

NTC 851911

2009-011023

Klamath County, Oregon



00071152200900110230110114

08/17/2009 03:13:32 PM

Fee: \$86.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED
BY THE PERSON REPRESENTING THE
ATTACHED INSTRUMENT FOR RECORDING.
ANY ERRORS IN THIS COVER SHEET DO NOT
AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.

After Recording, Return To:

Keith Y. Boyd, Successor Trustee
Muhlheim Boyd, LLP
88 E. Broadway
Eugene, OR 97401

1. Name(s) of the Transaction(s):

Trustee's Notice of Sale, Affidavit of Mailing Trustee's Notice of Sale,
Affidavit of Service, Affidavit of Due Diligence and Affidavit of Publication

2. Direct Party (Grantor):

Ashton Crabb and Stephanie Crabb

3. Indirect Party (Grantee):

4. True and Actual Consideration Paid:

n/a

5. Legal Description:

See attached

9/6/09

After recording mail to:
Keith Y. Boyd, Successor Trustee
Muhlheim Boyd, LLP
88 E. Broadway
Eugene, OR 97401

Until a change is requested, mail tax statements to:
Ashton and Stephanie Crabb
512 Ewald Avenue S.
Salem, OR 97302-4745

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Ashton L. Crabb and Stephanie Crabb, as tenants by the entirety, as grantor, to AmeriTitle, Inc., as trustee, in favor of Frederic L. Uggla, as Beneficiary, dated February 1, 2008, recorded February 4, 2008, Reception No. 2008-001395, Official Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Lot 10 in Block 17 of TRACT NO. 1061, Second Addition to River Pine Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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 ORS 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly principal and interest installments of \$299.75 beginning November 4, 2008 through May 4, 2009 of \$2,098.25, plus monthly principal and interest installments of \$299.75 each month thereafter until paid; accrued late charges of \$89.94 as of April 19, 2009, plus monthly late fees of \$14.99 after May 19, 2009 and each month thereafter; plus costs and expenses to be reimbursed pursuant to the note and trust deed.

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:

The principal sum of \$29,894.10; plus accrued interest of \$2,209.04 and accrued late charges of \$89.94 through May 7, 2009; plus interest on the principal balance at the rate of 11.99 percent per annum from May 7, 2009 until paid; plus unpaid late fees from May 19, 2009 until paid; plus the cost of the foreclosure report; plus costs and attorneys fees; plus any other sums due or that may become due under the note and trust deed.

Plus additional late charges, collection fees, trustee and attorney fees, costs advanced, and any other advances incurred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice is hereby given that Keith Y. Boyd, the undersigned Successor Trustee, will on **October 12, 2009**, at the hour of **2:00 o'clock p.m.**, in accord with the standard of time established by ORS 187.110, at the Main entrance of the Klamath County Courthouse, 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 had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations secured thereby 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 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 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.

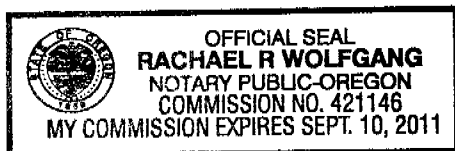
DATED this 2nd day of June, 2009.

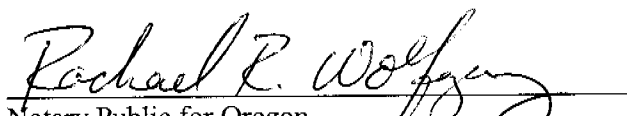


Loren S. Scott, OSB #024502
Attorney for Keith Y. Boyd, Successor Trustee
88 E. Broadway
Eugene, OR 97401

STATE OF OREGON)
) ss.
County of Lane)

This instrument was acknowledged before me on June 2, 2009 by Loren S. Scott, Attorney for Keith Y. Boyd, Successor Trustee.




