2009-007707 Klamath County, Oregon



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

06/03/2009 03:24:31 PM

Fee: \$106.00

When Recorded Return To:

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

Until requested otherwise, send all tax statements:

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

# **COVER SHEET**

## **DOCUMENT:**

Affidavit of Mailing/Trustees Notice of Sale

**Affidavit of Service** 

**Affidavit of Publication** 

Certificate of Non-Military Status & DOD Certificate

Affidavit of Compliance (HB360)

### **ORIGINAL GRANTOR ON TRUST DEED:**

Mark Everett Kerns and Carolyn M. Stuck

#### ORIGINAL BENEFICIARY ON TRUST DEED:

Beneficial Oregon, Inc.



AFTER RECORDING RETURN TO: Shapiro & Sutherland, LLC 5501 N.E. 109th Court, Suite N Vancouver, WA 98662 08-100994

# 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:

Carolyn M. Stuck 6040 Climax Avenue Klamath Falls, OR 97603

Mark Kerns 6040 Climax Avenue 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 October 6, 2008. 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	l person
includes corporation and any other legal or commercial entity.	

		M	
		Kelly D. Sutherland	
State of Washington	)		

County of Clark

On this \( \sum\_{\text{day}} \) of \( \sum\_{\text{vne}} \), 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

Witness my hand and official seal

Notary Public

executed.

My Commission Expires: 10/74/2017

MELISSA MARIE COX NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES OCTOBER 29, 2012

#### TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Mark Everett Kerns and Carolyn M. Stuck, as grantor to Regional Trustee Services, as Trustee, in favor of Beneficial Oregon, Inc., as Beneficiary, dated April 13, 2007, recorded April 18, 2007, in the mortgage records of Klamath County, Oregon, as Instrument No. 2007-007139, as covering the following described real property:

A parcel of land in the SW1/4 NW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point where the Southerly right-of-way line of Climax Avenue intersects the Easterly right-of-way line of Ogden Street, thence East along said Southerly right-of-way line of Climax Avenue a distance of 129.43 feet to the true point of beginning; thence continuing East along said Southerly right-of-way line of Climax street 138.15 feet to an iron pin; thence South 0° 36' East 72.35 feet to an iron pin; thence South 89° 10' West 138.33 feet to an iron pin, thence North 0° 28' West 72.91 feet to the point of the beginning, said parcel being Parcel B of Minor Land Partition No. 80-105. Bearings based on Minor Land Partition No. 80-105.

#### **COMMONLY KNOWN AS:** 6040 Climax Avenue, 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 \$1,490.55, from March 18, 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:

\$141,389.46, together with interest thereon at the rate of 9.2% per annum from February 18, 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 February 3, 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 hable for the debt.

KELLY D. SUTHERLAND

Successor 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

## 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":

## 6040 Climax Avenue Klamath Falls, OR 97603

By delivering such copy, personally and in person to Mark Kerns, at the above Property Address on October 08, 2008 at 3:50 PM.

Prior to the aforementioned service, I attempted personal service at the Property Address on 10/06/2008 at 2:23 PM. I received no answer at the front door and no one appeared to be home. At that time, I POSTED such true copy conspicuously on the Front Door, pursuant to ORS 86,750 (1)(b)(a).

The effective date of service upon an occupant at the Property Address is 10/06/2008 as calculated pursuant to ORS 86.750 (1)(c).

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

SUBSCRIBED AND SWORN BEFORE ME

this 22 day of Oct

by Robert Bolenbaugh.

Robert Bolenbaugh

Nationwide Process Service, Inc.

420 Century Tower

1201 SW 12th Avenue

Portland, OR 97205

(503) 241-0636

OFFICIAL SEAL MARGARET A NIELSEN **NOTARY PUBLIC-OREGON** COMMISSION NO. 426779 MY COMMISSION EXPIRES APRIL 12, 2012



## **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 # 11086
Notice of Sale/Mark E Kerns & Carolyn M Stuck
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:
April 8, 15, 22, 29, 2009
Total Cost: \$1,232.39
Janune Pag
Subscribed and sworn by Jeanine P Day

Notary Public of Oregon

*l*b*∉*fore me on:

My commission expires May 15, 2012



April 29, 2009

## AMENDED TRUSTEE'S NOTICE OF SALE (After Release From Stay)

Reference is made to that certain trust deed made by Mark Everett Kerns and Carolyn M. Stuck, as grantor, to Regional Trustee Services, as trustee, in favor of Beneficial Oregon, Inc., as beneficiary, dated April 13, 2007, recorded April 18, 2007, in the mortgage records of Klamath County, Oregon, as. Instrument No. 2007-007139, covering the described real property in said county and state, to-wit: A parcel of land in the SW1/4 NW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a point where the Southerly right-of-way line of Climax Avenue intersects the Easterly right-of-way line of Ogden Street, thence East along said Southerly right-of-way line of Climax Avenue a distance of 129.43 feet to the true point of beginning; thence continuing East along said Southerly right-of-way line of Climax Avenue a distance of 129.43 feet to an iron pin; thence South 0° 36' East 72.35 feet to an iron pin; thence South 89° 10' West 138.33 feet to an iron pin, thence North 0° 28' West 72.91 feet to the point of the beginning, said parcel being Parcel B of Minor Land Partition No. 80-105. Bearings based on Minor Land Partition No. 80-105. Commonly Known as: 6040 Climax Avenue, 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 \$1,490.55 from March 18, 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 sums being the following, to-wit: \$141,389.46, together with interest thereon at the rate of 9.2% per annum from February 18, 2008, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns. The Notice of Default and original Notice of Sale given pursuant thereto stated that the property

(Continued in next column)

#### (Continued from previous column)

would be sold on February 3, 2009, at 10:00 AM PT, in accord with the standard of 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; however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on March 10, 2009.

