

1st 1200329

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

RE: Trust Deed from  
GARY A. FRAZIER AND PATRICIA J. FRAZIER,  
Grantors.

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 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:

Gary A. and Patricia J. Frazier  
5076 Leonard Rd., #98  
Grants Pass, OR 97527

Occupant  
5817 Springcrest  
Klamath Falls, OR 97603

Note Tracker Corp  
3830 Valley Centre Drive, Suite 705  
PMB 182  
San Diego, CA 92130

GMAC Mortgage Corporation dba ditech.com  
3200 Park Center Drive, Suite 150  
Costa Mesa, CA 92626

First American Title Insurance Company  
Executive Trustee Services, Inc.  
15455 San Fernando Mission Blvd., Suite 208  
Mission Hills, CA 91345

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 in the United States post office in Portland, Oregon, on April 7, 2008. 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.

**2008-012928**

**Klamath County, Oregon**



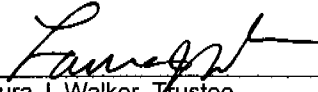
00053290200800129280150152

09/16/2008 11:36:26 AM

Fee: \$96.00


991-

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 11 of ~~August~~ <sup>Sep</sup>, 2008.

  
Notary Public for Oregon  
My commission expires \_\_\_\_\_

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

|   |         |
|---|---------|
| Postage   | \$ .41  |
| Certified Fee                                     | 2.65    |
| Return Receipt Fee<br>(Endorsement Required)      | 2.15    |
| Restricted Delivery Fee<br>(Endorsement Required) |         |
| Total Postage & Fees                              | \$ 5.21 |

Postmark  
Here

APR 17 2008

Sent To

Gary A. and Patricia J. Frazier  
 Street, Apt. No., or PO Box No. 5076 Leonard Road #98  
 City, State, ZIP+4 Grants Pass, OR 97527

PS Form 3800, August 2006

See Reverse for Instructions

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

|   |         |
|---|---------|
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| Certified Fee                                     | 2.65    |
| Return Receipt Fee<br>(Endorsement Required)      | 2.15    |
| Restricted Delivery Fee<br>(Endorsement Required) |         |
| Total Postage & Fees                              | \$ 5.21 |

Postmark  
Here

APR 17 2008

Sent To

Note Tracker Corp  
 Street, Apt. No., or PO Box No. 3830 Valley Centre Dr.  
 Suite 105 PMB 182  
 City, State, ZIP+4 San Diego, CA 92130

PS Form 3800, August 2006

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Note Tracker Corp  
 3830 Valley Centre Dr.  
 Suite 105 PMB 182  
 San Diego, CA 92130

2. Article Number

(Transfer from service label)

7006 2150 0001 2764 0210

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gary A. and Patricia J. Frazier  
 5076 Leonard Road #98  
 Grants Pass, OR 97527

2. Article Number

(Transfer from service label)

7006 2150 0001 2764 0166

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X [Signature]

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Carrie Mazzoni

C. Date of Delivery

4/10/08

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X [Signature]

☐ Agent

☒ Addressee

B. Received by (Printed Name)

G. FRAZER

C. Date of Delivery

4/9

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

|   |         |
|---|---------|
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| Certified Fee                                     | 2.65    |
| Return Receipt Fee<br>(Endorsement Required)      | 2.15    |
| Restricted Delivery Fee<br>(Endorsement Required) |         |
| Total Postage & Fees                              | \$ 5.21 |

APR 7 2008

|                                    |                         |
|------------------------------------|-------------------------|
| Sent to                            | Occupant                |
| Street, Apt. No.,<br>or PO Box No. | 5817 Springcrest        |
| City, State, ZIP+4                 | Klamath Falls, OR 97603 |