Notary Public for Oregon
My commission expires: 9-10-2011

I, Loren S. Scott, the undersigned, certify that I am the attorney for Successor Trustee in the above-described trust deed, and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Loren S. Scott, OSB #024502

SERVE:

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT
15 USC SECTION 1692**

1. The amount of the debt is as follows:

The principal sum of \$29,894.10; plus accrued interest of \$2,209.04 and accrued late charges of \$89.94 through May 7, 2009; plus interest on the principal balance at the rate of 11.99 percent per annum from May 7, 2009 until paid; plus unpaid late fees from May 19, 2009 until paid; plus the cost of the foreclosure report; plus costs and attorneys fees; plus any other sums due or that may become due under the note and trust deed.

2. The beneficiary, Frederic L. Ugglä, named in the Trustee's Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Trustee's Notice of Sale will be assumed to be valid by the trustee unless the debtor, within thirty (30) days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
4. If the debtor notifies the successor trustee, Keith Y. Boyd, in writing within thirty (30) days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within the thirty (30) days from the receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to:

Keith Y. Boyd.
88 East Broadway
Eugene OR 97401
7. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose.

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:

Street address: 1325 Cheryl Drive

City: La Pine State: OR ZIP: 97739

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 5 / 29 / 09 to bring your mortgage current was \$ \$3,009.15
Dollar Amount Month Day Year

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 866 333 5058 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: Keith Y. Boyd
88 East Broadway
Eugene, OR 97401

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

10 / 12 / 09 at 2:00 p.m.
Month Day Year Time
Main Entrance Klamath County
Place Courthouse, 316 Main, 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 Frederic Uggl at 541-440-1004 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 phone number of an organization near you, please call the statewide phone contact number at **800-SAFENET (800-723-3638)**. You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at **503-684-3763** or toll-free in Oregon at **800-452-7636** or you may visit its Web site 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 <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 questions, talk to a lawyer or one of the organizations mentioned above before signing.

Trustee name (print): Loren S. Scott, Atty for Trustee phone number: 541-868-8005
Successor Trustee, Keith Y. Boyd
Trustee signature: [Signature] Date: 6 / 2 / 09

After recording mail to:
Keith Y. Boyd, Successor Trustee
Muhlheim Boyd, LLP
88 E. Broadway
Eugene, OR 97401

Until a change is requested, mail tax statements to:
Ashton and Stephanie Crabb
512 Ewald Avenue S.
Salem, OR 97302-4745

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Lane, ss:

I, Loren S. Scott, Attorney for Keith Y. Boyd, Successor Trustee, being first duly sworn, depose, and say and certify that:

Reference is hereby made to that certain trust deed made by Ashton L. Crabb and Stephanie Crabb, as tenants by the entirety, as grantor, to AmeriTitle, Inc., as trustee, in favor of Frederic L. Uggla, as beneficiary, dated February 1, 2008, recorded February 4, 2008, in the mortgage records of Klamath County, Oregon, reception number 2008-001395.

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 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 attached notice of sale 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:

Ashton and Stephanie Crabb
512 Ewald Avenue S.
Salem, OR 97302-4745
Notice Mailed on June 2, 2009

OCCUPANT
1325 Cheryl Drive
LaPine, OR 97739
Notice Mailed on June 2, 2009

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.

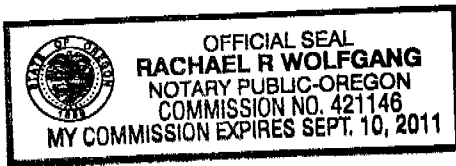
Each of the notices so mailed were certified to be a true copy of the original notice of sale by Loren S. Scott, the attorney for the successor trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by my staff in the United States post office at Eugene, Oregon, on the dates indicated above. 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 notice of sale was recorded.

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

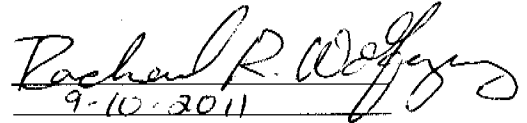


Loren S. Scott, OSB #024502
Attorney for Keith Y. Boyd, Successor Trustee

Subscribed and sworn to before me this 2nd day of June, 2009, by Loren S. Scott, Attorney for Keith Y. Boyd, Successor Trustee.



Notary Public for Oregon
My commission expires:


9-10-2011

AFFIDAVIT OF SERVICE
TRUSTEE'S NOTICE OF SALE

Case Number: _____

Beneficiary:
FREDERIC L. UGGLA

vs.

