

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligation secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Seven monthly payments of \$672.20 for the months of February, March, April, May, June, July, August, September and October, 2007, with interest accruing at the rate of 9.13% per annum (\$18.12 per diem).

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

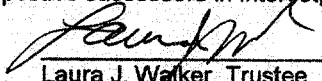
Principal	\$77,888.60
Interest and Default Fees	\$ 5,178.20
Foreclosure Guarantee	\$ 402.00
Total:	\$83,468.80

Beneficiary is also entitled to costs and attorneys' fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on **April 10, 2008**, at the hour of **10:00 o'clock, a.m.**, in accord with the standard of time established by ORS 187.110, at **Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon**, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that 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 such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

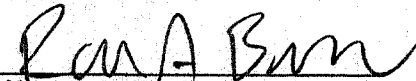
DATED this 27th day of November, 2007.



Laura J. Walker, Trustee
1001 SW Fifth Avenue, Suite 2000
Portland, OR 97204
(503) 224-3092

State of Oregon, County of Multnomah ss:

I, the undersigned attorney of record for the Trustee, certify that the foregoing is an exact and complete copy of the original trustee's notice of sale



Attorney for Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served

SERVE: Marie Anderson
730 Front Street
Merrill, OR 97633

Exhibit A
Page 1 of 1

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
AND AT DOTTED LINE

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Addressee <i>Marie Anderson</i> </p>	
<p>1. Article Addressed to:</p> <p><i>Marie L. Anderson</i> 730 Front Street Merrill, OR 97633</p>		<p>B. Received by (Printed Name) <i>Marie Anderson</i> </p>	
		<p>C. Date of Delivery <i>12/1</i> </p>	
		<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <i>34966 Hwy 34</i> <i>Albany, OR 97322</i> </p>	
		<p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. </p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes </p>	
<p>2. Article Number (Transfer from service label) <i>7006 0100 0004 5714 7817</i> </p>			

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Exhibit B
 Page 1 of 2

Exhibit B
Page 2 of 2

AFFIDAVIT OF SERVICE

Trustee's Notice of Sale

Case Number: _____

Beneficiary:
Green Tree Servicing LLC

vs.

Grantor:
Anderson, Marie L.

For: Laura J. Walker
Cable Huston Benedict Haagensen & Lloyd

Received by P.I. & Information Services to be served on **All Occupants, 730 Front St., Merrill, OR 97633**. I, **ROBERT W. BOLENBAUGH**, being duly sworn, depose and say that on the 12th day of December, 2007 at 5:04 P.m., executed service by delivering a true copy of the **Trustee's Notice of Sale** in accordance with state statutes in the manner marked below:

() INDIVIDUAL SERVICE: Served the within-named person.

() SUBSTITUTE SERVICE: By serving _____ as _____ (No Submailing)

() SUBSTITUTE SERVICE & SUBMAILING: By serving _____ as _____. And I mailed a true copy of the documents and a copy of this Affidavit of Service to the Defendant's address listed above by first class mail on ____/____/2006.

(X) POSTED SERVICE: I Posted a true copy to a conspicuous place on the property described herein.

() And I mailed a true copy of the service documents and a copy of this Affidavit of Service to the above parties as the above address via First Class Mail on ____/____/____.

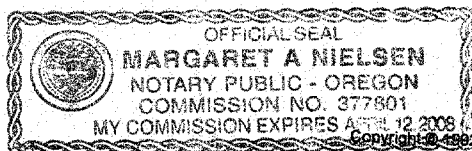
() NON SERVICE: For the reason detailed in the Comments below.

COMMENTS: No vehicles, no lights, weeds in yard, there is a For Sale sign by Coldwell Bankers (541) 884-1342 Per neighbor no one has lived there since May

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and Sworn to before me on the 12th day of December, 2007 by the affiant who is personally known to me.

Margaret A. Nielsen
NOTARY PUBLIC



Robert W. Bolenbaugh
ROBERT W. BOLENBAUGH
PROCESS SERVER # _____
Appointed in accordance
with State Statutes

P.I. & Information Services
P.O. Box 157
Beaverton, OR 97075-0157
(503) 643-4274

Our Job Serial Number: 2007001553

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Marie L. Anderson, as grantor, to Nancy L. Peterson as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated September 12, 1997, recorded on September 22, 1997, in the microfilm records of Klamath County, Oregon at Volume M97, Page 30873, covering the following described real property situated in said county and state, to wit:

Lot 19 in GRAYBEAL ADDITION to the City of Merrill, according to the official plat on file in the office of the County Clerk of Klamath County, Oregon

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligation secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Seven monthly payments of \$672.20 for the months of February, March, April, May, June, July, August, September and October, 2007, with interest accruing at the rate of 9.13% per annum (\$18.12 per diem).

