

2009-005711

Klamath County, Oregon



00064848200900057110210214

04/27/2009 09:11:46 AM

Fee: \$136.00

Recording Requested By:  
Aspen Title & Escrow, Inc.  
525 Main Street  
Klamath Falls, OR 97601

When Recorded Return To:

Aspen Title & Escrow, Inc.  
525 Main Street  
Klamath Falls, OR 97601

Until requested otherwise, send all tax statements:

ATE 66413

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

## COVER SHEET

### DOCUMENT:

**Affidavit of Mailing / Trustee's Notice of Sale (3)**

**Affidavit of Service**

**Affidavit of Publication**

**Certificate of Non Military Service and DOD certificate**

**Affidavit of Compliance ( HB 3630)**

### ORIGINAL GRANTOR ON TRUST DEED:

**Jamie Solis**

### ORIGINAL BENEFICIARY ON TRUST DEED:

**Westar Funding Inc.**

ATE  
\$136

AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
09-101494

OREGON  
AFFIDAVIT OF MAILING OF NOTICE OF SALE

I, Kelly D. Sutherland, say and certify that:

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 successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons at their last known addresses, to-wit:

Jamie Solis  
4032 Shasta Way  
Klamath Falls, OR 97603

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Sutherland, LLC, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Vancouver, Washington, on January 19, 2009. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

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



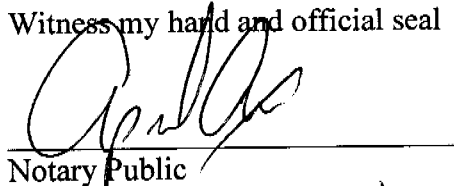
Kelly D. Sutherland

State of Washington )

County of Clark )

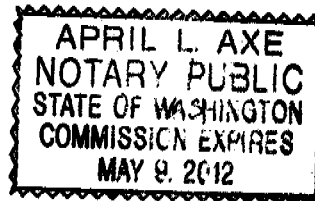
On this 23 day of April, in the year 2009, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal



Notary Public

My Commission Expires: 5/9/2012



AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
09-101494

OREGON  
AFFIDAVIT OF MAILING OF NOTICE OF SALE

I, Kelly D. Sutherland, say and certify that:

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 successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons at their last known addresses, to-wit:

State Of Oregon  
C/O Sharon S. Forster - Klamath County  
Da's Office  
316 Main Street  
Klamath Falls, OR 97601

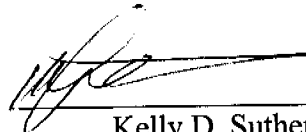
Enterprise Irrigation District  
3939 S. Sixth Street #325  
Klamath Falls, OR 97603

Enterprise Irrigation District  
C/O William M. Ganong, Attorney At Law  
514 Walnut Avenue  
Klamath Falls, OR 97601

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Sutherland, LLC, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Vancouver, Washington, on January 23, 2009. As evidenced by signed return receipt or USPS Track & Confirm Search Results, each Notice was actually received by the named party at least 25 days before the day of Trustee's Sale, as provided in ORS 86.742(1).

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



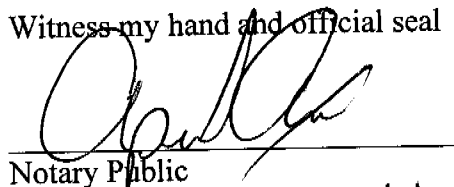
Kelly D. Sutherland

State of Washington )

County of Clark )

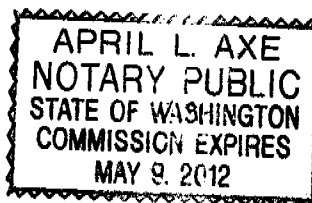
On this 23 day of April, in the year 2009, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal



Notary Public

My Commission Expires: 5/9/2012



[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: **7160 3901 9845 9782 0887**Status: **Delivered**

Your item was delivered at 9:48 am on January 26, 2009 in KLAMATH FALLS, OR 97601. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

[Restore Offline Details >](#)[Return to USPS.com Home >](#)

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

Equal Opportunity  
Resolving ComplaintsAccessibility  
Resolving Complaints

THE  
WALZ  
CERTIFIED  
MAILER™

FROM

WALZ™

FORM #35063 VERSION: 06/06  
U.S. PAT. NO. 5,501,363

7160 3901 9845 9782 0887

TO:

State of Oregon  
c/o Sharon S. Forster - Klamath County DA's Office  
316 Main Street  
Klamath Falls, OR 97601

SENDER:

