

2010-000809

Klamath County, Oregon



00078348201000008090170177

01/21/2010 03:24:19 PM

Fee: \$122.00

MT085T10

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:

DRABKIN, TANKERSLEY & WRIGHT
PO BOX 625
MC MINNVILLE, OR 97128

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

AFFIDAVIT OF MAILING AND SERVICE
AFFIDAVIT OF PUBLICATION

2. Direct Party (Grantor):

IVEY, DOUGLAS AND SIG-BRITT

3. Indirect Party (Grantee):

N/A

4. True and Actual Consideration Paid:

N/A

5. Legal Description:

See attached

122 AMT

AFFIDAVIT OF MAILING

Re: Trust Deed from
Douglas Ivey and Sig-Britt Ivey, Grantors
to
AmcriTitle, Trustee

AFTER RECORDING, RETURN TO:
DRABKIN, TANKERSLEY & WRIGHT, LLC
Post Office Box 625
McMinnville, OR 97128

AFFIDAVIT OF MAILING AND SERVICE

STATE OF OREGON)
) ss.
County of Yamhill)

I, Thomas C. Tankersley, being first duly sworn, certify that :

1. I am an attorney licensed to practice law in the State of Oregon and successor trustee of the trust deed described below by Appointment recorded August 20, 2009, as Document Number 2009-011209 in the official Records of Klamath County, Oregon.

2. I served the Trustee's Notice of Sale (attached as Exhibit A), and the Notice required under Section 20, Chapter 19, Oregon Laws 2008 (attached as Exhibit B) regarding that certain Trust Deed made by Douglas Ivey and Sig-Britt Ivey as grantors, to AmeriTitle, an Oregon Corporation, Trustee, in favor of Robert I. Carter (now deceased) and Eva M. Carter as beneficiary, dated August 28, 2007, and recorded August 31, 2007, in the mortgage records of Klamath County, Oregon, in Book 2007, Page 015480, on the following parties entitled to notice under ORS 86.740 on August 28, 2009, by causing to be mailed to each of them a true and correct copy, certified by me as such:

Douglas Ivey and Sig-Britt Ivey 47055 Glendale Creek Chiloquin, OR 97624-9613	Douglas Ivey and Sig-Britt Ivey 731 Miner Road Orinda, CA 94563-1530
Gregory F. Cardinale 306 Commonwealth Avenue, Apt 2 Boston, MA 02115	Gregory F. Cardinale c/o Aspen Title & Escrow, Inc. Order #00065227 525 Main Street Klamath, Falls, OR 97601

3. On September 2, 2009, the Trustee's Notice of Sale (attached as Exhibit A), and the Notice required under Section 20, Chapter 19, Oregon Laws 2008 (attached as Exhibit B) regarding that certain Trust Deed made by Douglas Ivey and Sig-Britt Ivey as grantors, to AmeriTitle, an Oregon Corporation, Trustee, in favor of Robert I. Carter (now deceased) and Eva

M. Carter as beneficiary, dated August dated August 28, 2007, and recorded August 31, 2007, in the mortgage records of Klamath County, Oregon, in Book 2007, Page 015480, on the following parties entitled to notice under ORS 86.740 were also mailed to each of the following parties by a true and correct copy, certified by me as such:

Douglas Ivey and Sig-Britt Ivey 3330 Paradise Drive Bel Tiburon, CA 94920-1206	Gregory F. Cardinale 298 Commonwealth Ave., Apt 101 Boston, MA 02115-2427
--	---

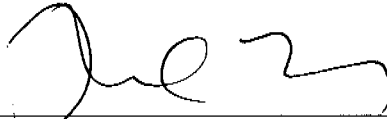
4. Each copy was placed in a sealed envelope addressed to the party at the address shown above, which is the regular office address, or address as last given by the party; the sealed envelopes were then deposited in the United States post office at McMinnville, Oregon, on the date specified above, by Certified Mail, Return Receipt Requested with a copy by Regular Mail, all with postage fully paid. Copies of Receipts for Certified Mail and Return Receipts are attached as Exhibit "C".