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

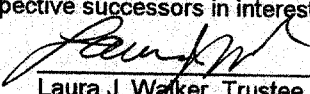
Principal	\$77,888.60
Interest and Default Fees	\$ 5,178.20
Foreclosure Guarantee	\$ 402.00
Total:	\$83,468.80

Beneficiary is also entitled to costs and attorneys' fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on **April 10, 2008**, at the hour of **10:00 o'clock, a.m.**, in accord with the standard of time established by ORS 187.110, at **Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon**, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that 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 such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED this 27th day of November, 2007.



Laura J. Walker, Trustee
1001 SW Fifth Avenue, Suite 2000
Portland, OR 97204
(503) 224-3092

State of Oregon, County of Multnomah ss:

I, the undersigned attorney of record for the Trustee, certify that the foregoing is an exact and complete copy of the original trustee's notice of sale



Attorney for Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served

SERVE: Marie Anderson
730 Front Street
Merrill, OR 97633

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 # 9859

Notice of Sale/Marie L. Anderson

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:

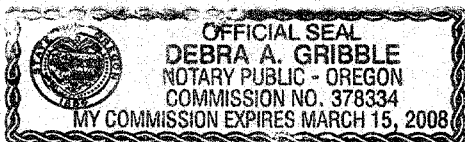
February 18, 25, March 3, 10, 2008

Total Cost: \$707.69

Subscribed and sworn by Jeanine P Day
before me on: March 10, 2008

Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Marie L. Anderson, as grantor, to Nancy L. Peterson as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated September 12, 1997, recorded on September 22, 1997, in the microfilm records of Klamath County, Oregon at Volume M97, Page 30873, covering the following described real property situated in said county and state, to-wit:

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Interest and Default Fees	\$ 5,178.20;
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at Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that 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 such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED this 29th day of November, 2007.

Laura J. Walker, Trustee
1001 SW Fifth Avenue, Suite 2000
Portland, OR 97204
(503) 224-3092

#9859 February 18, 25, March 3, 10, 2008.


AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF OREGON)
)ss
County of Multnomah)

I, Laura J. Walker, depose and say:

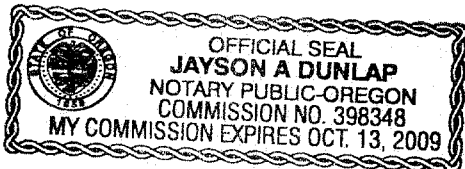
1. I am one of the attorneys for Green Tree Servicing LLC.
2. At the time of service of the attached Trustee's Notice of Sale (Exhibit A), Marie L. Anderson was not a minor, an incompetent or incapacitated person, a protected person or a respondent as defined in ORS 125.005.
3. On March 18, 2008, the name and social security number of Marie L. Anderson was entered into the Department of Defense Manpower Data Center (DMDC) website. The DMDC database indicated that Marie L. Anderson is not currently on active duty in the Military Service of the United States. A copy of the DMDC database search result for Marie L. Anderson is attached as Exhibit B.

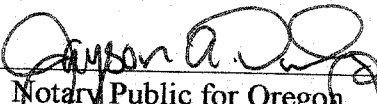
DATED this 31st of March, 2008.



Laura J. Walker, OSB No. 79432
1001 SW Fifth Avenue, Suite 2000
Portland, OR 97204
(503) 224-3092

SUBSCRIBED AND SWORN to before me on 31st day of March, 2008.





Notary Public for Oregon
My Commission Expires: 10/13/2009

TRUSTEE'S NOTICE OF SALE

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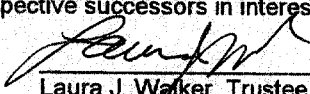
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Foreclosure Guarantee	\$ 402.00
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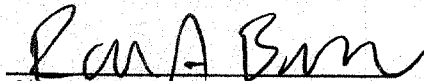
DATED this 29 day of November, 2007.



Laura J. Walker, Trustee
1001 SW Fifth Avenue, Suite 2000
Portland, OR 97204
(503) 224-3092

State of Oregon, County of Multnomah ss:

I, the undersigned attorney of record for the Trustee, certify that the foregoing is an exact and complete copy of the original trustee's notice of sale



Attorney for Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served

SERVE: Marie Anderson
730 Front Street
Merrill, OR 97633

Exhibit A
Page 1 of 1

Department of Defense Manpower Data Center

MAR-18-2008 14:26:58



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
ANDERSON	marie l	Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavelly-Dixon

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Exhibit B
Page 1 of 2

Report ID: **BCCIGQZERJF**

Exhibit B
Page 2 of 2