

2009-011671

Klamath County, Oregon



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08/31/2009 03:29:52 PM

Fee: \$36.00

After recording, return to:  
Robert A. Smejkal, P.C.  
Attorney at Law  
PO Box 654  
Eugene, OR 97440

## Affidavit of Publication

1st 1389323

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 # 11421

Notice of Sale/Tasa Tapa, LLC

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:

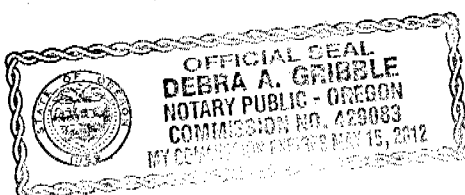
July 11, 18, 25, August 1, 2009

Total Cost: \$1,082.78

Subscribed and sworn by Jeanine P Day  
before me on: August 1, 2009

Notary Public of Oregon

My commission expires May 15, 2012



## AMENDED TRUSTEE'S NOTICE OF SALE

The Trustee, under the terms of the Trust Deed described  
herein, at the direction of the Beneficiaries, hereby elects  
to sell the property described in said Trust Deed to satisfy  
the obligations secured thereby.

A. PARTIES TO THE TRUST DEED: Grantor: TASA TA-  
PA, LLC, an Oregon limited liability company, Trustee:  
ROBERT A. SMEJKAL, Attorney at Law, Beneficiaries:  
KURT D. CONNELL and ERIN RONNIE CONNELL.

B. DESCRIPTION OF THE PROPERTY: "THE NORTH-  
WEST QUARTER OF THE NORTHWEST QUARTER,  
THE SOUTHWEST QUARTER OF THE NORTHWEST  
QUARTER AND THE NORTHEAST QUARTER OF THE  
NORTHWEST QUARTER OF SECTION 20, TOWNSHIP  
24 SOUTH, RANGE 7 EAST OF THE WILLAMETTE  
MERIDIAN, KLAMATH COUNTY, OREGON; EXCEPT-  
ING THEREFROM THE FOLLOWING: BEGINNING AT  
A POINT 600 FEET WEST OF THE QUARTER CORNER  
BETWEEN SECTION 17 AND SECTION 20; THENCE  
SOUTH 110 FEET; THENCE WEST 396 FEET; THENCE  
NORTH 110 FEET; THENCE EAST 396 FEET TO THE  
POINT OF BEGINNING, BEING IN THE NORTHEAST  
QUARTER OF THE NORTHWEST QUARTER OF SEC-  
TION 20 IN TOWNSHIP 24 SOUTH, RANGE 7 EAST OF  
THE WILLAMETTE MERIDIAN, KLAMATH COUNTY,  
OREGON."

C. TRUST DEED INFORMATION: Dated: October 19,  
2006, Recording Date: October 19, 2006, Recording Nos.:  
Volume 2006, Page 021031, Recording Place: Records of  
Klamath County, Oregon.

D. DEFAULT: The Grantor is in default and the Benefi-  
ciaries elect to foreclose the Trust Deed for failure to pay  
the entire balance of the Promissory Note which became  
due in full on October 19, 2008.

E. AMOUNT DUE: By reason of the default, the Benefi-  
ciaries have declared all sums owing on the obligation se-  
cured by the Trust Deed immediately due and payable,  
those sums being the principal amount of \$100,000.00, plus  
accrued interest as of April 7, 2009, in the amount of  
\$9,633.84, plus interest on the principal amount at the rate  
of 17% per annum from April 8, 2009, until paid, plus  
amounts advanced to cure defaults under prior trust  
deeds, together with interest from the date of each ad-  
vance, late fees, attorney fees incurred prior to initiating  
foreclosure of the Trust Deed, attorney fees and costs in-  
curred in connection with foreclosure of the Trust Deed,  
and amounts, if any, advanced pursuant to the terms of  
the Trust Deed and/or applicable law.