PS Form 3800, August 2006 See Reverse for Instructions

7006 2150 0001 2764 0197

**CABLE HUSTON**

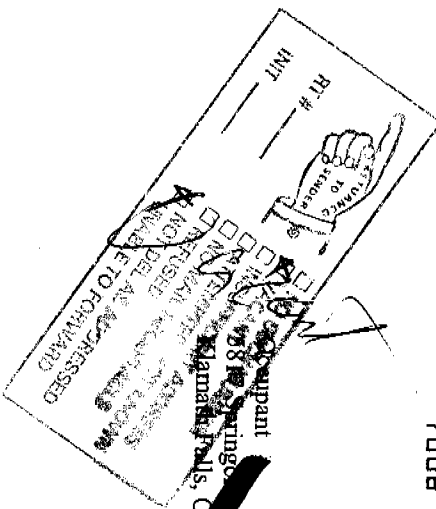
CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP • ATT  
Suite 2000, 1001 SW Fifth Avenue, Portland, Oregon 97204-1



7006 2150 0001 2764 0197



UNITED STATES POSTAGE  
02 1P  
\$05.21  
0002420201 APR 07 20  
MAILED FROM ZIP CODE 9722



9760387155 0028

U.S. Postal Service<sup>®</sup>  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

|   |         |
|---|---------|
| Postage   | \$ .41  |
| Certified Fee                                     | 2.65    |
| Return Receipt Fee<br>(Endorsement Required)      | 2.15    |
| Restricted Delivery Fee<br>(Endorsement Required) |         |
| Total Postage & Fees                              | \$ 5.21 |

Postmark  
Here

APR 7 2008

Sent to: **GAMAC Mortgage Corporation DBA direct**  
 Street, Apt. No. **3200 Park Center Dr. Suite 150**  
 or PO Box No.  
 City, State, Zip+4<sup>®</sup> **Costa Mesa, CA 92626**

PS Form 3800, August 2006 See Reverse for Instructions

7006 2150 0001 2764 0173

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GAMAC Mortgage Corporation DBA direct  
 3200 Park Center Dr. Suite 150  
 Costa Mesa, CA 92626

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) **Sean Lee** C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

APR 7 2008

3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7006 2150 0001 2764 0173

# **AFFIDAVIT OF SERVICE**

## **Trustee's Notice of Sale**

Case Number: \_\_\_\_\_

Beneficiary:

**Conseco Finance Servicing Corp.**

vs.

Grantor:

**Frazier, Gary A. & Patricia J.**

For: Laura J. Walker

Cable Huston Benedict Haagensen & Lloyd

**ORIGINAL**

Received by P.I. & Information Services to be served on **All Occupants, 5817 Springcrest, Klamath Falls, OR 97603**. I, ROBERT W. BOLENBAUGH, being duly sworn, depose and say that on the 9th day of April, 2008 at 2:16 Pm., 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.

(X) 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 4 / 14 / 08.

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

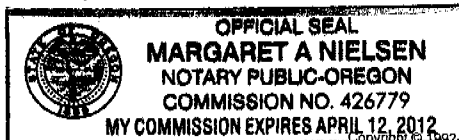
|                  |                         |                          |
|------------------|-------------------------|--------------------------|
| <b>COMMENTS:</b> | April 9, 2008 2:16 pm   | Posted to the front door |
|                  | April 11, 2008 11:03 am | Posted to the front door |
|                  | April 14, 2008 10:22 am | Attempted service        |

## AFFIDAVIT OF SERVICE for

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  
14 day of April, 2008 by the  
affiant who is personally known to me.

*Margaret A. Nielsen*  
NOTARY PUBLIC



A handwritten signature in dark ink, appearing to read 'RWB', is written over a horizontal line.

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: 2008000432

**NOTICE:  
YOU ARE IN DANGER OF LOSING  
YOUR PROPERTY IF YOU DO NOT  
TAKE ACTION IMMEDIATELY**

**This notice is about your mortgage loan on your property at 5817 Springcrest, Klamath Falls, Oregon.**

**Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender. This is sometimes called "foreclosure."**

**The amount you would have had to pay as of March 31, 2008 to bring your mortgage loan current was \$3,458.92. The amount you must now pay to bring you loan current may have increased since that date.**

**By law, your lender has to provide you with details about the amount you owe, if you ask. You may call Julie Lundy, Green Tree Servicing LLC, 1-800-562-2510 x61307 to find out the exact amount you must pay to bring you mortgage loan current and to get other details about the amount you owe. You may also get these details by sending a request by certified mail to: Julie Lundy, Green Tree Servicing LLC, 33600 6th Avenue South, Suite 220, Federal Way, WA 98003-6389.**

