

2008-004931

Klamath County, Oregon



00043643200800049310080085

04/03/2008 02:53:15 PM

Fee: \$71.00

RECORDING COVER SHEET
Pursuant to ORS 205.234

After recording return to:

Northwest Trustee Services, Inc.
Attention: Vonnie McElligott
P.O. Box 997
Bellevue, WA 98009-0997

1st 115300Z

1. AFFIDAVIT OF MAILING
2. TRUSTEE'S NOTICE OF SALE
3. PROOF OF SERVICE
4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Clarence Henthorne and Kim Hatcher

Beneficiary: Eastern Savings Bank, FSB

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS CONTAINED IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

F71-

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned, I was and now am a resident of the State of Washington, 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 that certain deed described in said 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 address, to-wit:

Occupants
215 Juda Jim Street
Chiloquin, OR 97624

Klamath Tribes Housing Authority
501 Chiloquin Blvd.
Chiloquin, OR 97624

Clarence Henthorne
P.O. Box 1124
Chiloquin, OR 97624

Kim Hatcher
P.O. Box 1124
Chiloquin, OR 97624

Klamath Tribes Housing Authority
905 Main Street, Suite 613
Klamath Falls, OR 97201

Clarence Henthorne
215 Juda Jim Street
Chiloquin, OR 97624

Kim Hatcher
215 Juda Jim Street
Chiloquin, OR 97624

Said 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, 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 Bellevue, Washington, on 12-24-07. 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 and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

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

STATE OF WASHINGTON)

COUNTY OF KING)

) ss.

I certify that I know or have satisfactory evidence that Tim M. Murta is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/24/07

Sherrill McElroy
NOTARY PUBLIC in and for the State of
Washington, residing at Bellevue
My commission expires 5/1/09

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Henthorne, Clarence and Hatcher, Kim

Grantor

to

Northwest Trustee Services, Inc.,

Trustee

File No. 7129.20132

After recording return to:

Northwest Trustee Services, Inc.

Successor by merger to Northwest Trustee Services, PLLC
(formerly known as Northwest Trustee Services, LLC)

Attn: Vonnie McElligott

P.O. Box 997

Bellevue, WA 98009-0997

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Clarence Henthorne and Kim Hatcher, as grantor, to Amerititle, as trustee, in favor of Eastern Savings Bank, FSB, as beneficiary, dated 12/21/06, recorded 12/27/06, in the mortgage records of Klamath County, Oregon, as 2006-025407, covering the following described real property situated in said county and state, to wit:

PARCEL 1: Lots 1 and 2 in Block 2 of FIRST ADDITION TO CHILOQUIN, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. PARCEL 2: Lot 3 and the East 1/2 of Lot 4 in Block 2 of FIRST ADDITION TO CHILOQUIN, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 215 Juda Jim Street
Chiloquin, OR 97624

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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: monthly payments of \$1,565.00 beginning 07/01/07; plus late charges of \$80.41 each month beginning 07/16/07; plus prior accrued late charges of \$0.00; plus advances of (\$935.00); together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$138,978.40 with interest thereon at the rate of 11.74 percent per annum beginning 05/22/07; plus late charges of \$80.41 each month beginning 07/16/07 until paid; plus prior accrued late charges of \$0.00; plus advances of (\$935.00); together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on **April 28, 2008** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com and www.USA-Foreclosure.com.

Dated: 11/20, 2007

Northwest Trustee Services, Inc.

By Vonnie McElligott

Assistant Vice President,
Northwest Trustee Services, Inc. is successor by merger to
Northwest Trustee Services, PLLC (formerly known as
Northwest Trustee Services, LLC)

For further information, please contact:

Vonnie McElligott
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900
File No. 7129.20132/Henthorne, Clarence and Hatcher, Kim

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

By Authorized Signer

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

IN THE _____ COURT OF THE STATE OF _____ OREGON
COUNTY OF _____ KLAMATH _____ : COURT CASE NO. _____

EASTERN SAVINGS BANK FSB

vs

CLARENCE HENTHORNE AND KIM
HATCHER

PROOF OF SERVICE

STATE OF OREGON)
County of _____ KLAMATH) SS.