F. ELECTION TO SELL: NOTICE IS HEREBY GIVEN  
that the Beneficiaries and the Trustee, by reason of said  
default, have elected and do hereby elect to foreclose said  
Trust Deed by advertisement and sale pursuant to Oregon  
Revised Statutes §86.705 et seq., and to cause to be sold at  
public auction to the highest bidder, for cash or certified  
funds, the interest in said described property which Gran-  
tor had, or had the power to convey, at the time of the ex-  
ecution of the Trust Deed, together with any interest the  
Grantor or successor in interest acquired after the execu-  
tion of the Trust Deed, to satisfy the obligations secured  
by said Trust Deed together with the expenses of sale, in-  
cluding the compensation of the Trustee as provided by  
law, and the reasonable fees of the Trustee's attorney.

G. DATE, TIME AND PLACE OF SALE: Date & Time:  
September 2, 2009, at 1:30 p.m. Place: Inside the front en-  
trance of the Klamath County Courthouse, 316 Main  
Street, Klamath Falls, Oregon.

H. RIGHT TO REINSTATE: NOTICE IS FURTHER GIV-  
EN that at any time prior to five (5) days before the sale,  
this foreclosure proceeding may be dismissed and the  
Trust Deed reinstated by payment to the Trustee of the  
entire amount then due (other than a portion of the princi-  
pal 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 re-  
quired under the obligation or Trust Deed, and in addition  
to paying said sums or by tendering the performance nec-  
essary to cure the default, by paying all costs and expens-  
es to the Trustee actually incurred by the Beneficiaries  
and the Trustee in enforcing the obligation and Trust  
Deed, together with the Trustee's fees and attorney's fees.

I. NOTICE: The Federal Fair Debt Practices Act requires  
we state that this is an attempt to collect a debt and any  
information obtained will be used for that purpose.

## J. MISCELLANEOUS:

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 obliga-  
tion, the performance of which is secured by the Trust  
Deed, and the words "Trustee" and "Beneficiaries" include  
their respective successors in interest, if any.

DATED this 4th day of May, 2009.  
ROBERT A. SMEJKAL, Trustee,  
PO Box 654, Eugene, OR 97440.

#11421 July 11, 18, 25, August 1, 2009.

After recording, return to:  
ROBERT A. SMEJKAL, P.C.  
PO Box 654  
Eugene, OR 97440

Re Trust Deed from Grantor:  
TASA TAPA, LLC  
PO Box 10545  
Eugene, OR 97440

### AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Lane ) ss.

I, ROBERT A. SMEJKAL, being first duly sworn, depose and say that:

At all times hereinafter mentioned, I was and am a resident of the State of Oregon, a competent person over the age of eighteen years, and not the Beneficiary nor the Beneficiary's successor in interest named in the attached original Amended Trustee's Notice of Sale given under the terms of that certain Deed described in the Amended Trustee's Notice of Sale.

I gave notice of the sale of the real property described in the attached Amended Trustee's Notice of Sale by mailing copies thereof by both first class and certified mail, with return receipt requested, to each of the following persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

Name	Address	Date
Tasa Tapa, LLC Attn: Stacie L. Alberts, Registered Agent	PO Box 10545 Eugene, OR 97440	May 4, 2009

These persons include: (a) the Grantor in the Trust Deed; (b) any successor in interest to the Grantor whose interest appears of record or of whose interest the Trustee or the Beneficiary have 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 have actual notice of the lien or interest; and (d) any person requesting notice as set forth in ORS 86.785.

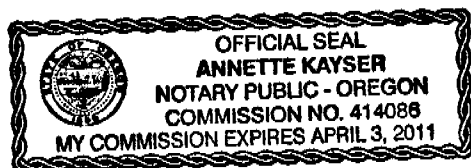
Each of the notices so mailed was certified to be a true copy of the original Amended Trustee's Notice of Sale by ROBERT A. SMEJKAL, Attorney for the Trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Eugene, Oregon, on the date or dates indicated herein. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell was recorded.

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

  
\_\_\_\_\_  
ROBERT A. SMEJKAL

STATE OF OREGON, County of Lane ) ss.