Shapiro & Sutherland, LLC

REFERENCE: 09-101494

PS Form 3800, January 2005

RETURN  
RECEIPT  
SERVICE

Postage

Certified Fee

Return Receipt Fee

Restricted Delivery

Total Postage & Fees

US Postal Service

Receipt for  
Certified Mail

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE

Label #1  
09-101494  
State of Oregon  
c/o Sharon S. Forster - Klamath County DA's Office  
316 Main Street  
Klamath Falls, OR 97601

Label #2

Label #3

09-101494  
State of Oregon  
c/o Sharon S. Forster - Klamath County DA's Office  
316 Main Street  
Klamath Falls, OR 97601

A FOLD AND TEAR THIS WAY → OPTIONAL

B

Label #5

09-101494  
State of Oregon  
c/o Sharon S. Forster - Klamath County DA's Office  
316 Main Street  
Klamath Falls, OR 97601

Label #6

PLACE RETURN ADDRESS IN ENVELOPE TO THE RIGHT  
OF RETURN ADDRESS - FOLD AT DOTTED LINE

CERTIFIED MAIL



7160 3901 9845 9782 0887

Label #4

Certified Article Number

7160 3901 9845 9782 0887

SENDER'S RECORD

Charge  
Amount:

Charge  
To:

FOLD AND TEAR THIS WAY →

C

Thank you for using Return Receipt Service

RETURN RECEIPT REQUESTED  
USPS MAIL CARRIER  
DETACH ALONG PERFORATION

2. Article Number



7160 3901 9845 9782 0887

3. Service Type CERTIFIED MAIL

4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

State of Oregon  
c/o Sharon S. Forster - Klamath County DA's Office  
316 Main Street  
Klamath Falls, OR 97601

09-101494

Shapiro & Sutherland, LLC

PS Form 3811, January 2005

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature



X

☐ Agent  
☐ Addressee


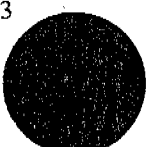
D. Is delivery address different from item 1?  
If YES, enter delivery address below:

☐ Yes  
☐ No

Thank you for using Return Receipt Service

<p>2. Article Number</p> <div style="text-align: center;">   <b>7160 3901 9845 9782 0863</b> </div> <p>3. Service Type <b>CERTIFIED MAIL</b></p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>1. Article Addressed to:</p> <p>Enterprise Irrigation District  c/o William M. Ganong, Attorney at Law  514 Walnut Avenue  Klamath Falls, OR 97601</p> <div style="text-align: center; margin-top: 20px;">  </div> <p>09-101494 <span style="float: right;">Shapiro &amp; Sutherland, LLC</span></p>	<div style="background-color: black; color: white; text-align: center; padding: 2px;"> <b>COMPLETE THIS SECTION ON DELIVERY</b> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">A. Received by (Please Print Clearly)</td> <td style="width: 40%;">B. Date of Delivery</td> </tr> <tr> <td style="height: 40px; vertical-align: bottom;"> <i>[Signature]</i> </td> <td style="vertical-align: bottom;">1-21-09</td> </tr> <tr> <td colspan="2">C. Signature</td> </tr> <tr> <td colspan="2" style="height: 40px; vertical-align: bottom;"> <i>[Signature]</i> </td> </tr> <tr> <td colspan="2"> D. Is delivery address different from item 1?  If YES, enter delivery address below: </td> </tr> <tr> <td colspan="2"> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee  <input type="checkbox"/> Yes  <input type="checkbox"/> No </td> </tr> </table>	A. Received by (Please Print Clearly)	B. Date of Delivery	<i>[Signature]</i>	1-21-09	C. Signature		<i>[Signature]</i>		D. Is delivery address different from item 1? If YES, enter delivery address below:		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No	
A. Received by (Please Print Clearly)	B. Date of Delivery												
<i>[Signature]</i>	1-21-09												
C. Signature													
<i>[Signature]</i>													
D. Is delivery address different from item 1? If YES, enter delivery address below:													
<input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No													