**THIS IS WHEN AND WHERE  
YOUR PROEPRTY WILL BE SOLD  
IF YOU DO NOT TAKE ACTION:**

**Date and time: August 15, 2008 at 10:00 a.m.**

**Place: Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon**

**THIS IS WHAT YOU CAN DO  
TO STOP THE SALE:**

- 1. You can pay the amount past due or correct any other default, up to five days before the sale.**

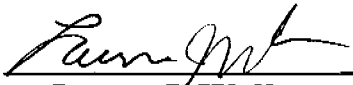


2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call Laura J. Walker at (503) 224-3092 to find out if your lender is willing to give you more time or change the terms of your loan.
4. You can sell your home, provided the sale price is enough to pay what you owe.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number for the Division of Finance & Corporate Securities, Consumer Information Program, at 1-866-814-9710. You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 1-800-452-7636 or you may visit its website at: <http://www.osbar.org/public>. Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to <http://www.lawhelp.org/or/index.cfm>.

**WARNING:** You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

**DATED:** April 2, 2008

**Trustee name:**   
Laura J. Walker  
1001 SW Fifth Avenue, Suite 2000  
Portland, OR 97204

**Trustee telephone number:** (503) 224-3092

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Gary A. Frazier and Patricia J. Frazier as grantors, to Glenn H. Prohaska as trustee, in favor of Conseco Finance Servicing Corp.\*, as beneficiary, dated December 7, 1999, recorded on December 22, 1999, in the microfilm records of Klamath County, Oregon at Vol. M99, Page 50181, covering the following described real property situated in said county and state, to wit:

**Lot 7 of TRACT 1312, SPRINGCREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

**Commonly known as 5817 Springcrest, Klamath Falls, 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:

**Three monthly payments of \$1,013.81 each for the months of January, February and March 2008, with interest accruing at the rate of 7.99 percent annually, or \$28.63 per diem, and real property taxes for 2004-2005, 2005-2006, 2006-2007, 2007-2008, for approximately \$7,865.75, plus interest and penalties, if any.**

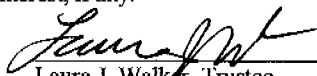
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

|                           |                     |
|---------------------------|---------------------|
| Principal                 | \$130,780.36        |
| Interest and Default Fees | \$3,458.92          |
| Foreclosure Guarantee     | <u>\$552.50</u>     |
| <b>Total:</b>             | <b>\$134,791.78</b> |

WHEREFORE, notice hereby is given that the undersigned trustee will on **August, 15, 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 4 day of April, 2008.

  
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: OCCUPANT  
5817 Springcrest  
Klamath Falls, OR 97603

\*Green Tree Financial Servicing LLC is successor in interest to Conseco Finance Servicing Corp.

## AFFIDAVIT OF NON-MILITARY SERVICE

I, Laura J. Walker, depose and say:

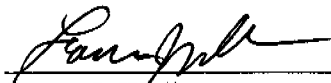
1. I am one of the attorneys for Green Tree Financial Servicing, LLC, successor in interest to Conseco Finance Servicing Corp.

At the time of service of the attached Notice of Trustee's Sale, attached as Exhibit A, neither Gary A. Frazier or Patricia J. Frazier was not a minor, an incompetent or incapacitated person, a protected person or a respondent as defined in ORS 125.005.

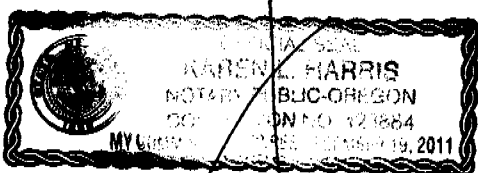
3. On August 13, 2008, the names and social security numbers of Gary A. Frazier and Patricia J. Frazier were entered into the Department of Defense Manpower Data Center (DMDC) website. The DMDC database indicated that neither Gary A. Frazier or Patricia J. Frazier is not currently on active duty in the Military Service of the United States. A copy of the DMDC database search result for Gary A. Frazier and Patricia J. Frazier is attached as Exhibit B.

