

2008-008359

Klamath County, Oregon



00047651200800083590140145

06/09/2008 11:44:27 AM

Fee: \$86.00

After recording Mail to

T.D. SERVICE COMPANY  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988

151 1171737

3589601

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

T.S. No: L351037 OR Unit Code: L Loan No: 82050336/HATFIELD

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, Vanessa Varelas, 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 California a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under terms of that certain trust 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, attached hereto.

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 of 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 of 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 David Kubat, OSBA No. 84265, 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 Santa Ana, CA on February 09 2008. With respect to each person listed on the attached, one such notice was mailed with postage thereon sufficient for first-class delivery to the address indicated, and another such notice was mailed with 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.

Notary Public for the State of California  
My Commission Expires 06/09/2011

T.S. No: L351037 OR Unit Code: L Loan No: 82050336/HATFIELD

By: Celene Carb

State of California )  
County of ORANGE )

Subscribed and sworn to (or affirmed) before me on this 8th day of February 2008, by

Vanessa Varelas  
Cheryl L. Mondragon  
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Cheryl L. Mondragon  
Notary Signature

(Area for Notary Seal)



## DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# L 351037

Date: 02/08/08

CAPITAL ONE F.S.B.  
P.O. BOX 6700  
NORCROSS, GA 30091-6700

CERTIFIED 7105 2257 2920 0325 7700  
RETURN RECEIPT REQUESTED

CAPITAL ONE F.S.B.  
C/O DERRICK E. MCGAVIC, ATTORNEY  
P.O. BOX 10163  
EUGENE, OR 97440

CERTIFIED 7105 2257 2920 0325 7717  
RETURN RECEIPT REQUESTED

WILBUR K. HATFIELD, III  
2763 EBERLEIN  
KLAMATH FALLS, OR 97603-3683

CERTIFIED 7105 2257 2920 0325 7724  
RETURN RECEIPT REQUESTED

SPOUSE OF WILBUR K. HATFIELD, III  
2763 EBERLEIN  
KLAMATH FALLS, OR 97603-3683

CERTIFIED 7105 2257 2920 0325 7731  
RETURN RECEIPT REQUESTED

WILBUR K. HATFIELD, III  
3111 FIFTH AVENUE  
BONANZA, OR 97623

CERTIFIED 7105 2257 2920 0325 7748  
RETURN RECEIPT REQUESTED

MYSTY L. HATFIELD  
3111 FIFTH AVENUE  
BONANZA, OR 97623

CERTIFIED 7105 2257 2920 0325 7755  
RETURN RECEIPT REQUESTED

OCCUPANT  
3111 FIFTH AVENUE  
BONANZA, OR 97623

CERTIFIED 7105 2257 2920 0325 7762  
RETURN RECEIPT REQUESTED

WILBUR K. HATFIELD, III  
P.O. BOX 244  
BONANZA, OR 97623

CERTIFIED 7105 2257 2920 0325 7779  
RETURN RECEIPT REQUESTED

MYSTY L. HATFIELD  
P.O. BOX 244  
BONANZA, OR 97623

CERTIFIED 7105 2257 2920 0325 7786  
RETURN RECEIPT REQUESTED

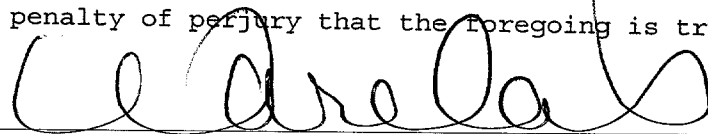
WILBUR K. HATFIELD, III  
C/O CSC  
P.O. BOX 66805

CERTIFIED 7105 2257 2920 0325 7793  
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA  
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.



DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# 1 351037  
ST. LOUIS, MO 63166

Date: 02/05/08

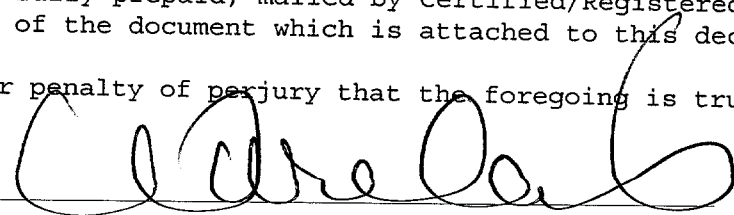
MYSTY L. HATFIELD  
C/O CSC  
P.O. BOX 66805  
ST. LOUIS, MO 63166

CERTIFIED 7105 2257 2920 0325 7809  
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA  
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.



AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

T.S.# L 351037

Date: 02/08/08

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

CAPITAL ONE F.S.B.  
P.O. BOX 6700  
NORCROSS, GA 30091-6700

CAPITAL ONE F.S.B.  
C/O DERRICK E. MCGAVIC, ATTORNEY  
P.O. BOX 10163  
EUGENE, OR 97440

WILBUR K. HATFIELD, III  
2763 EBERLEIN  
KLAMATH FALLS, OR 97603-3683

SPOUSE OF WILBUR K. HATFIELD, III  
2763 EBERLEIN  
KLAMATH FALLS, OR 97603-3683

WILBUR K. HATFIELD, III  
3111 FIFTH AVENUE  
BONANZA, OR 97623

MYSTY L. HATFIELD  
3111 FIFTH AVENUE  
BONANZA, OR 97623

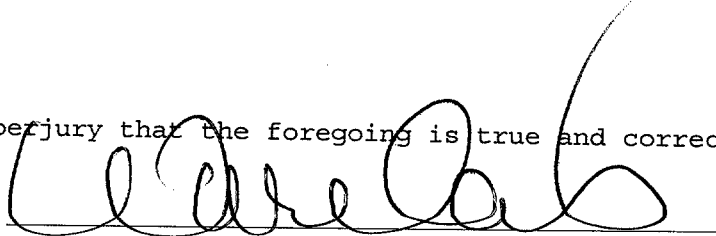
OCCUPANT  
3111 FIFTH AVENUE  
BONANZA, OR 97623

WILBUR K. HATFIELD, III  
P.O. BOX 244  
BONANZA, OR 97623

MYSTY L. HATFIELD  
P.O. BOX 244  
BONANZA, OR 97623

WILBUR K. HATFIELD, III

I declare under penalty of perjury that the foregoing is true and correct.



AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

T.S.# L 351037

Date: 02/08/08

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

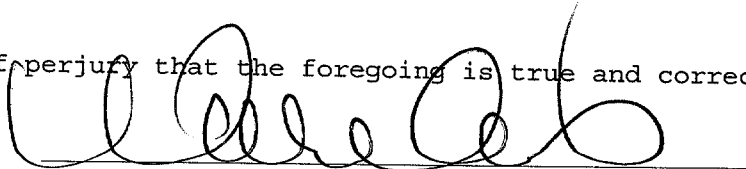
The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

C/O CSC  
P.O. BOX 66805  
ST. LOUIS, MO 63166

MYSTY L. HATFIELD  
C/O CSC  
P.O. BOX 66805  
ST. LOUIS, MO 63166

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to be "Michael", written over a horizontal line.



&

MELMET DEFAULT  
SERVICES, INC.

*"The Alliance"*

DEBT VALIDATION NOTICE

Date: January 28, 2008  
T.S. Number: L351037 OR  
Unit Code: L  
Loan No: 82050336/HATFIELD

1. The enclosed document relates to a debt owed to:  
UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE,  
SUCCESSOR IN INTEREST TO FMHA UNITED STATES DEPARTMENT OF AGRICULTURE  
c/o USDA Rural Development-OR
2. Your mortgage Loan with the above-referenced creditor has been referred to our office for foreclosure based upon a default under the terms of the subject Note and Deed of Trust. Pursuant to and in compliance with the Fair Debt Collection Practices Act (Federal(15USC 1601, as amended) our company on behalf of the above- named creditor hereby provides the following notification:
  - \* We are attempting to collect a debt and any information we obtain will be used for that purpose.
  - \* The amount required to reinstate or pay off the Debtor's account will be provided to the Debtor upon request. The Debtor should telephone our company or the creditor for a quotation of such amount.
  - \* Written request or claims of dispute may be sent to the Creditor or to our company.
  - \* You may send us a written request for the name and address of the original creditor, if different from the current creditor, and we will obtain and mail the information within thirty (30) days after we receive your written request.
3. As of January 28, 2008 the total delinquency owed was \$5,463.26, but this amount will increase daily after such date until the delinquency has been fully paid.
4. As of the date in item Number 3, the amount owed is \$68,523.10 for unpaid Principal, plus Accrued Interest and any Accrued NSF Fees, Escrow Advances, Late Charges, or Suspense Credits and Attorney and/or Trustee Fee and Costs that have been incurred. Because these charges may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after your check is received, in which event you will be informed before the check is deposited for collection. For further information you may contact T.D. SERVICE COMPANY by mail at 1820 E. FIRST ST., SUITE 210, P.O. BOX 11988, SANTA ANA, CA 92711-1988 or call (800) 843-0260 or call your lender directly.
5. You may dispute the validity of this debt, or any portion thereof, by contacting our office within thirty (30) days after receiving this notice. In that event, we will obtain and mail to you written verification of the debt. Otherwise, we will assume that the debt is valid. The foreclosure action can be withdrawn if it is determined by the Creditor that there has been no default or the default has been cured or corrected.
6. You have various rights and duties under state law, which may include the right to reinstate the loan or redeem the property from the foreclosure sale. This letter is not a notification or intent to notify you of your rights. You should seek independent advice with respect to your rights and obligations under this debt.