PS Form 3811, January 2005 Domestic Return Receipt

<p>2. Article Number</p> <div style="text-align: center;">   <b>7160 3901 9845 9782 0870</b> </div> <p>3. Service Type <b>CERTIFIED MAIL</b></p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>1. Article Addressed to:</p> <p>Enterprise Irrigation District  3939 S. Sixth street #325  Klamath Falls, OR 97603</p> <div style="text-align: center; margin-top: 20px;">  </div> <p>09-101494 <span style="float: right;">Shapiro &amp; Sutherland, LLC</span></p>	<div style="background-color: black; color: white; text-align: center; padding: 2px;"> <b>COMPLETE THIS SECTION ON DELIVERY</b> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">A. Received by (Please Print Clearly)</td> <td style="width: 40%;">B. Date of Delivery</td> </tr> <tr> <td style="height: 40px; vertical-align: bottom;"> D. TORRE </td> <td style="vertical-align: bottom;">1-28-09</td> </tr> <tr> <td colspan="2">C. Signature</td> </tr> <tr> <td colspan="2" style="height: 40px; vertical-align: bottom;"> X <i>[Signature]</i> </td> </tr> <tr> <td colspan="2"> D. Is delivery address different from item 1?  If YES, enter delivery address below: </td> </tr> <tr> <td colspan="2"> <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee  <input type="checkbox"/> Yes  <input type="checkbox"/> No </td> </tr> </table>	A. Received by (Please Print Clearly)	B. Date of Delivery	D. TORRE	1-28-09	C. Signature		X <i>[Signature]</i>		D. Is delivery address different from item 1? If YES, enter delivery address below:		<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No	
A. Received by (Please Print Clearly)	B. Date of Delivery												
D. TORRE	1-28-09												
C. Signature													
X <i>[Signature]</i>													
D. Is delivery address different from item 1? If YES, enter delivery address below:													
<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No													

PS Form 3811, January 2005 Domestic Return Receipt



AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
09-101494

OREGON  
AFFIDAVIT OF MAILING OF NOTICE OF SALE

I, Kelly D. Sutherland, say and certify that:

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 successor in interest named in the Trust Deed described in the attached Notice of Sale.

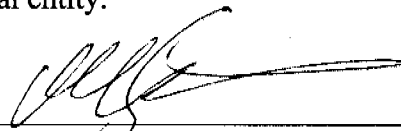
I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons at their last known addresses, to-wit:

State Of Oregon  
Attorney General  
Justice Building  
Salem, OR 97310

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Sutherland, LLC, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Vancouver, Washington, on January 28, 2009. As evidenced by signed return receipt or USPS Track & Confirm Search Results, each Notice was actually received by the named party at least 25 days before the day of Trustee's Sale, as provided in ORS 86.742(1).

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

  
\_\_\_\_\_  
Kelly D. Sutherland

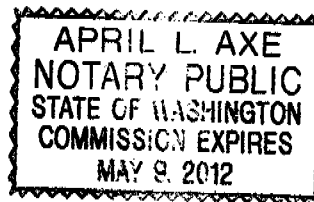
State of Washington       )  
                                      )  
County of Clark            )

On this 23 day of April, in the year 2009, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 5/9/2012



2. Article Number



7160 3901 9845 9781 5593

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

State of Oregon  
Attorney General  
Justice Building  
Salem, OR 97310

09-101494

Shapiro & Sutherland, LLC

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

*Patricia K. Liban*

B. Date of Delivery

**JAN 31 2009**

C. Signature

*Patricia K. Liban*

☒ Agent

☐ Addressee

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

☐ Yes

☐ No

PS Form 3811, January 2005

Domestic Return Receipt

## TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Jamie Solis, a single man, as grantor to Kelly D. Sutherland, attorney at law, as Trustee, in favor of Westar Funding, Inc., as Beneficiary, dated June 26, 2007, recorded June 29, 2007, in the mortgage records of Klamath County, Oregon, in Volume 2007, at Page 011740, beneficial interest having been assigned to Equity Trust Company, Custodian FBO Wolfram Hansis IRA, as to 17.02%; Evelyn B. Dale, as to 72.34%; and Robert R. McInturff and Karen B. McInturff, as to 10.64%, as covering the following described real property:

Lot 3 in Block 1 of Bryant Tracts, according to the official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

**COMMONLY KNOWN AS:** 4032 Shasta Way, Klamath Falls, OR 97603

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations 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:

Monthly payments in the sum of \$1,958.33, from June 1, 2008, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit:

\$94,000.00, together with interest thereon at the rate of 25% per annum from May 1, 2008, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 19, 2009, at the hour of 10:00 AM PT, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 316 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 said described real property which the grantor has or had power to convey at the time of the execution of said trust deed, together with any interest which the grantor or his 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 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 obligations 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 masculine gender includes the feminine and the neuter, 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

Dated: 1/19/09

By:   
**KELLY D. SUTHERLAND**  
Trustee

State of Washington, County of Clark, ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

\_\_\_\_\_  
SHAPIRO & SUTHERLAND, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
Telephone: (360) 260-2253  
Toll-free: 1-800-970-5647

09101494 / SOLIS  
ASAP# 2970391

**SHAPOR**

**AFFIDAVIT OF SERVICE**

STATE OF OREGON

County of Klamath

ss.