5. The Beneficiary indicated that the dwelling located on the property is a vacation cabin and is not occupied.

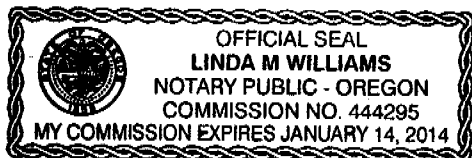
6. I caused to be published a copy of the Notice of Sale in a newspaper of general circulation in the county in which the property is situated, once a week for four successive weeks, as set forth in the Affidavit of Publication attached as Exhibit "D".

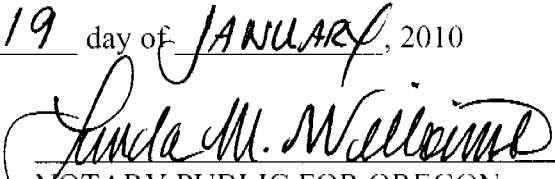
7. I reasonably believe that Douglas Ivey and Sig-Britt Ivey were not, nor are they now, in the military service as defined in the Service Members' Civil Relief Act. The representative of the beneficiary of the trust deed has confirmed that he does not think Douglas Ivey and Sig-Britt Ivey were not, nor are they now, in the military service at the time of service of Trustee's Notice of Sale.

8. I reasonably believe that neither Douglas Ivey nor Sig-Britt Ivey is a minor or incapacitated person.


Thomas C. Tankersley

SUBSCRIBED AND SWORN to me this 19 day of JANUARY, 2010




NOTARY PUBLIC FOR OREGON

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Douglas Ivey and Sig-Britt Ivey, to AmeriTitle, an Oregon Corp., Trustee, in favor of Robert I. Carter (now deceased) and Eva M. Carter, as husband and wife, as beneficiaries, dated August 28, 2007, and recorded August 31, 2007, in the mortgage records of Klamath County in Book 2007, Page 015480, covering the following described real property situated in said county and state, to-wit:

----See attached Exhibit "A"----

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 on August 20, 2009, in the mortgage records of Klamath County, Oregon, as document # 2009-011210 pursuant to Oregon Revised Statutes 86.735(3); the independent defaults for which the foreclosure is made are grantor's failure to pay when due the following sums:

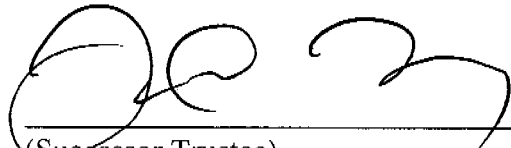
- 1) Insurance premiums, requiring Eva Carter to obtain insurance at a cost of \$559, and
- 2) the scheduled monthly payments of \$1,237.93 each, beginning with the payment due September 1, 2008.

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: \$144,740.39 plus interest at a rate of 8% per annum from September 23, 2008, as well as \$348.27 in past accrued interest, plus \$559 for insurance premiums paid by beneficiary.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 2, 2010, at the hour of 11 o'clock A.M., in accord with the standard of time established by ORS 187.110, at the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, Klamath County, State of Oregon, sell at public auction to the highest bidder for each the interest in the said described real property which the grantor had 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 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 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.

Dated: August 28, 2009.


(Successor Trustee)

State of Oregon)
) ss.
County of Yamhill)

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named successor trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.


(Attorney for Successor Trustee)

/s/ Joseph M. Strunk

CERTIFIED TRUE COPY



/s/ Joseph M. Strunk

RE LAND

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

The South Half of the following described property:

Lots 12, 13, 14, 15, 16, 17 and 18 in Block 4 of IDLEREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2

Lot 25 and Lot 26 in Block 1 of IDLEREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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: 47055 Glendale Creek, Chiloquin, OR, 97624-9613

City: Chiloquin State: OR Zip: 97624-9613

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 to pay as of August 1, 2009, to bring your mortgage loan current was \$ 14, 855.16 for past due monthly payments, \$559 as reimbursement for insurance premiums paid by Eva Carter, and \$983.50 for costs, expenses, and attorney fees. 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 503-472-0344 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: P.O. Box 626, 701 N.E. Evans Street, McMinnville, Oregon, 97128.

THIS IS WHEN AND WHERE YOUR PROPERTY
WILL BE SOLD IF YOU DO NOT TAKE ACTION: February 2, 2010 at 11 A.M.

