

2008-015121

Klamath County, Oregon



00055916200800151210080084

11/07/2008 03:07:25 PM

Fee: \$61.00

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
AND NOTICE OF HOME LOSS DANGER**

15+ 1295615  
STATE OF OREGON            )  
                                      ) ss.  
County of Jackson         )

I, JAMES L. GRANTLAND, JR., being first duly sworn, depose, say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the Trustee's Notice of Sale attached hereto as Exhibit "A" and Notice of Home Loss Danger attached hereto as Exhibit "B", which are both by this reference incorporated herein, 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, to-wit:

NAME	ADDRESS
Ms. Sandra G. Hanan Mr. Eldon L. Miller	5845 Marius Drive #1 Klamath Falls, OR 97603
Ms. Sandra G. Hanan Mr. Eldon L. Miller	320 W. Lalo Avenue Chiloquin, OR 97624

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.\*

**AFTER RECORDING RETURN TO:**           **Grantland, Blodgett, Shaw & Abel**  
  **1818 E. McAndrews Road**  
  **Medford, OR 97504**

-1-     AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE and NOTICE OF HOME  
          LOSS DANGER

761-

Each of the notices so mailed was certified to be a true copy of the original notices by James L. Grantland, Jr., attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Medford, Oregon, on October 28, 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 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 notices were recorded.

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

Subscribed and sworn to before me this 6 day of November, 2008.



Kandice Oliver  
Notary Public for Oregon  
My Commission Expires: 2/26/2011

2008-014402

Klamath County, Oregon

00055081200800144020030034

10/22/2008 09:30:43 AM

Fee: \$36.00

NOTICE OF DEFAULT AND ELECTION TO SELL;  
TRUSTEE'S NOTICE OF SALE  
(ORS 86.705 et seq)

NOTICE IS HEREBY GIVEN that the obligation secured by the Trust Deed described below 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: SANDRA G. HANAN and ELDON L. MILLER

TRUSTEE: LAWYERS TITLE INSURANCE CORPORATION, a Virginia  
corporation

SUCCESSOR TRUSTEE: James L. Grantland, Jr.

BENEFICIARY: BILL F. SMITH, JR. and JENNIFER L. SMITH, or the survivor of  
them.

2. The real property covered by the Trust Deed is more particularly described as follows:

Lot 9 in Block 7, WEST CHILOQUIN, according to the official plat thereof on  
file in the office of the County Clerk of Klamath County, Oregon.

\*\*\*\*\*

AFTER RECORDING, RETURN TO: GRANTLAND, BLODGETT, SHAW & ABEL  
1818 E. McANDREWS ROAD  
MEDFORD, OR 97504

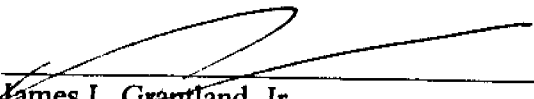
-1- NOTICE OF DEFAULT AND ELECTION TO SELL; TRUSTEE'S NOTICE OF SALE

Law Offices of  
GRANTLAND, BLODGETT, SHAW & ABEL, LLP  
1818 E. McAndrews Rd.  
Medford, OR 97504  
(541) 773-6855

**EXHIBIT** "A"

3. The Trust Deed was recorded:  
  
As Instrument No. M06-12892 on June 23, 2006.
4. The default for which foreclosure is made:
  - a. Failure to pay the monthly payment in the amount of \$633.00 due July 21, 2008, and each month thereafter.
  - b. Failure to pay late fees in the amount of \$27.50 each for the payment due July 21, 2008, and each month thereafter.
5. The sum owing on the obligation secured by the Trust Deed is:  
  
\$44,000.00, plus interest at the rate of 15% per annum from June 21, 2008, until paid, together with monthly late payment charges in the amount of \$27.50 each from June 21, 2008.
6. The beneficiary has and does elect to sell the property to satisfy the obligation.
7. The property will be sold in the manner prescribed by law on March 11, 2009 at 11:00 o'clock, A.M., as established by ORS 187.110 on the front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon.
8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, other than such portion 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 days before the date the successor trustee conducts the sale.

DATED this 20 day of October, 2008.