I, Robert Bolenbaugh, hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and/or entities named below, by delivering a copy of the aforementioned documents, upon an **OCCUPANT** at the following "Property Address":

4032 Shasta Way  
Klamath Falls, OR 97603

By delivering such copy, personally and in person to **Barbara Solis**, at the above Property Address on January 19, 2009 at 2:19 PM.

I declare under the penalty of perjury that the above statement is true and correct.

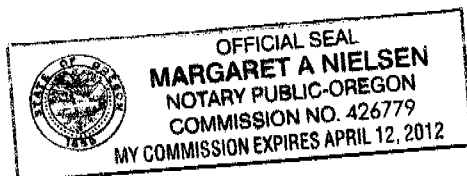
SUBSCRIBED AND SWORN BEFORE ME  
this 21<sup>st</sup> day of January, 2009  
by Robert Bolenbaugh,

*Margaret A. Nielsen*  
Notary Public for Oregon

*[Signature]*  
Robert Bolenbaugh  
Nationwide Process Service, Inc.  
420 Century Tower  
1201 SW 12th Avenue  
Portland, OR 97205  
(503) 241-0636



187539



# Affidavit of Publication

TRUSTEE'S NOTICE OF SALE 09-101494

## 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 # 10849  
Notice of Sale/Solis

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:

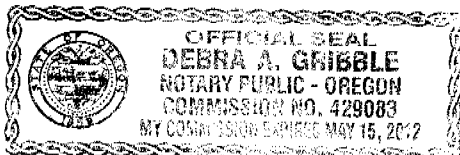
February 4, 11, 18, 25, 2009

Total Cost: \$1,051.43

Subscribed and sworn by Jeanine P Day  
before me on: February 25, 2009

Notary Public of Oregon

My commission expires May 15, 2012



A default has occurred under the terms of a trust deed made by Jamie Solis, a single man, as grantor to Kelly D. Sutherland, attorney at law, as Trustee, in favor of Westar Funding, Inc., as Beneficiary, dated June 26, 2007, recorded June 29, 2007, in the mortgage records of Klamath County, Oregon, in Volume 2007, at Page 011740, beneficial interest having been assigned to Equity Trust Company, Custodian FBO Wolfram Hansis IRA, as to 17.02%; Evelyn B. Dale, as to 72.34%; and Robert R. McInturff and Karen B. McInturff as to 10.64%, as covering the following described real property: Lot 3 in Block 1 of Bryant Tracts, according to the official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. COMMONLY KNOWN AS: 4032 Shasta Way, Klamath Falls, OR 97603.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations 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: Monthly payments in the sum of \$1,958.33, from June 1, 2008, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit: \$94,000.00, together with interest thereon at the rate of 25% per annum from May 1, 2008, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 19, 2009, at the hour of 10:00 AM PT, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 316 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 said described real property which the grantor has or had power to convey at the time of the execution of said trust deed, together with any interest which the grantor or his 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 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 obligations 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 masculine gender includes the feminine and the neuter, 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property. The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt. Dated: 01/14/2009. By: KELLY D. SUTHERLAND Successor Trustee SHAPIRO & SUTHERLAND, LLC 5501 N.E. 109th Court, Suite N, Vancouver, WA 98662 www.shapiroattorneys.com/wa Telephone: (360) 260-2253 Toll-free: 1-800-970-5647 S&S 09-101494 ASAP# 2970391 02/04/2009, 02/11/2009, 02/18/2009, 02/25/2009  
#10849 February 4, 11, 18, 25, 2009.

AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
Telephone:(360) 260-2253  
09-101494

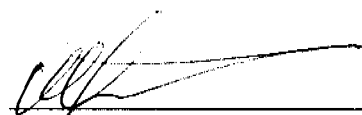
## CERTIFICATE OF NON-MILITARY SERVICE

STATE OF WASHINGTON           )  
  ) SS.  
County of CLARK                            )

THIS IS TO CERTIFY THAT I, Kelly D. Sutherland, am the Successor Trustee of that certain trust deed serviced by Equity Trust Company, Custodian FBO Wolfram Hansis IRA, as to 17.02%; Evelyn B. Dale, as to 72.34%; and Robert R. McInturff and Karen B. McInturff, as to 10.64%, the current beneficiary, in which Jamie Solis, a single man,, as grantor, conveyed to Kelly D. Sutherland, attorney at law,, as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated June 26, 2007, and recorded June 29, 2007, in the mortgage records of said county, in Book No. 2007, at Page 011740, thereafter a Notice of Default with respect to said trust deed was recorded January 13, 2009, as Document/Instrument/Recorder's Fee No. 2009-000382, of said mortgage records; thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed is scheduled to be sold at the trustee's sale on May 19, 2009. I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailor's Civil Relief Act of 1940," as amended, as evidenced by the attached Department of Defense certificate(s), or legally incompetent under the laws of the State of Oregon.