Place: Klamath County Courthouse

THIS IS WHAT YOU CAN DO TO STOP THE SALE:

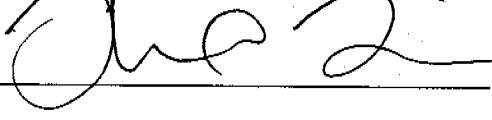
1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call Thomas C Tankersley at 503-472-0344 to find out if your lender is willing to give you more time or change 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 statewide telephone contact number at **800-SAFENET** or **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 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 <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.

Successor Trustee name: Thomas C Tankersley Trustee phone number: 503-472-0344

Successor Trustee signature:  Date: 8/28/09

CERTIFIED TRUE COPY



/s/ Joseph M. Strunk


SENDER: COMPLETE THIS SECTION

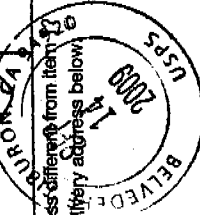
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Douglas Ivey and Sig-Britt Ivey
3330 Paradise Drive
Bel Tiburon, CA 94920-1206

COMPLETE THIS SECTION ON DELIVERY

- A. Signature  ☐ Agent ☐ Addressee
- B. Received by Printed Name C. Date of Delivery 08/28/2009
- D. Is delivery address different from item 2? ☐ Yes ☐ No
If YES, enter delivery address below



3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. Article Number 7007 3020 0000 0170 1026

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

DRABKIN, TANKERSLEY & WRIGHT, LLC

ATTORNEYS AT LAW

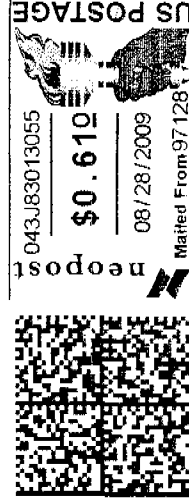
701 NE EVANS STREET

MAILING ADDRESS: POST OFFICE BOX 625

MCMINNVILLE, OREGON 97128

Douglas Ivey and Sig-Britt Ivey
731 Miner Road
Orinda, CA 94563-1530

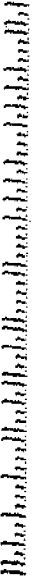
EXHIBIT C
PAGE 1 OF 7



X 970 NFE 1 5081 00 08/28/09
FORWARD TIME EXP RTN TO SENDER
IVEY
3330 PARADISE DR
BEL TIBURON CA 94920-1206

RETURN TO SENDER

945633153012060625



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gregory F. Cardinale
306 Commonwealth Avenue, Apt 2
Boston, MA 02115

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

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

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt
☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

7007 3020 0000 0170 0999

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

DRABKIN, TANKERSLEY & WRIG

ATTORNEYS AT LAW

701 NE EVANS STREET

MAILING ADDRESS: POST OFFICE BOX 6;
MCMINNVILLE, OREGON 97128

PO Box 6-5

EXHIBIT 2 OF 7

021153245612806605

021153245612806605

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 61
Certified Fee	2-70
Return Receipt Fee (Endorsement Required)	8-20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.51



Gregory F. Cardinale
306 Commonwealth Avenue, Apt 2
Boston, MA 02115

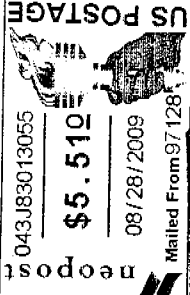
(Signature)

PS Form 3800, August 2006 See Reverse for Instructions

CERTIFIED MAILTM



7007 3020 0000 0170 0999



8/31/09 FIRST NOTICE	SECOND NOTICE	RETURN
-------------------------	---------------	--------

Gregory F. Cardinale
306 Commonwealth Avenue, Apt 2
Boston, MA 02115

X 970 N7E 1 8081 01 08/29/09
FORWARD TIME EXP RTN TO SEND
CARDINALE, GREGORY F
288 COMMONWEALTH AVE APT 101
BOSTON MA 02115-2427

RETURN TO SENDER

DRABKIN, TANKERSLEY & WRIGHT, LLC

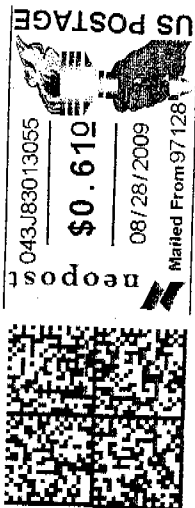
ATTORNEYS AT LAW

701 NE EVANS STREET

MAILING ADDRESS: POST OFFICE BOX 625

MCMINNVILLE, OREGON 97128

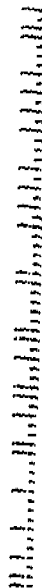
Gregory F. Cardinale
306 Commonwealth Avenue, Apt 2
Boston, MA 02115