DEBTVLD

P.O. Box 11988, Santa Ana, CA 92711-1988 . 1820 E. First Street, Suite 210, Santa Ana, CA 92705  
(714) 543-TDSC (8372) . (800) 843-0260 . FAX (714) 541-4130 . [www.tdsf.com](http://www.tdsf.com)

RECORDING REQUESTED BY

T.D. SERVICE COMPANY

and when recorded mail to

T.D. SERVICE COMPANY  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988

\_\_\_\_\_  
Space above this line for recorder's use

## OREGON TRUSTEE'S NOTICE OF SALE

T.S. No: L351037 OR    Unit Code: L    Loan No: 82050336/HATFIELD  
Title #: 3589601

Reference is made to that certain Trust Deed made by WILBUR K. HATFIELD III, MYSTY L. HATFIELD as **Grantor**, to RURAL HOUSING SERVICE OR ITS SUCCESSOR AGENCY as **Trustee**, in favor of UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE, SUCCESSOR IN INTEREST TO FMHA UNITED STATES DEPARTMENT OF AGRICULTURE as **Beneficiary**.

Dated January 30, 2003, Recorded January 30, 2003 as Instr. No. --- in Book M03 Page 05893-98 of Official Records in the office of the Recorder of KLAMATH County; OREGON and re-recorded June 5, 2003 as Instr. No. --- in Book M03 Page 38410-15

covering the following described real property situated in said county and state, to wit:  
LOTS 9 AND 10, BLOCK 72, BOWNE ADDITION TO BONANZA, ACCORDING TO THE OFFICIAL PLAT THEREOF 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 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:

8 PYMTS FROM 06/28/07 TO 01/28/08 @ 527.44	\$4,219.52
TOTAL LATE CHARGES	\$50.64
MISCELLANEOUS FEES	\$176.40
 Sub-Total of Amounts in Arrears:	 \$4,446.56

Together with any default in the payment of recurring obligations as they become due.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Trust Deed, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

The street or other common designation if any, of the real property described above is purported to be :  
3111 FIFTH AVENUE, BONANZA, OR 97623

The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

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 \$68,523.10, together with interest as provided in the note or other instrument secured from 12/14/07, plus subsidy recapture in the sum of \$6,259.05 and fees assessed in the amount of \$175.52, plus accrued interest due thereon, and such other costs and fees are due under the note or other instrument secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned trustee will, on June 6, 2008, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS , County of KLAMATH, State of OREGON, (which is the new date, time and place set for said sale) 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 execution by him of the said Trust Deed, together with any interest which the Grantor or his 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 O.R.S.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 herein that is capable of being cured by tendering the performance required under the obligation of the 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.

T.S. No: **L351037**

Loan No: **82050336/H7Hfield**

It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check.

The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: (714)480-5690 or you may access sales information at [www.ascentex.com/websales/](http://www.ascentex.com/websales/).

DATED: **1-25-08**

DAVID A. KUBAT, OSBA #84265

By   
DAVID A. KUBAT, ATTORNEY AT LAW

**DIRECT INQUIRIES TO:**

**T.D. SERVICE COMPANY  
FORECLOSURE DEPARTMENT  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988  
(800)843-0260**

L351035

**PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS**

STATE OF: Oregon  
COUNTY OF: Klamath

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: Occupants of 3111 5<sup>TH</sup> Ave. Bonanza, Oregon 97623

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to Jeromy Gardiner at the address below.

