

2009-000636

Klamath County, Oregon



00058949200900006360060068

01/20/2009 02:06:35 PM

Fee: \$51.00

**Grantor:**

Adron O. Wood  
P.O. Box 585  
Keno, Oregon 97601

**Trustee:**

Sydnee B. Dreyer  
823 Alder Creek Drive  
Medford, Oregon 97504

**After Recording Return To:**

Sydnee B. Dreyer  
823 Alder Creek Drive  
Medford, Oregon 97504

ATE 66245

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

STATE OF OREGON     )  
                                  ) ss:  
County of Jackson     )

I, SYDNEE B. DREYER, being 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.

On January 8, 2009 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 last known address:

Name	Address
Adron O. Wood	P.O. Box 585 Keno, Oregon 97601
Robert R. Smith & Scott G. Smith	P.O. Box 5383 Central Point, Oregon 97502

On January 15, 2009 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 the following named person at the address below:

Adron O. Wood	15603 Stagecoach Road Klamath Falls, Oregon 97601
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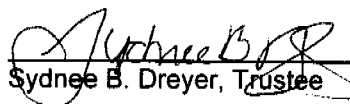
Included with the notice of sale, I mailed true copies of the notice required by the Oregon Mortgage Rescue Fraud Protection Act, Chapter 19, Oregon Laws 2008, to the grantor of the trust deed and the occupant of the premises by both first class and certified mail with return receipt requested.

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; and (d) any person requesting notice as set forth in ORS 86.375.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Daniel B. O'Connor, 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 Medford, Oregon, on January 8, 2009 and again to the grantor of the trust deed on January 15, 2009. 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.

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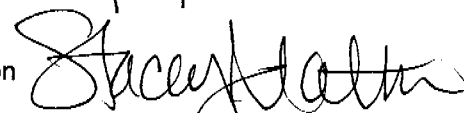
As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation and any other legal or commercial entity.

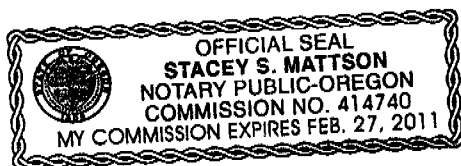
  
Sydnee B. Dreyer, Trustee

SIGNED AND SWORN TO before me on

1/16/09

Notary Public for Oregon  
My commission expires

  
2/27/2011



### TRUSTEE'S NOTICE OF SALE

Notice is hereby provided regarding that certain trust deed made by ADRON O. WOOD, as grantor, to SYDNEE B. DREYER, trustee, in favor of GEORGIA A. FORSTER, TRUSTEE OF THE FORSTER FAMILY TRUST DATED APRIL 29, 2003, AS TO AN UNDIVIDED 36.60% INTEREST AND JACK A. STATON AND LINDA A. STATON, OR SURVIVOR OF THEM, AS TO AN UNDIVIDED 63.40% INTEREST, beneficiary, dated DECEMBER 19, 2006, recorded on JANUARY 2, 2007, in the Records of Klamath County, Oregon, as instrument No. 2007-000037, covering the following described real property situated in the above-mentioned county and state, to wit: \*

Lots 7 and 8, Block 2, KLAMATH RIVER ACRES, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.  
CODE: 097 MAP: 3908-031B0 TL: 08200 KEY: 499758

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

As of July 2, 2008, Grantor has failed to pay installments of interest due on the 2<sup>nd</sup> day of each month in the amount of \$2,445.00 for the months of July, August, September, October, November, and December 2008, for the sum of \$14,670.00, real property tax payments for 2008-2009 in the sum of \$2,106.26, and attorney fees incurred as a result of Grantor's default in the sum of \$2,451.44.

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:

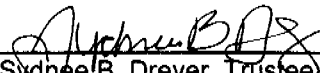
\$244,500.00 plus interest thereon at the rate of twelve percent (12%) per annum from July 2, 2008, until paid, plus the further sum of \$14,670.00 for accrued interest due prior to December 2, 2008, plus real property tax payments for 2008-2009 in the amount of \$2,106.26, plus attorney fees in the amount of \$2,451.44, for a total sum owing of \$263,727.70.

WHEREFORE, notice is hereby given that the undersigned trustee will on May 22, 2009 at the hour of 1 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at the front steps of the Klamath Falls Courthouse located at 316 E. Main Street, 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 the 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 fees not exceeding the amount provided by ORS 86.753.

\* This trust deed was modified by instrument on December 17, 2007, recorded on December 21, 2007 as Document No. 2007-21321. The beneficial interest of Jack and Linda Staton was assigned by instrument, to the Staton Living Trust, dated December 13, 2007, recorded on January 11, 2008 as Document No. 2008-00453.

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: 1-8-08

  
\_\_\_\_\_  
Sydnee B. Dreyer, Trustee  
823 Alder Creek Drive  
Medford, Oregon 97504  
(541) 772-1977

State of Oregon            )  
                                  ) ss.  
County of Jackson        )

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

\_\_\_\_\_

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

This notice is about your mortgage loan on your property at 15603 Stagecoach Road, Klamath Falls, OR 97601

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 a "foreclosure".

The amount you had to pay as of December 2, 2008, to bring your mortgage loan current was \$14,670.00. 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 1-541-772-1977 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: Huycke, O'Connor, Jarvis & Lohman, LLP 823 Alder Creek Drive, Medford, OR 97504

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

**5/22/09, at the hour of 1:00pm**  
**at the front door to the Klamath Falls Courthouse, 316 E. Main**  
**Street, Klamath Falls, Oregon 97601**

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

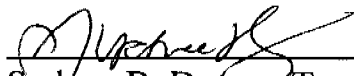
1. You can pay the amount past due or correct any other default, up to five days before the sale
2. You can refinance or otherwise pay off the loan in full anytime before the sale
3. You can call Huycke, O'Connor, Jarvis & Lohman at (541)772-1977 to find out if your lender is willing to give you more 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 number of an organization near you, please call the statewide telephone contact number at 1-800-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 Services at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at [www.osbar.org](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.com>.

**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.

Date: January 8, 2009

Huycke, O'Connor, Jarvis & Lohman, LLP



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Sydnee B. Dreyer, Trustee  
(541) 772-1977