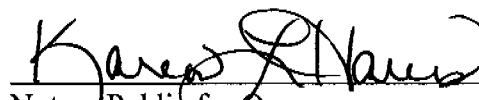
DATED this 11 of September, 2008.



  
\_\_\_\_\_  
Laura J. Walker

SUBSCRIBED AND SWORN to before me on 4 day of September, 2008



  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

Department of Defense Manpower Data Center

AUG-13-2008 11:29:54



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

| ◀ Last Name | First/Middle | Begin Date   | Active Duty Status | Service/Agency |
|-------------|--------------|--|--------------------|----------------|
| FRAZIER     | PATRICIA     | 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. Snavely-Dixon*

Mary M. Snavely-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.

Report ID: **BYRRVFZZPIC**

Exhibit B Page 1 of 2

Department of Defense Manpower Data Center

AUG-13-2008 11:30:27



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

| ◀ Last Name | First/Middle | Begin Date   | Active Duty Status | Service/Agency |
|-------------|--------------|--|--------------------|----------------|
| FRAZIER     | GARY         | 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

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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.

Report ID: **BYPAGLBUIPJ**

Exhibit B Page 2 Of 2

### TRUSTEE'S NOTICE OF SALE

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**Lot 7 of TRACT 1312, SPRINGCREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

**Commonly known as 5817 Springcrest, Klamath Falls, 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:

**Three monthly payments of \$1,013.81 each for the months of January, February and March 2008, with interest accruing at the rate of 7.99 percent annually, or \$28.63 per diem, and real property taxes for 2004-2005, 2005-2006, 2006-2007, 2007-2008, for approximately \$7,865.75, plus interest and penalties, if any.**


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:

|                                  |                     |
|----------------------------------|---------------------|
| <b>Principal</b>                 | <b>\$130,780.36</b> |
| <b>Interest and Default Fees</b> | <b>\$3,458.92</b>   |
| <b>Foreclosure Guarantee</b>     | <b>\$552.50</b>     |
| <b>Total:</b>                    | <b>\$134,791.78</b> |

WHEREFORE, notice hereby is given that the undersigned trustee will on **August, 15, 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 4 day of April, 2008.

  
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: OCCUPANT  
5817 Springcrest  
Klamath Falls, OR 97603

\*Green Tree Financial Servicing LLC is successor in interest to Conseco Finance Servicing Corp.

Exhibit A Page 1 of 1

# 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 # 10425

Notice of Sale/Gary A. & Patricia J. Frazier

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:

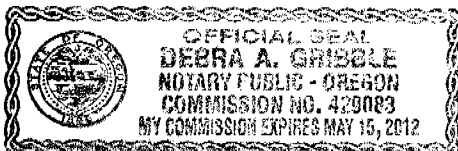
August 7, 14, 21, 28, 2008

Total Cost: \$801.36

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day  
before me on: August 28, 2008

*Debra A Gribble*  
Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Gary A. Frazier and Patricia J. Frazier as grantors, to Glenn H. Prohaska as trustee, in favor of Conseco Finance Servicing Corp.\*, as beneficiary, dated December 7, 1999, recorded on December 22, 1999, in the microfilm records of Klamath County, Oregon at Vol. M99, Page 50181, covering the following described real property situated in said county and state, to wit: Lot 7 of TRACT 1312, SPRINGCREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.  
Commonly known as 5817 Springcrest, Klamath Falls, 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:

Three monthly payments of \$1,013.81 each for the months of January, February and March 2008, with interest accruing at the rate of 7.99 percent annually, or \$28.63 per diem, and real property taxes for 2004-2005, 2005-2006, 2006-2007, 2007-2008, for approximately \$7,865.75, plus interest and penalties, if any.

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                 | \$130,780.36 |
| Interest and Default Fees | \$3,458.92   |
| Foreclosure Guarantee     | \$552.50     |
| Total:                    | \$134,791.78 |

WHEREFORE, notice hereby is given that the undersigned trustee will on August, 15, 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 4th day of April, 2008.

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

\*Green Tree Financial Servicing LLC is successor in interest to Conseco Finance Servicing Corp.  
#10425 August 7, 14, 21, 28, 2008.