SUBSCRIBED AND SWORN to before me this 4<sup>th</sup> day of May, 2009, by ROBERT A. SMEJKAL.



  
\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

## AMENDED TRUSTEE'S NOTICE OF SALE

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiaries, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby.

**A. PARTIES TO THE TRUST DEED:**

Grantor: TASA TAPA, LLC, an Oregon limited liability company  
Trustee: ROBERT A. SMEJKAL, Attorney at Law  
Beneficiaries: KURT D. CONNELL and ERIN RONNIE CONNELL

**B. DESCRIPTION OF THE PROPERTY:**

"THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 24 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON;

EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING AT A POINT 600 FEET WEST OF THE QUARTER CORNER BETWEEN SECTION 17 AND SECTION 20, THENCE SOUTH 110 FEET; THENCE WEST 396 FEET; THENCE NORTH 110 FEET; THENCE EAST 396 FEET TO THE POINT OF BEGINNING, BEING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20 IN TOWNSHIP 24 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON."

**C. TRUST DEED INFORMATION:**

Dated: October 19, 2006  
Recording Date: October 19, 2006  
Recording Nos.: Volume 2006, Page 021031  
Recording Place: Records of Klamath County, Oregon.

**D. DEFAULT:** The Grantor is in default and the Beneficiaries elect to foreclose the Trust Deed for failure to pay the entire balance of the Promissory Note which became due in full on October 19, 2008.

**E. AMOUNT DUE:** By reason of the default, the Beneficiaries have declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, those sums being the principal amount of \$100,000.00, plus accrued interest as of April 7, 2009, in the amount of \$9,633.84, plus interest on the principal amount at the rate of 17% per annum from April 8, 2009, until paid; plus amounts advanced to cure defaults under prior trust deeds, together with interest from the date of each advance, late fees, attorney fees incurred prior to initiating foreclosure of the Trust Deed, attorney fees and costs incurred in connection with foreclosure of the Trust Deed, and amounts, if any, advanced pursuant to the terms of the Trust Deed and/or applicable law.

**F. ELECTION TO SELL:** NOTICE IS HEREBY GIVEN that the Beneficiaries and the Trustee, by reason of said default, have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes §86.705 et seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in said described property which Grantor had, or had the power to convey, at the time of the execution of the Trust Deed, together with any interest the Grantor or successor in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of sale, including the compensation of the Trustee as provided by law, and the reasonable fees of the Trustee's attorney.

**G. DATE, TIME AND PLACE OF SALE:**

Date & Time: September 2, 2009, at 1:30 p.m.

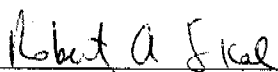
Place: Inside the front entrance of the Klamath County Courthouse,  
316 Main Street, Klamath Falls, Oregon

**H. RIGHT TO REINSTATE:** NOTICE IS FURTHER GIVEN that at any time prior to five (5) days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee of the entire amount then due (other than a 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 by tendering the performance necessary to cure the default, by paying all costs and expenses to the Trustee actually incurred by the Beneficiaries and the Trustee in enforcing the obligation and Trust Deed, together with the Trustee's fees and attorney's fees.

**I. NOTICE:** The Federal Fair Debt Practices Act requires we state that this is an attempt to collect a debt and any information obtained will be used for that purpose.

**J. MISCELLANEOUS:** In construing this Notice, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor as well as any other person owing an obligation, the performance of which is secured by the Trust Deed, and the words "Trustee" and "Beneficiaries" include their respective successors in interest, if any.

**DATED** this 4<sup>th</sup> day of May, 2009.

  
\_\_\_\_\_  
ROBERT A. SMEJKAL, Trustee

STATE OF OREGON, County of Lane ) ss.

I, the undersigned, certify that I am the attorney for the above named Trustee, and that the foregoing is a complete and exact copy of the original Amended Trustee's Notice of Sale.

\_\_\_\_\_  
Attorney for said Trustee