Grantor(s):
ASHTON L. CRABB & STEPHANIE CRABB,

For:
Keith Y. Boyd
Muhlheim Boyd
Corner of Broadway & Oak
88 East Broadway
Eugene, OR 97401-3135

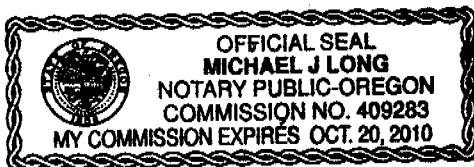
Received by CENTRAL LEGAL SERVICES on the 5th day of June, 2009 at 11:45 am to be served on **Occupant(s), 1325 Cheryl Drive, La Pine, OR 97739.**

I, Eric Mathews, being duly sworn, depose and say that on the **5th day of June, 2009 at 12:55 pm, I:**

did attempt to serve TRUSTEE'S NOTICE OF SALE upon the occupant(s) of the dwelling/building located at 1325 Cheryl Drive, La Pine, OR 97739 but upon personal inspection and observation determined that this address is bare land and undeveloped and therefore UNOCCUPIED.

A copy of TRUSTEE'S NOTICE OF SALE was placed inside a protective plastic sleeve and affixed to a stake which was then driven into the ground.

I further certify that I am a competent person over the age of 18 and a resident of 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: that the person served by me is the identical person named in the action. I also declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service including service fees is true and correct.



Subscribed and Sworn to before me on the 5th day of June, 2009 by the affiant who is personally known to me.

NOTARY PUBLIC

A handwritten signature in black ink, appearing to read "EM", is written over a horizontal line.

Eric Mathews
Process Server

CENTRAL LEGAL SERVICES
P.O. Box 130
Bend, OR 97709
(541) 389-8133

Our Job Serial Number: 2009001480
Ref: 25710001

AFFIDAVIT OF DUE DILIGENCE

State of Oregon

County of Lane

Court

Case Number: _____ Court Date: 10/12/2009 2:00 pm

Beneficiary:
FREDERIC L. UGGLA,

vs.

Grantor:
ASHTON L. CRABB AND STEPHANIE CRABB,

For:
Keith Boyd
Muhlheim Boyd
88 East Broadway
Eugene, OR 97401

Received by Free Lance Investigations to be served on **ASHTON CRABB, 512 EWALD AVE S, SALEM, OR 97302.**

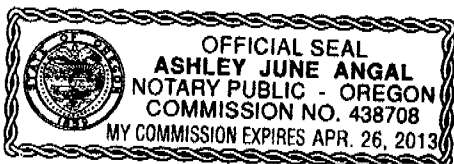
I, Julie M. Field, being duly sworn, depose and say that on the **8th day of June, 2009 at 11:31 am, I:**

After due and diligent attempts I was unable to serve the **TRUSTEE'S NOTICE OF SALE AND SECTION 20 NOTICE** upon the above named party.

Additional Information pertaining to this Service:

6/7/2009 4:00 pm Attempted Service. This home is owned by defendants sister/sister in law. Defendant had been staying with her for a while until two months ago. Left card with sister in law who said she might possibly see them that night.

I am a competent person over 18 years of age and a resident of the State of Oregon. I am not a party to nor an officer, director or employee of, nor attorney for any party. The entity served is the same entity named in the action.



Subscribed and Sworn to before me on the 9th day of June, 2009 by the affiant who is personally known to me.

Ashley June Angal
NOTARY PUBLIC

My Commission Expires: 4-26-13

Julie M. Field
Julie M. Field
Process Server

Free Lance Investigations
& Process Serving
P.O. Box 1948
Hillsboro, OR 97123
(503) 547-8444

Our Job Serial Number: 2009004254
Ref: 25710001

ORIGINAL

AFFIDAVIT OF DUE DILIGENCE

State of Oregon

County of Lane

Court

Case Number: _____ Court Date: 10/12/2009 2:00 pm

Beneficiary:
FREDERIC L. UGGLA,

vs.