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Jeromy Gardiner, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Mysty Hatfield

☐ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.  
1<sup>st</sup> Attempt:  
2<sup>nd</sup> Attempt:  
3<sup>rd</sup> Attempt:

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on \_\_\_\_\_ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the day of February 6, 2008 I mailed a copy of the Trustee's Notice of Sale addressed to All Occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed Chelsea Meek

3111 5<sup>th</sup> Ave. Bonanza, Oregon 97623

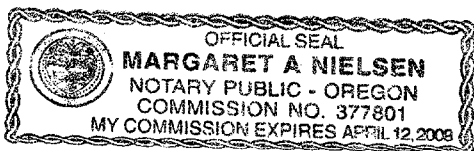
**ADDRESS OF SERVICE**

I further certify that I am a competent person 18 years of age or older and a resident of the state of service 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, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

February 5, 2008      2:11 PM  
**DATE OF SERVICE**      **TIME OF SERVICE**  
☐ or non occupancy

By: Robert W. Bolenbaugh  
ROBERT W. BOLENBAUGH

Subscribed and sworn to before on this 6<sup>th</sup> day of February, 2008.



Margaret A. Nielsen  
Notary Public for Oregon

# 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 # 10084

Notice of Sale/Wilbur K. Hatfield, III &  
Mysty L. Hatfield

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:

April 23, 30, May 7, 14, 2008

Total Cost:

Subscribed and sworn by Jeanine P Day  
before me on: May 14, 2008

Beth Furtado

Notary Public of Oregon

My commission expires November 15, 2008



### OREGON TRUSTEE'S NOTICE OF SALE

T.S. No: L351037 OR Unit Code: L

Loan No: 82058336/HATFIELD

AP #1: R607098 Title #: 3589601

Reference is made to that certain Trust Deed made by WILBUR K. HATFIELD III, MYSTY L. HATFIELD as Grantor, to RURAL HOUSING SERVICE OR ITS SUCCESSOR AGENCY as Trustee, in favor of UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE, SUCCESSOR IN INTEREST TO FMHA UNITED STATES DEPARTMENT OF AGRICULTURE as Beneficiary. Dated January 30, 2003, Recorded January 30, 2003 as Instr. No. --- in Book M03 Page 05893-98 of Official Records in the office of the Recorder of KLAMATH County; OREGON and re-recorded June 5, 2003 as Instr. No. --- in Book M03 Page 38410-15 covering the following described real property situated in said county and state, to wit: LOTS 9 AND 10, BLOCK 72, BOWNE ADDITION TO BONANZA, ACCORDING TO THE OFFICIAL PLAT THEREOF 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 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: 8 PYMTS FROM 06/28/07 TO 01/28/08 @ 527.44 \$4,219.52 TOTAL LATE CHARGES \$50.64 MISCELLANEOUS FEES \$176.40 Sub-Total of Amounts in Arrears: \$4,446.56 Together with any default in the payment of recurring obligations as they become due.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Trust Deed, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee. The street or other common designation if any, of the real property described above is purported to be: 3111 FIFTH AVENUE, BONANZA, OR 97623. The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

(Continued on top of (Column))

### (Continued from below)

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 \$68,523.10, together with interest as provided in the note or other instrument secured from 12/14/07, plus subsidy recapture in the sum of \$6,259.05 and fees assessed in the amount of \$175.52, plus accrued interest due thereon, and such other costs and fees are due under the note or other instrument secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned trustee will, on June 6, 2008, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, (which is the new date, time and place set for said sale) 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 execution by him of the said Trust Deed, together with any interest which the Grantor or his 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 O.R.S.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 herein that is capable of being cured by tendering the performance required under the obligation of the 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. It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check. The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

In construing this notice, the masculine gender includes the feminine and the neuter, 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. We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: (714) 480-5690 or you may access sales information at [www.ascentex.com/websales/](http://www.ascentex.com/websales/)

DATED: 01/28/08. DAVID A. KUBAT, OSBA #84265. By DAVID A. KUBAT, ATTORNEY AT LAW. DIRECT INQUIRIES TO: T.D. SERVICE COMPANY FORECLOSURE DEPARTMENT, 1820 E. FIRST ST., SUITE 210, P.O. BOX 11988, SANTA ANA, CA 92711-1988. (800) 843-0260 TAC# 778828W PUB: 04/23/08, 04/30/08, 05/07/08, 05/14/08 #10084 April 23, 30, May 7, 14, 2008.

WHEREFORE, notice is hereby given that the undersigned trustee will, on June 6, 2008, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, (which is the new date, time and place set for said sale) 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 execution by him of the said Trust Deed, together with any interest which the Grantor or his 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 O.R.S.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 herein that is capable of being cured by tendering the performance required under the obligation of the 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. It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check. The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

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