

ES NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



AFFIDAVIT OF MAILING TRUSTEE'S AMENDED NOTICE OF SALE

RE: Trust Deed from

Robert L Hodges, affiant of the estate of
Effie Hodges, Klamath Cty # 799 CV
2111 Darrow Ave., Klamath Falls, OR 97601

To Grantor

Aspen Title and Escrow, Inc.

Trustee

After recording, return to (Name, Address, Zip):

Daniel H. Rosenhouse
Oregon Dept. of Justice
1515 SW 5th Ave., Suite 410
Portland, OR 97201

2008-015014

Klamath County, Oregon



00055797200800150140050054

11/05/2008 02:13:47 PM

Fee: \$46.00

SPACE RE...

FOI

RECORDE

STATE OF OREGON, County of Multnomah) ss:

I, Toni C Kemple

, 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:

NAME

ADDRESS

Jewel A. King
Charles Hodges
June Montgomery
George Hodges
Edward Hodges
Patty Matney
Dorothy Lotches

5716 Summers Lane, Klamath Falls, OR 97603
925 SW 11th St., Hermiston, OR 97838
12739 SE Mill St., Portland, OR 97233
PO Box 8428, Phoenix, AZ 85066
1663 Greensprings Dr. Sp 140, Klamath Falls, OR 97601
1608 Dorothy Ave., Longview, WA 98632
2095 Neal Ave., Kingman, AZ 86049

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 86.785.*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Daniel H. Rosenhouse, 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 by me in the United States post office at Portland, Oregon, on October 7, 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 a successor trustee, and "person" includes a corporation and any other legal or commercial entity.



SIGNED AND SWORN TO before me on October 7, 2008

Notary Public for Oregon

My commission expires

May 23, 2011

* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date. Pursuant to ORS 86.740(2), a notice served by mail in accordance with ORS 86.740(1) is effective when the notice is mailed.
PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

ES

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

AMENDED TRUSTEE'S NOTICE OF SALE¹

Reference is made to that certain trust deed made by Robert L. Hodges, affiant of the estate of Effie Hodges, Klamath Cty #799CV 2111 Darrow Ave., Klamath Falls, OR 97603 grantor, to Aspen Title and Escrow, Inc.*, as trustee, in favor of State of Oregon Senior & Disabled Services Division, as beneficiary, dated October, 2000, recorded on December 11, 2000, in the Records of Klamath County, Oregon, in ☐ book ☐ reel ☐ volume No. M-00 at page 44214, or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which), covering the following described real property situated in that county and state, to-wit:

See Exhibit A

*Daniel H. Rosenhouse was appointed Successor Trustee by document recorded June 2, 2008 as document no. 2008-007957, Klamath County, Oregon

¹Trustee's Notice of Sale document was recorded October 16, 2008 as document no. 2008-014196, Klamath County, Oregon.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made in grantor's failure to pay when due the following sums:

Failure to pay monthly payments in the sum of \$400.00 for the July 15, 2004 and subsequent payments.

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

\$22,525.56 Principal

\$10,819.68 Accrued interest to April 15, 2008

WHEREFORE, notice is hereby given that the undersigned trustee will on December 4, 2008, at the hour of one o'clock, P.M., in accord with the standard of time established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main St.

in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the real property described above which the grantor had or had power to convey at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the 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 those 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.

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

October 6, 2008

Daniel H. Rosenhouse

Daniel H. Rosenhouse, Trustee

1515 SW Fifth Ave., Suite 410

ADDRESS

Portland, OR 97201 971-673-1880

CITY

STATE

ZIP

PHONE

State of Oregon, County of _____) 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.

Attorney for Trustee

SERVE:*

*If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in the name and address of party to be served. Pursuant to ORS 86.740(2), a notice served by mail in accordance with ORS 86.740(1) is effective when the notice is mailed.

EXHIBIT A

Beginning at a point which is the Southeast corner of School District # 31 property, which point of beginning is more particularly described as a point South 877 feet and West 30 feet from the one-quarter corner common to Sections 14 and 15, Township 39 South, Range 9 East of the Willamette Meridian, as used in descriptions in Deed Records of Klamath County to School District #31, Volume 21, Page 172, which point of beginning is also South 898.6 feet and West 30 feet from an iron pin, which iron pin is described as the one-quarter corner common to said Sections 14 and 15 in the Elmwood Park Subdivision plat; thence North $89^{\circ}37'$ West along the South line of School District #31 property, a distance of 360.0 feet; thence South 121.0 feet; thence South $89^{\circ}37'$ East 360.0 feet to an intersection with the West right of way line of Summers Lane: thence North along the said West right of way line of Summers Lane 121.0 feet to the point of beginning, Klamath Falls, Oregon.

CODE 024 MAP 3909-015D0 TL 00300 KEY #579378

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 5716 SUMMERS LANE, KLAMATH FALLS, OR 97603. 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 SOMETHING CALLED 'FORECLOSURE.' THE AMOUNT YOU WOULD HAVE HAD TO PAY AS OF APRIL 15, 2008 TO BRING YOUR MORTGAGE LOAN CURRENT WAS \$33,345.24. THE AMOUNT YOU MUST NOW PAY TO BRING YOUR 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 503-378-4900 OR TOLL FREE IN OREGON 800-826-5675 TO FIND OUT THE EXACT AMOUNT YOU MUST PAY TO BRING YOUR 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:

Estate Administration Unit
PO Box 14021
Salem, OR 97309-5034

THIS IS WHEN AND WHERE

YOUR PROPERTY WILL BE SOLD

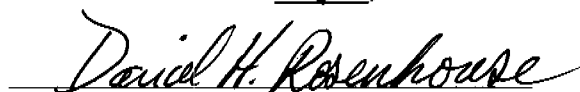
IF YOU DO NOT TAKE ACTION: December 4, 2008, AT 1:00 P.M. AT THE STEPS OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN ST, KLAMATH FALLS, OR 97601.

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 M.J. MOORE at 503-378-4900 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 AT 800-SAFENET (800-723-3638). 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 800-452-7636 OR YOU MAY VISIT ITS WEBSITE AT: <http://www.osbar.org>. 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.oregonlawhelp.org>. 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 October 6, 2008.



Daniel H. Rosenhouse, Trustee

Telephone: (971) 673-1880