

MTC81615

2008-008554

Klamath County, Oregon



00047878200800085540060064

06/12/2008 11:07:43 AM

Fee: \$56.00

After Recording, Return to:

Michael J. Bird
612 N. W. 5th Street
Grants Pass, OR 97526

**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT
PURSUANT TO ORS 86.750(1) AND PROOF OF SERVICE (120- Day Notice)**

RE: Trust Deed From

William E. Levin,
Grantor,
to
AmeriTitle,
Trustee

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON, }
 } §§
County of Josephine, }

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

I am the Successor Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D(2) and 7D(3) upon the occupant of the property described in the Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in the trust deed as follows:

Name of Person to be served

Property Address to Serve at

William Levin, Parcel 2 of Lot 23, Hanks Marsh Vista, Klamath Falls, OR, 97602, Paradise Hills

Occupants, Parcel 2 of Lot 23, Hanks Marsh Vista, Klamath Falls, OR, 97602, Paradise Hills

If the occupant is indicated as "unknown," or if you find the property at this address to be occupied by someone other than the person named, then you are to serve the person or persons whom you find to be occupying the property.

Service should be made by February 28, 2008, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in attempting to make service until it has been accomplished.

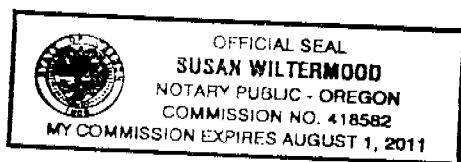
As used herein, the singular includes the plural, "trustee" includes any successor trustee, and "person" includes a corporation or any other legal or commercial entity.

Successor Trustee

SIGNED AND SWORN TO before me on this 19 day of February, 2008.

Notary Public for Oregon

My commission expires: 8/1/2011



AMT

After Recording, Return to:

Michael J. Bird

612 N. W. 5th Street

Grants Pass, OR 97526

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed From

William E. Levin,
Grantor,
to
AmeriTitle,
Trustee

STATE OF OREGON, County of Josephine, §§§

I, Michael J. Bird, the undersigned, 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.

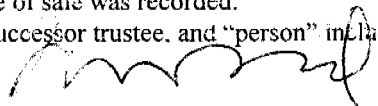
I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

<u>Name of Person</u>	<u>Address</u>
William E. Levin,	PO BOX 4140, Laguna Beach, CA 92652
Megan Herbert,	34152 Selva Road 172, Monarch Beach, CA 92429
Running Y Ranch Owners Association,	PO Box 847, Redmond, OR 97756
John A. Berge, Bryant, Lovlien & Jarvis, PC,	PO Box 880, Bend OR 97709-0880

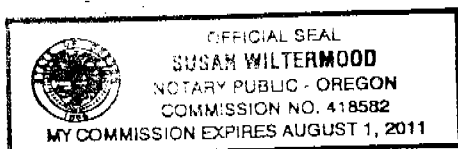
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 any person requesting notice as set forth in ORS 86 785

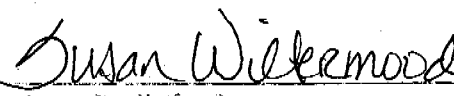
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Michael J. Bird, as successor trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Grants Pass, Oregon, on the 20 day of February, 2008. 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, 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 any successor trustee, and "person" includes a corporation or any other legal or commercial entity.


Michael J. Bird, Successor Trustee

SIGNED AND SWORN TO before me on this 20 day of February, 2008




Notary Public for Oregon
My Commission Expires: 08/01/2011

**JEFFERSON STATE ADJUSTERS
RECOVERY IS OUR BUSINESS**

1135 Pine Street
Klamath Falls, Oregon 97601
Phone: (541) 882-8036 Fax: (541) 883-2129

**AFFIDAVIT OF
VACANT-LAND**

STATE OF OREGON
COUNTY OF KLAMATH

I, ROBERT W. BOLENBAUGH, being first duly sworn, depose and say: That I am and have been at all material times hereto, a competent person over the age of eighteen years and a resident of the county of Klamath, State of Oregon. I am not a party to, an attorney for, or interested in any suit or action involving the property described below.

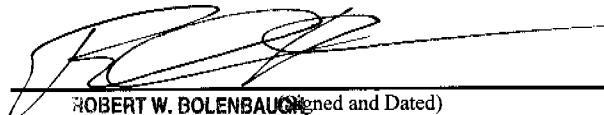
That on the 26TH day of February, 2008, after personal inspection, I found the following described real property to be

Vacant

Commonly described as **Parcel 2 of lot 23 Hanks Marsh Vista (Paradise Hills)**

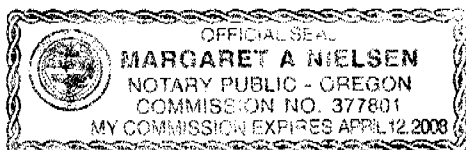
Comments: There are no Structures of any kind on this land.


I declare under the penalty of perjury that the above statements are true and correct.



ROBERT W. BOLENBAUGH (Signed and Dated)

Subscribed and Sworn to before me this 27TH day of February, 2008.