X 270 N7E 1 2091 00 09/30/09
FORWARD TIME EXP RTN TO SEND
CARDINALE, GREGORY F
298 COMMONWEALTH AVE APT 101
BOSTON MA 02115-2427

RETURN TO SENDER

0215712800625



U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.51

Douglas Ivey and Sig-Britt Ivey
 47055 Glendale Creek
 Chiloquin, OR 97624-9613

*62201K
 09/28/04*

PS Form 3800, August 2006 See Reverse for Instructions



DRABKIN, TANKERSLEY & WRIG

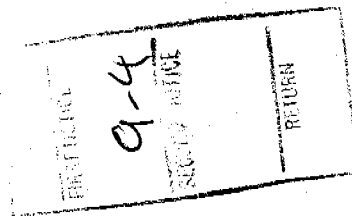
ATTORNEYS AT LAW

701 NE EVANS STREET

MAILING ADDRESS: POST OFFICE BOX 62
 MCMINNIVILLE, OREGON 97128

623

EXHIBIT
 PAGE 4 OF 7



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Douglas Ivey and Sig-Britt Ivey
 47055 Glendale Creek
 Chiloquin, OR 97624-9613

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent
☒ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ G.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number 7007 3020 0000 0170 0975

(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt

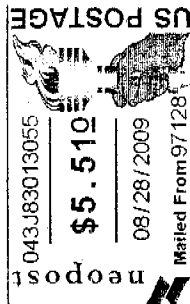
102595-02-M-1540



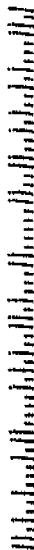
7007 3020 0000 0170 0975



**NOT DELIVERABLE
 AS ADDRESSED
 UNABLE TO DELIVER**
 Douglas Ivey and Sig-Britt Ivey
 47055 Glendale Creek
 Chiloquin, OR 97624-9613



97624-9613 HC63



DRABKIN, TANKERSLEY & WRIGHT, LLC

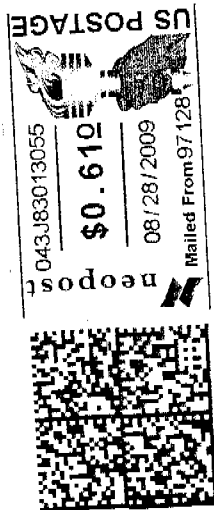
ATTORNEYS AT LAW

701 NE EVANS STREET

MAILING ADDRESS: POST OFFICE BOX 625

MCMINNVILLE, OREGON 97128

Douglas Ivey and Sig-Britt Ivey
47055 Glendale Creek
Chiloquin, OR 97624-9613



NIXIE

974 DE 1

00 09/05/09

RETURN TO SENDER
NO MAIL RECEIPT
UNABLE TO FORWARD

BC: 97128062525

*0929-02405-28-47

976249613 H053
971280625

EXHIBIT
PAGE

C
5 OF 7

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gregory F. Cardinale, c/o Aspen Title & Escrow, Inc.
Order #00065227
525 Main Street
Klamath, Falls, OR 97601

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

B. Received by (Printed Name)

David Peterson

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

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

\$.61

Certified Fee

2.70

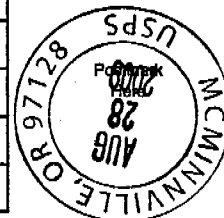
Return Receipt Fee (Endorsement Required)

2.20

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees

\$5.51



Gregory F. Cardinale, c/o Aspen Title & Escrow, Inc.
Order #00065227
525 Main Street
Klamath, Falls, OR 97601

(STUNK)
ARTER

2. Article Number

(Transfer from service label)

7007 3020 0000 0170 1019

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gregory F. Cardinale
298 Commonwealth Ave., Apt 101
Boston, MA 02115-2427