Grantor:
ASHTON L. CRABB AND STEPHANIE CRABB,

For:
Keith Boyd
Muhlheim Boyd
88 East Broadway
Eugene, OR 97401

Received by Free Lance Investigations to be served on **STEPHANIE CRABB, 512 EWALD AVE S, SALEM, OR 97302.**

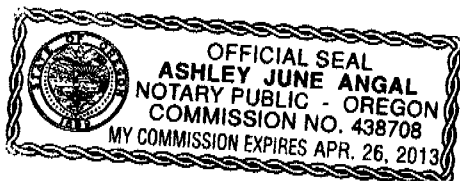
I, Julie M. Field, being duly sworn, depose and say that on the **8th day of June, 2009 at 11:31 am, I:**

After due and diligent attempts I was unable to serve the **TRUSTEE'S NOTICE OF SALE AND SECTION 20 NOTICE** upon the above named party.

Additional Information pertaining to this Service:

6/7/2009 4:00 pm Attempted Service. This home is owned by defendants sister/sister in law. Defendant had been staying with her for a while until two months ago. Left card with sister in law who said she might possibly see them that night.

I am a competent person over 18 years of age and a resident of the State of Oregon. I am not a party to nor an officer, director or employee of, nor attorney for any party. The entity served is the same entity named in the action.



Subscribed and Sworn to before me on the 9th day of June, 2009 by the affiant who is personally known to me.

Ashley June Angal
NOTARY PUBLIC
My Commission Expires: 4.26.13

Julie M. Field
Julie M. Field
Process Server

Free Lance Investigations
& Process Serving

P.O. Box 1948
Hillsboro, OR 97123

(503) 547-8444

Our Job Serial Number: 2009004256

Ref: 25710001

ORIGINAL

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 # 11396

Notice of Sale/Ashton L & Stephanie Crabb

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:

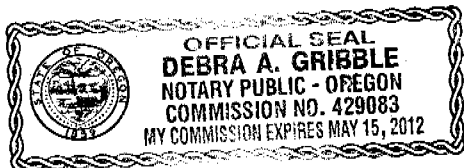
July 8, 15, 22, 29, 2009

Total Cost: \$1,032.90

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: July 29, 2009

Debra A Gribble
Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Ashton L. Crabb and Stephanie Crabb, as tenants by the entirety, as grantor, to AmeriTitle, Inc., as trustee, in favor of Frederic L. Uggla, as Beneficiary, dated February 1, 2008, recorded February 4, 2008, Reception No. 2008-001395, Official Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Lot 10 in Block 17 of TRACT NO. 1061, Second Addition to River Pine Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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 ORS 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly principal and interest installments of \$299.75 beginning November 4, 2008 through May 4, 2009 of \$2,098.25, plus monthly principal and interest installments of \$299.75 each month thereafter until paid; accrued late charges of \$89.94 as of April 19, 2009, plus monthly late fees of \$14.99 after May 19, 2009 and each month thereafter; plus costs and expenses to be reimbursed pursuant to the note and trust deed.

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:

The principal sum of \$29,894.10; plus accrued interest of \$2,209.04 and accrued late charges of \$89.94 through May 7, 2009; plus interest on the principal balance at the rate of 11.99 percent per annum from May 7, 2009 until paid; plus unpaid late fees from May 19, 2009 until paid; plus the cost of the foreclosure report; plus costs and attorneys fees; plus any other sums due or that may become due under the note and trust deed.

Plus additional late charges, collection fees, trustee and attorney fees, costs advanced, and any other advances incurred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice is hereby given that Keith Y. Boyd, the undersigned Successor Trustee, will on **October 12, 2009, at the hour of 2:00 o'clock p.m.**, in accord with the standard of time established by ORS 187.110, at the Main entrance of the Klamath County Courthouse, 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 had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations secured thereby 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 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 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.

DATED this 2nd day of June, 2009. Loren S. Scott, OSB #024502, Attorney for Keith Y. Boyd, Successor Trustee
THIS COMMUNICATION IS FROM A "DEBT COLLECTOR," AS DEFINED IN 15 USC §1692a(6). WE ARE ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

#11396 July 8, 15, 22, 29, 2009.