NOTARY PUBLIC OF OREGON
MY COMMISSION EXPIRES:

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 # 10091

Notice of Sale/William E. Levin

Parcel 2

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 25, May 2, 9, 16, 2008

Total Cost: \$852.85

Subscribed and sworn by Jeanine P Day
before me on: May 16, 2008

Beth Furtado
Notary Public of Oregon

My commission expires November 15, 2008



TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the trust deed described herein is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: WILLIAM E. LEVIN
Trustee: AMERITITLE, an Oregon corporation
Successor Trustee: MICHAEL J. BIRD
Beneficiary: ANTONIO MIGLIARESE AND VIRGINIA E. MIGLIARESE or the survivor thereof.

2. Property covered by the trust deed: Parcel of Land Partition 39-06, being a replat of Lot 23 of Tract 1316 - PARADISE HILL, situated in the W 1/2 NW 1/4 of Section 6, Township 38 South, Range 9 East of the Willamette Meridian, and E 1/2 NE 1/4 of Section 1, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: Parcel 2 of Lot 23, Hanks Marsh Vista Klamath Falls, OR 97601. Paradise Hills

3. The trust deed was dated July 31, 2007, and recorded August 10, 2007, as Volume No. 2007, Page 014162, Microfilm Records of Klamath County, Oregon.

4. Default for which foreclosure is made is failure to pay the following:
(a) Monthly payments of \$1,029.17, beginning December 10, 2007, and thereafter;
(b) Late penalty charge of \$51.46 per month if not paid within 15 days of due date;
(c) unpaid taxes for 2007/2008, a lien due and payable in the amount of \$583.26, plus interest and penalties, if any.

5. The sums owing on the obligation secured by the trust deed is:
(a) The principal sum of \$95,000 with accrued interest thereon at the rate of 13.000 percent per annum beginning November 10, 2007, until paid;
(b) late penalty charge in the amount of \$51.46 if not paid within 15 days of due date;
(c) unpaid taxes for 2007/2008, a lien due and payable in the amount of \$583.26, plus interest and penalties, if any.
(d) Title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and beneficiary's interest therein.
(e) Any other defaults which may exist prior to the foreclosure sale not hereinabove mentioned for the protection of the above-described real property and beneficiary's interest therein.

6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of Default was recorded on February 11, 2008, as Volume No. 2008, Page 001748, Microfilm Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on June 17, 2008, at 10:00 o'clock, A.M., standard time as established by ORS 187.110, at the front steps of AMERITITLE, 300 Klamath Avenue, Klamath Falls, Oregon, which is the hour, date and place last set for the sale.

8. Interested persons are notified of the right under ORS 86.753 to have this 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, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this notice, at any time prior to five (5) days before the date the successor trustees conducts the sale.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

Dated this 19th day of February, 2008.

Michael J. Bird,
Successor Trustee
#10091 April 25, May 2, 9, 16, 2008.

AFTER RECORDING RETURN TO:

MICHAEL J. BIRD, Attorney

P. O. BOX 10

GRANTS PASS, OR 97528

Re: Trust Deed from:

William E. Levin,

Grantor,

to

Amerititle, an Oregon corporation.

Trustee,

TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the trust deed described herein is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. **Grantor: WILLIAM E. LEVIN**

Trustee: AMERITITLE, an Oregon corporation,

Successor Trustee: MICHAEL J. BIRD

Beneficiary: ANTONIO MIGLIARESE AND VIRGINIA E. MIGLIARESE or the survivor thereof,

2. **Property covered by the trust deed:**

Parcel 2 of Land Partition 39-06, being a replat of Lot 23 of Tract 1316 - PARADISE HILL, situated in the W 1/2 NW 1/4 of Section 6, Township 38 South, Range 9 East of the Willamette Meridian, and E 1/2 NE 1/4 of Section 1, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Property Address:

Parcel 2 of Lot 23, Hanks Marsh Vista

Klamath Falls, OR 97601

Paradise Hills

3. The trust deed was dated July 31, 2007, and recorded August 10, 2007, as Volume No.: 2007, Page 014162, Microfilm Records of Klamath County, Oregon.

4. **Default for which foreclosure is made is failure to pay the following:**

(a) **Monthly payments of \$1,029.17, beginning December 10, 2007, and thereafter.**

(b) late penalty charges in the amount of \$51.46 per month if not paid within 15 days of due date;

(c) unpaid taxes for 2007/2008, a lien due and payable in the amount of \$583.26, plus interest and penalties, if any.

5. The sums owing on the obligation secured by the trust deed is:

(a) The principal sum of \$95,000 with accrued interest thereon at the rate of 13.000 percent per annum beginning November 10, 2007, until paid;

(b) late penalty charges in the amount of \$51.46 per month if not paid within 15 days of due date;

(c) unpaid taxes for 2007/2008, a lien due and payable in the amount of \$583.26, plus interest and penalties, if any.

(d) Title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and beneficiary's interest therein.

(e) Any other defaults which may exist prior to the foreclosure sale not hereinabove mentioned for the protection of the above-described real property and beneficiary's interest therein.

6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of Default was recorded on February 11, 2008, as Volume No.2008, Page 001748, Microfilm Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on June 17, 2008, at 10:00 o'clock, A.M., standard time as established by ORS 187.110, at the front steps of Amerititle, 300 Klamath Avenue, Klamath Falls, Klamath County, Oregon, which is the hour, date and place last set for the sale.

8. Interested persons are notified of the right under ORS 86.753 to have this 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, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this notice, at any time prior to five (5) days before the date the successor trustee conducts the sale.

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

DATED this 19th day of February, 2008.



MICHAEL J. BIRD, SUCCESSOR TRUSTEE