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7007 3020 0000 0170 1057

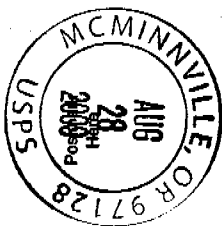
EXHIBIT *C*
PAGE *12* OF *7*

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.51



Douglas Ivey and Sig-Britt Ivey
 731 Miner Road
 Orinda, CA 94563-1530

(Stamp)
 CARTER/NEY

PS Form 3800, August 2006 See Reverse for Instructions

DRABKIN, TANKERSLEY & WRI

ATTORNEYS AT LAW

701 NE EVANS STREET

MAILING ADDRESS: POST OFFICE BOX

MCMINNVILLE, OREGON 97128

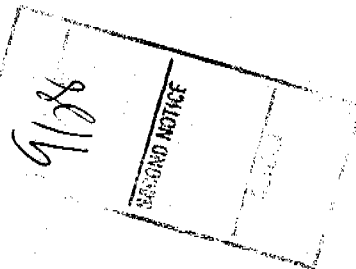


EXHIBIT
 PAGE 7 OF 7

C

SENDER: COMPLETE THIS SECTION

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Douglas Ivey and Sig-Britt Ivey
 731 Miner Road
 Orinda, CA 94563-1530

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

300 0170 0951

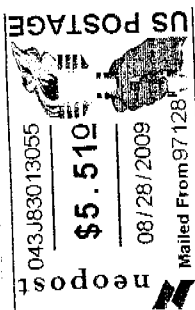
accept

102595-02-M-1540

CERTIFIED MAIL[™]



7007 3020 0000 0170 0951



Douglas Ivey and Sig-Britt Ivey
 731 Miner Road
 Orinda, CA 94563-1530

IVEY731 945633528 1608 58 09/08/09

FORWARD TIME EXP RTN TO SEND

IVEY
 3330 PARADISE DR
 BELVEDERE TIBURON CA 94920-1206

RETURN TO SENDER

9456331530

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 # 11766

Trustee's Notice of Sale

Ivey

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:

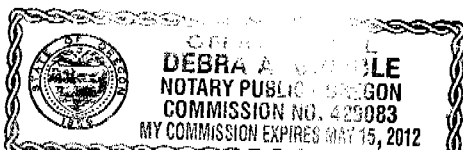
November 11, 18, 25, December 02, 2009

Total Cost: \$1,561.71

Subscribed and sworn by Jeanine P Day
before me on: December 7, 2009

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 Douglas Ivey and Sig-Britt Ivey, to AmeriTitle, an Oregon Corp., Trustee, in favor of Robert I Carter (now deceased) and Eva M. Carter, as husband and wife, as beneficiaries, dated August 28, 2007, and recorded August 31, 2007, in the mortgage records of Klamath County in Book 2007, Page 015480, covering the following described real property situated in said county and state, to-wit:

----See attached Exhibit "A"-----

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 on August 20, 2009, in the mortgage records of Klamath County, Oregon, as document # 2009-011210 pursuant to Oregon Revised Statutes 86.735(3); the independent defaults for which the foreclosure is made are grantor's failure to pay when due the following sums:

- 1) Insurance premiums, requiring Eva Carter to obtain insurance at a cost of \$559, and
- 2) the scheduled monthly payments of \$1,237.93 each, beginning with the payment due September 1, 2008.

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: \$144,740.39 plus interest at a rate of 8% per annum from September 23, 2008, as well as \$348.27 in past accrued interest, plus \$559 for insurance premiums paid by beneficiary.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 2, 2010, at the hour of 11 o'clock A.M., in accord with the standard of time established by ORS 187.110, at the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, Klamath County, State of Oregon, sell at public auction to the highest bidder for each the interest in the said described real property which the grantor had 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 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 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.

Dated: August 28, 2009.
Thomas Tankersley, (Successor Trustee)
State of Oregon, ss. County of Yamhill, I, the undersigned, certify that I am the attorney or one of the attorneys for the

above named successor trustee and that the foregoing is complete and exact copy of the original trustee's notice of sale. (Attorney for Successor Trustee) /s/ Joseph M. Strunk. Certified True copy /s/Joseph M. Strunk.

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

The South Half of the following described property:

Lots 12, 13, 14, 15, 16, 17 and 18 in Block 4 of IDLEREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2

Lot 25 and Lot 26 in Block 1 of IDLEREST, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.
#1766 November 11, 18, 25, December 2, 2009.