

2008-005631

Klamath County, Oregon



00044440200800056310060069

04/17/2008 03:16:00 PM

Fee: \$51.00

MTC 81163

AFTER RECORDING RETURN TO:  
Erich M. Paetsch, OSB# 99335  
Saalfeld Griggs PC  
P. O. Box 470  
Salem, Oregon 97308-0470  
Telephone: (503) 399-1070

### AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Marion, ss:

I, Erich M. Paetsch, 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 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 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 addresses, to wit:

NAME AND ADDRESS	CERTIFICATE OF MAILING NO.
Ms. Garrett D. Done 736 Roosevelt Street Klamath Falls, OR 97601	7007 0710 0000 0565 9267
Shanna Done 736 Roosevelt Street Klamath Falls, OR 97601	7007 0710 0000 0565 9229
Shanna Lynn Done 903 Loma Linda Drive Klamath Falls, OR 97601	7007 0710 0000 0565 9205
Garrett D. Done 8236 Rockinghorse Lane Klamath Falls, OR 97601	7007 0710 0000 0565 9274
Shanna Done 8236 Rockinghorse Lane Klamath Falls, OR 97601	7007 0710 0000 0565 9236

460 MT  
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE (DON: 8236 ROCKINGHORSE LANE)  
H:\Docs\18000-18499\18163\Foreclosure\Aff.Mailing.doc 01/09/2008 (EMP:emp)

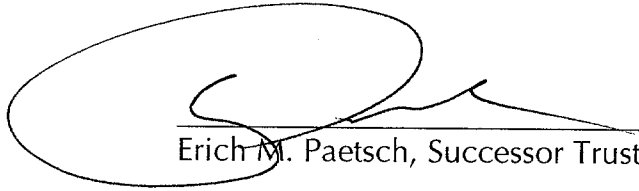
Adaptive Homes 741 SW 17 <sup>th</sup> Street Redmond, OR 97756	7007 0710 0000 0565 9212
David Hyatt 8236 Rockinghorse Lane Klamath Falls, OR 97601	7007 0710 0000 0565 9182
Teresa Hyatt 8236 Rockinghorse Lane Klamath Falls, OR 97601	7007 0710 0000 0565 9250
Garrett D. Done 903 Loma Linda Drive Klamath Falls, OR 97601	7007 0710 0000 0565 9281
Shanna Done 903 Loma Linda Drive Klamath Falls, OR 97601	7007 0710 0000 0565 9243
Occupant(s) 8236 Rockinghorse Lane Klamath Falls, OR 97601	7007 0710 0000 0565 9199
Oregon Dept. of Justice Division of Child Support 1495 Edgewater Street NW, Suite 170 Salem, OR 97304	7007 0710 0000 0565 9434
State of Oregon 316 Main Street Klamath Falls, OR 97601	7007 0710 0000 0565 9458

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 by Erich M. Paetsch, attorney for the trustee named in said 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 Salem, Oregon, on January 3, 2008, where indicated. 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.

  
Erich M. Paetsch, Successor Trustee

State of Oregon       )  
                                  ) ss.  
County of Marion     )

SUBSCRIBED AND SWORN TO before me by Erich M. Paetsch, Successor Trustee, this 16<sup>th</sup> day of January, 2008.



  
Notary Public for Oregon  
My Commission Expires: Sep. 16, 2011

AFTER RECORDING RETURN TO:  
Erich M. Paetsch, OSB# 99335  
Saalfeld Griggs PC  
P. O. Box 470  
Salem, Oregon 97308-0470  
Telephone: (503) 399-1070

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**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Garrett D. Done and Shanna Done, as grantors, to AmeriTitle, as trustee, in favor of West Coast Bank, as beneficiary, dated March 27, 2007, recorded April 3, 2007, in the mortgage records of Klamath County, Oregon, as Volume No. 2007 Page No. 006192, and covering the following described real property situated in the above-mentioned county and state, to wit:

Lot 40, Block 2, ROLLING HILLS SUBDIVISION, TRACT NO. 1099, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Real Property Commonly Known As: 8236 Rockinghorse Lane, Klamath Falls, OR 97603.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations 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:

**Loan No. 341131:**

Failure to pay the total balance due and owing upon the maturity date of September 1, 2007.

By reason of default, the beneficiary hereby declares all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to wit:

Principal balance, plus interest, late charges, loan fees, and expenditures as of October 23, 2007:	\$247,625.93*
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\*plus interest at the rate of \$45.37 per diem from October 23, 2007, late charges, expenditures, trustee fees, and attorney fees and costs.

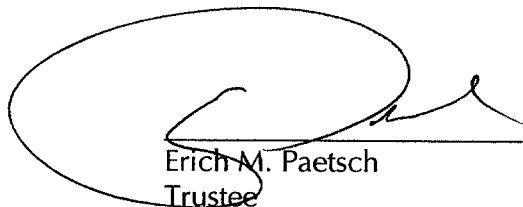
WHEREFORE, notice hereby is given that the undersigned trustee will on Friday, May 2, 2008, at the hour of 2:00 o'clock p.m., in accord with the standard of time established by ORS 187.110, at the front entrance of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction, without warranty either expressed or implied, 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 and his counsel. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five (5) 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 the 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 and attorney fees not exceeding the amounts provided by ORS 86.753.

Pursuant to ORS 86.757, and not later than fifteen (15) days before the sale date specified herein, the trustee shall provide a statement of information upon receipt of a written request from any interested party.

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: December 20<sup>th</sup>, 2007

  
Erich M. Paetsch  
Trustee

State of Oregon, County of Marion) 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.

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Attorney for said Trustee

**FAIR DEBT COLLECTION PRACTICES ACT NOTICE**

1. **This communication is an attempt to collect a debt and any information obtained will be used for that purpose.**
2. The amount of the debt is stated in the Trustee's Notice of Sale, attached hereto.
3. The beneficiary named in the attached Trustee's Notice of Sale is the creditor to whom the debt is owed.
4. The debt described in the Trustee's Notice of Sale, attached hereto, will be assumed to be valid by the Trustee unless the debtor, within thirty (30) days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
5. If the debtor notifies the trustee within thirty (30) days of receipt of this notice that the debt, or any portion thereof, is disputed, the Trustee will provide verification of the debt and a copy of the verification will be mailed to the debtor by the Trustee.
6. If the creditor named as a beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a request to the Trustee within the thirty (30) days from the receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the Trustee.
7. Requests or objections should be addressed to:

Erich M. Paetsch  
Saalfeld Griggs PC  
PO Box 470  
Salem, OR 97308-0470  
Tel: (503) 399-1070  
Fax: (503) 371-2927  
Email: epaetsch@sglaw.com

Attachment:  
Trustee's Notice of Sale

TRUSTEES' NOTICE OF SALE (Done/Rockinghorse Lane)  
H:\Docs\18000-18499\18163\Foreclosure\Notice of Sale.doc 12/20/2007 (EMP:klt)