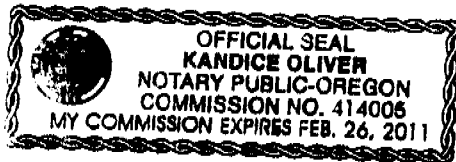
  
James L. Grantland, Jr.  
Successor Trustee

-2- NOTICE OF DEFAULT AND ELECTION TO SELL; TRUSTEE'S NOTICE OF SALE

Law Offices of  
GRANTLAND, BLODGETT, SHAW & ABEL, LLP  
1818 E. McAndrews Rd.  
Medford, OR 97504  
(541) 773-6855

STATE OF OREGON            )  
  ) ss.  
County of Jackson            )

Personally appeared before me this 20 day of October, 2008, the above named James L. Grantland, Jr. and acknowledged the foregoing instrument to be his voluntary act and deed.



Kandice Oliver  
Notary Public for Oregon  
My Commission Expires: 2/26/2011

-3- NOTICE OF DEFAULT AND ELECTION TO SELL; TRUSTEE'S NOTICE OF SALE  
Law Offices of  
GRANTLAND, BLODGETT, SHAW & ABEL, LLP  
1818 E. McAndrews Rd.  
Medford, OR 97504  
(541) 773-6855

## NOTICE OF HOME LOSS DANGER

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 320 West Lalo Avenue, Chiloquin, OR 97624.

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 October 27, 2008 to bring your mortgage loan current was \$4,617.00. 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 James L. Grantland, Jr. at 541-773-6855 to find out the exact amount you must pay to bring your mortgage 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: James L. Grantland, Jr., 1818 E. McAndrews Road, Medford, Oregon 97504.

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

Date and time: March 4, 2009, at 11:00 o'clock A.M..

Place: Front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601.

THIS IS WHAT YOU CAN DO  
TO STOP THE SALE

**EXHIBIT** "B"

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 James L. Grantland, Jr. at 541-773-6855 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 1-800-723-3638 or 1-888-995-4673. 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 1-503-684-3763 or toll-free in Oregon at 1-800-452-7636 or you may visit its website at [www.osbar.org/public](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, call Klamath County Legal Aid Service at 1-541-882-6982 or go to [www.cnpls.org](http://www.cnpls.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 27, 2008.

Trustee name: JAMES L. GRANTLAND, JR.

Trustee signature:

Trustee telephone number: 1-541-773-6855

# Affidavit Return of Service

State of Oregon )  
County of Klamath )

Court Case Number: NOTICE OF DEFAULT

I HEREBY CERTIFY THAT on 10/29/08 the within:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons           |
| <input type="checkbox"/> Complaint           | <input type="checkbox"/> Petition           | <input type="checkbox"/> Answer            |
| <input type="checkbox"/> Motion              | <input type="checkbox"/> Affidavit          | <input type="checkbox"/> Order             |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order  | <input type="checkbox"/> Subpoena          |
| <input type="checkbox"/> Citation            | <input type="checkbox"/> Small Claim        | <input checked="" type="checkbox"/> Notice |

☒ TRUSTEES NOTICE OF SALE NOTICE OF HOME LOSS DANGER

for service on the within named: OCCUPANTS OF 320 LALO AVE CHILQUIN, OR 97624

☒ SERVED: GLORIA LATCHES personally and in person  
at 320 LALO AVE CHILQUIN OR 97624

☐ SUBSTITUTE SERVICE: By leaving a true copy with \_\_\_\_\_, a person over the age of fourteen years, who resides at the place of abode of the within named \_\_\_\_\_ at said abode: \_\_\_\_\_

☐ OFFICE SERVICE: By leaving a true copy with \_\_\_\_\_ the person in charge of the office maintained for the conduct of business by \_\_\_\_\_

☐ CORPORATE: By leaving a true copy with \_\_\_\_\_ of said corporation.

☐ OTHER METHOD: \_\_\_\_\_

☐ NOT FOUND: After due and diligent search and inquiry, I hereby return that I have been unable to find the within named \_\_\_\_\_ within Klamath County.

**ALL SEARCH AND SERVICE WAS MADE WITHIN KLAMATH COUNTY, STATE OF OREGON.**

DATE AND TIME OF SERVICE OR NOT FOUND: 10/29/08 12:50 PM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

By: DAVE DAVIS

Basin Proserve  
422 N. 6<sup>th</sup> Street  
Klamath Falls, OR 97601  
(541) 884-6060

Subscribed to and sworn to before me this  
29<sup>th</sup> Day of Oct. 2008  
Kimberly A. Davis  
Notary Public