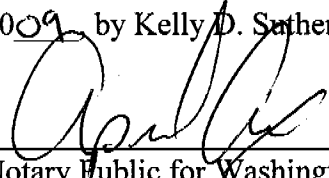
In construing this certificate, the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.



Kelly D. Sutherland  
Successor Trustee

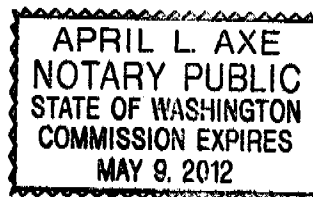
STATE OF WASHINGTON       )  
  ) SS.  
COUNTY OF CLARK        )

SUBSCRIBED AND SWORN to before me this 23 day of April,  
2009, by Kelly D. Sutherland, Successor Trustee.



Notary Public for Washington

My commission expires 5/9/2012



Loan #:        SOLIS

Department of Defense Manpower Data Center

JAN-07-2009 11:38:08



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
SOLIS	JAMIE	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

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:MXLIQKNZI

AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
09-101494

**TRUSTEE'S AFFIDAVIT AS TO COMPLIANCE TO HB3630**

State of Washington       )  
                                      )  
County of Clark            )

I, Kelly D. Sutherland, being first duly sworn, depose, say and certify that:

I am the Successor trustee in that certain trust deed executed and delivered by Jamie Solis, a single man, as grantor to Kelly D. Sutherland, attorney at law, as trustee, in which Westar Funding, Inc., is beneficiary, recorded on June 29, 2007, in the mortgage records of Klamath County, Oregon in Book No. 2007, at Page 011740, covering the following described real property situated in said county:

Lot 3 in Block 1 of Bryant Tracts, according to the official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

Commonly known as: 4032 Shasta Way, Klamath Falls, OR 97603

I hereby certify that on January 19, 2009, the attached notice of risk of loss was furnished by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons:

Jamie Solis  
4032 Shasta Way  
Klamath Falls, OR 97603

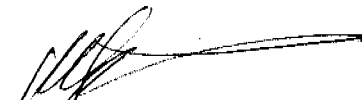
Occupant(s)  
4032 Shasta Way  
Klamath Falls, OR 97603

I hereby certify that on January 23, 2009, the attached notice of risk of loss was furnished by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons:

Jamie Solis  
816 Prospect Street  
Klamath Falls, OR 97601

Jamie Solis  
818 Prospect Street  
Klamath Falls, OR 97601

The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.

  
\_\_\_\_\_  
Kelly D. Sutherland

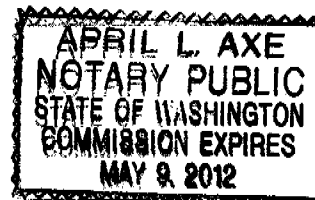
State of Washington       )  
                                      )  
County of Clark            )

On this 23 day of April, in the year 2009, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal

  
\_\_\_\_\_  
Notary Public

My Commission Expires 5/9/2012



**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 4032 Shasta Way, 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 sometimes called 'foreclosure'.

In order to bring your mortgage loan current, the amount you need to pay as of today, January 19, 2009 is \$16,650.83.

**By law, your lender has to provide you with details about the amount you owe, if you ask. You may call this office at (360) 260-2253, or toll-free 1-800-970-5647, extension 278, 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:**

Shapiro & Sutherland, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
Our File #: 09-101494

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

May 19, 2009, at the hour of 10:00 AM PT, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, OR

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

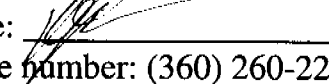
1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call the Loss Mitigation department of ALDER-LYNN Law office at 800-970-5647, X288 to find out if your lender 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 State of Oregon Department of Consumer and Business Services at (503) 378-4140. 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/public/ris/ris.html#referral>. 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: January 19, 2009

Kelly D. Sutherland, Shapiro & Sutherland, LLC

Trustee signature:   
Trustee telephone number: (360) 260-2253 or 800-970-5647