1002.81469

I hereby certify that on the _____ 26 _____ day of _____ December _____, 20 07, at the hour of _____ 1634
I served _____ OCCUPANTS (KEENAN SORAHAN, SONNY HENTHORNE) _____ by

- ☒ Personal Service (personally and in person)
☐ Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
☐ Office Service (by serving the person apparently in charge)
☐ By posting (said residence)

A certified/true copy of:

- | | | |
|--------------------------------------------------------------------------------|----------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Order | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Citation | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Notice | <input type="checkbox"/> Decree |
| <input checked="" type="checkbox"/> Other: _____ TRUSTEES NOTICE OF SALE _____ | | |

Together with a copy of _____

To _____ KEENAN SORAHAN _____ At _____ 215 JUDA JIM ST _____
AND SONNY HENTHORNE _____ CHILOQUIN, OR. 97624 _____

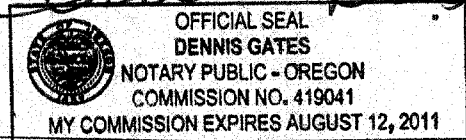
NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20 _____
and after due and diligent search and inquiry, I have been unable to locate _____
within the county of _____ Dated this _____ day of _____, 20 _____

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF _____ KLAMATH _____

I am a competent person over the age of 18, a resident of said State, 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.

Subscribed to and sworn to before me this
26 day of DEC, 20 07

DAVE DAVIS (#16)
Cleveland Process Serving, LLC.
(541) 665-5162



Papers
Received From _____ FEI LLC _____
_____ PO BOX 219 _____
_____ BELLEVUE _____
_____ WA 98009-0219 _____

425-458-2112
ATTN:

Remit to: CPS, LLC.	Service Fee	\$ 45.00
P.O. Box 5358	Mileage	\$ 50.00
Central Point, OR 97502	Rush/Emergency	\$
Date: 01-01-2008	Incorrect Add.	\$
CPS File No. 7704-K	Amount Paid	\$ 0.00
Client No. 7129.20132	TOTAL DUE	\$ 95.00

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 # 9822

Notice of Sale/Clarence Henthorne & Kim Hatcher

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:

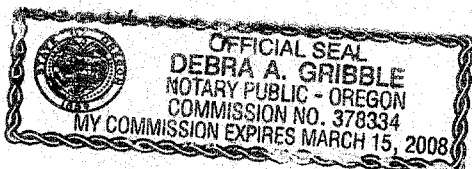
January 31, February 7, 14, 21, 2008

Total Cost: \$1,089.89

Subscribed and sworn by Jeanine P Day
before me on: February 21, 2008

Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE

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Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(2); the default for which the foreclosure is made is grantor's failure to pay when due the following

sums: monthly payments of \$1,565.00 beginning 07/01/07; plus late charges of \$80.41 each month beginning 07/16/07; plus prior accrued late charges of \$0.00; plus advances of (\$935.00); together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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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 days prior to the westtrustee.com and the entire amount due set for the www.USA-Foreclosure.com. Northwest then due (other than trustee's sale will be sure.com. Northwest such portion of the honored only at the Trustee Services, principal as would discretion of the Inc. not then be due had beneficiary or if re- no default occurred) quired by the terms Dated: , 20 By As- and by curing any of the loan docu- sistant Vice Presi- other default com- ments. dent, Northwest- plained of herein Trustee Services, that is capable of In construing this Inc. is successor by being cured by ten- notice, the singular merger to North- dering the perform- includes the plural, west Trustee Serv- ance required under the word "grantor" ices, PLLC (former- the obligation, or includes any succes- ly known as North- trust deed, and in sor in interest to the west Trustee Serv- addition to paying grantor as well as ices, LLC). For fur- said sums or tender- any other person ther information, ing the performance owing an obligation, please contact: Von- necessary to cure the performance of nie McElligott, the default, by pay- which is secured by Northwest Trustee- ing all costs and ex- said trust deed, and Services, Inc., P.O. penses actually in- the words "trustee" Box 997, Bellevue, curred in enforcing and "beneficiary" in- WA 98009-0997. 586- the obligation and clude their respec- 1900 File trust deed, together five successors in in- No.7129.20132/Hen- with trustee's and terest, if any. The thorne, Clarence attorney's fees not trustee's rules of and Hatcher, Kim, exceeding the auction may be ac- (TS# 7129.20132) amounts provided cessed at 1002.81409-FEI by said ORS 86.753. www.northwest- #9822 January 31, Requests from per- trustee.com and are February 7, 14, 21, sons named in ORS incorporated by this 2008. 86.753 for reinstate- reference. You may ment quotes re- also access sale sta- ceived less than six tus at www.north-