WHEREFORE, notice hereby is given that the undersighed trustee will on June 16, 2009, at 10:00 AM PT, in accord with the standard of 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, (which is the new date, time and place set for sale) sell at public auction to the highest bidder foreclose the interest in the said described real property which the grantor has or had power to convey at the time of the execution by him of the 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

TodayS

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 reinstate by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then to 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 amount 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. 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 bankrupt-cy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt. Dated: 3/24/2009. 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 08-100994 ASAP# 3042912 04/08/2009, 04/15/2009, 04/22/2009, 04/29/2009 #11086 April 8, 15, 22, 29, 2009.

AFTER RECORDING RETURN TO: Shapiro & Sutherland, LLC 5501 N.E. 109th Court, Suite N Vancouver, WA 98662 Telephone:(360) 260-2253 08-100994

## CERTIFICATE OF NON-MILITARY SERVICE

STATE OF	WASHING	<u>TON_</u>	)	
			)	SS.
County of _	<u>CLARK</u>		)	

THIS IS TO CERTIFY THAT I, Kelly D. Sutherland, am the Successor Trustee of that certain trust deed serviced by Beneficial Oregon, Inc.,, the current beneficiary, in which Mark Everett Kerns and Carolyn M. Stuck, as grantor, conveyed to Regional Trustee Services, as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated April 13, 2007, and recorded April 18, 2007, in the mortgage records of said county, as Instrument No. 2007-007139; thereafter a Notice of Default with respect to said trust deed was recorded October 1. Document/Instrument/Recorder's Fee No. 200813596, 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 June 16, 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 ) SS. SUBSCRIBED AND SWORN to before me this \_ day of \_\_\_ 20 0, by Kelly D. Sutherland, Successor Trustee. MELISSA MARIE COX NOTARY PUBLIC STATE OF WASHINGTON

COMMISSION EXPIRES

OCTOBER 29, 2012

Loan #:

0016827024

STATE OF WASHINGTON

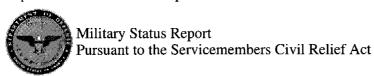
Notary Public for Washington

My commission expires \_\_\_\_

COUNTY OF CLARK

Department of Defense Manpower Data Center

SEP-05-2008 08:22:41



≪ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
KERNS			mation you have furnished, the I dicating that the individual is cu	-

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 Mr. Anavely-Dison

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.

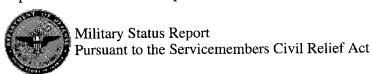
See: http://www.defenselink.mil/faq/pis/PC09SLDR.html

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: LIPBCDQKFK

Department of Defense Manpower Data Center

SEP-05-2008 08:21:51



<b>≪</b> Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
STUCK		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 Mr. Anavely-Dison

Mary M. Snavely-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: LINQOIBELI

AFTER RECORDING RETURN TO: Shapiro & Sutherland, LLC 5501 N.E. 109th Court, Suite N Vancouver, WA 98662 08-100994

## TRUSTEE'S AFFIDAVIT AS TO COMPLIANCE TO HB3630

State of Washington	)
County of Clark	)
I, Kelly D. Sutherland, being fi	rst duly sworn, depose, say and certify that:

I am the Successor trustee in that certain trust deed executed and delivered by Mark Everett Kerns and Carolyn M. Stuck as grantor to Regional Trustee Services as trustee, in which Beneficial Oregon, Inc., is beneficiary, recorded on April 18, 2007, in the mortgage records of Klamath County, Oregon as Instrument No. 2007-007139, covering the following described real property situated in said county:

See complete Legal Description attached hereto as Exhibit "A"

Commonly known as: 6040 Climax Avenue, Klamath Falls, OR 97603

I hereby certify that on October 1, 2008, 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:

Carolyn M. Stuck Mark Kerns Occupant(s)
6040 Climax Avenue 6040 Climax Avenue 6040 Climax Avenue
Klamath Falls, OR 97603 Klamath Falls, OR 97603

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  $\int \frac{9}{4} day$  of  $\frac{1}{2} \sqrt{1000}$ , 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 /0/74/7017

MELISSA MARIE COX NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES OCTOBER 29, 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 6040 Climax Avenue, 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'.

The amount you would have had to pay as of October 1, 2008 to bring your mortgage loan current was \$12,818.08. 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 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 #: 08-100994

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

February 3, 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 HSBC Consumer Lending USA Inc. at 800-333-5848, X3888 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) 620-0222, or toll-free in Oregon at (800) 452-8260 or you may visit its website at: 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 the State of Oregon Department of Consumer and Business Services' website at: www.oregon.gov/DCBS/index.shtml.

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 1, 2008

Kelly D. Sutherland, Shapiro & Sutherland, LLC

Trustee signature:

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