

After recording return to:

William M. Ganong  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls, OR 97601

2010-003168

Klamath County, Oregon



00081093201000031680070079

03/11/2010 10:51:10 AM

Fee: \$67.00

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
AND DANGER NOTICE**

STATE OF OREGON, County of Klamath, ss:

I, Wendy Young, secretary to William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601, being first duly sworn, depose, say and certify that:

I am an employee of William M. Ganong, Successor Trustee for the Trust Deed more particularly described in the Notice of Default and Election to Sell and Trustee's Notice of Sale recorded in Book 2009-014184 on November 3, 2009 in the records of the Clerk of Klamath County, Oregon.

On November 3, 2009, I deposited with the United States Postal Service at Klamath Falls, Oregon, sealed envelopes containing a Trustee's Notice of Sale executed by William M. Ganong and containing the information shown on the Trustee's Notice of Sale attached hereto and the Danger Notice required by Section 20, Chapter 19, Oregon Laws 2008, a copy of which is attached hereto. I mailed one such envelope by First Class Mail and one such envelope by Certified Mail with Return Receipt Requested, postage prepaid, to the following named parties at the following address:

Robert Stirret  
4744 Frieda Avenue  
Klamath Falls OR 97603

Occupant  
2660 Bisbee Street  
Klamath Falls OR 97603

Occupant  
2650 Bisbee Street  
Klamath Falls OR 97603

On January 21, 2010, I deposited with the United States Postal Service at Klamath Falls, Oregon, sealed envelopes containing a Trustee's Notice of Sale executed by William M. Ganong and containing the information shown on the Trustee's Notice of Sale attached hereto and the Danger Notice required by Section 20, Chapter 19, Oregon Laws 2008, a copy of which is attached hereto. I mailed one such envelope by First Class Mail and one such envelope by Certified Mail with Return Receipt Requested, postage prepaid, to the following named parties at the following address:

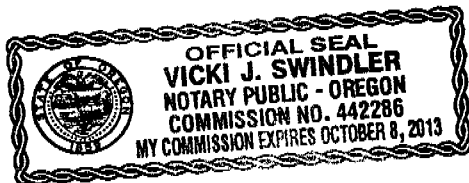
Marsha Eccles  
Guardian and Conservator of Robert Stirret  
Post Office Box T  
Klamath Falls OR 97601

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 or agency having a lien or interest subsequent to the Trust Deed, which lien or interest appears of record or which the beneficiary has actual notice; and (d) any person requesting notice as provided in ORS 86.785.

The addresses shown above are the last known addresses of said parties.

Wendy Young  
Wendy Young, Secretary to  
William M. Ganong, Successor Trustee

This instrument was acknowledged before me on the 8<sup>th</sup> day of March, 2010 by Wendy Young.



Vicki Swindler  
Notary Public for Oregon  
My commission expires: 10-8-2013

TRUSTEE'S NOTICE OF SALE

YOU ARE GIVEN NOTICE THAT:

1. The Beneficiaries have elected to foreclose the Trust Deed described below pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795 in the manner provided by said statute.

2. The Trust Deed is described as follows:

- A. Name of Grantor: Robert Stirret;
- B. Name of Successor Trustee: William M. Ganong;
- C. Names of Beneficiaries: Brian L. Curtis and Dolores Curtis, husband and wife;
- D. The legal description of the property covered by the subject Trust Deed is:

The easterly 50 feet of Lot 6, Block 1, ALTAMONT ACRES, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon, EXCEPTING any portion lying within Bisbee Street.

Klamath County Assessor's Account No.  
R-3909-003DB-01900 and Property ID No. 528897;

E. The book, page number, and the date the subject Trust Deed was recorded in the Mortgage Records of Klamath County, Oregon are: Book: 2009 Page: 10197 Date Recorded: July 28, 2009.

3. The defaults for which the foreclosure is made are the Grantor's failure to pay the monthly installment payments of \$350 each for the months of August, September, and October 2009; accrued late charges of \$50 each, as provided by the Note, for the months of August and September 2009; and \$423 paid by the beneficiaries for dwelling insurance on the property that is the subject of this foreclosure action.

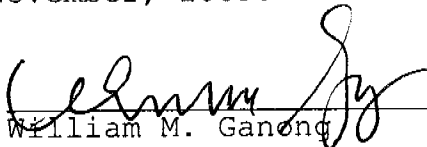
4. As of the date of this Notice, the sums owing on the obligation secured by the Trust Deed are: the principal sum of \$16,000 with interest at the rate of 12 percent per annum from July 27, 2009 until paid; accrued late charges in the amount of \$100 as of October 29, 2009, plus monthly late charges of \$50 each thereafter; \$423 for dwelling insurance, plus interest at the rate of 12.0% per annum from October 14, 2009 until paid; \$200 for the foreclosure guarantee; attorney's fees, trustee's fees, together with any other sums due or that may become due under the Note or by reason of this foreclosure and any further advances made by Beneficiaries as allowed by the Note and Trust Deed.

5. The Successor Trustee will conduct a sale of the above described property at 10 a.m. on the 29th day of March, 2010 at the front entrance to the office of William M. Ganong, 514 Walnut Avenue, Klamath Falls, Oregon.

6. Pursuant to ORS 86.753, the Grantor, the Grantor's successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property, may cure the default or defaults at any time prior to five days before the above said date of sale by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. In addition, the person affecting the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and attorney's fees specified in the said statute.

7. This is an attempt to collect a debt and any information obtained by this office will be used for that purpose.

Dated this 2 day of November, 2009.

  
\_\_\_\_\_  
William M. Ganong  
Successor Trustee

NOTICE REQUIRED BY THE  
FAIR DEBT COLLECTION PRACTICES ACT  
15 U.S.C. § 1692

1. The amount of the debt is as set forth in the attached documentation or correspondence.
2. The name of the creditor to whom the debt is owed is as stated in the attached documentation or correspondence.
3. Unless you, the consumer, within 30 days after receipt of this Notice, dispute the validity of the debt or any portion thereof, the debt will be assumed to be valid by the undersigned. The undersigned, however, reserves the right to file suit, if none has yet been filed, or to take any other appropriate action to collect the debt within this 30-day period.
4. If you, the consumer, notify the undersigned, in writing, within the 30-day period that the debt, or any portion thereof, is disputed, the undersigned will obtain verification of the debt and a copy of such verification will be mailed to you by the undersigned.
5. Upon your written request within the 30-day period, the undersigned will provide you with the name and address of the original creditor, if such original creditor is different from the current creditor.
6. Written requests should be addressed to William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601.
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: 2650 Bisbee Street and 2660 Bisbee Street  
City: State: ZIP: 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 November 2, 2009 to bring your mortgage loan current was \$1,150. 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 541-882-7228 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: William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601.

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

Date: March 29, 2010

Time: 10 a.m.

Place: 514 Walnut Avenue, Klamath Falls, Oregon 97601

**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.

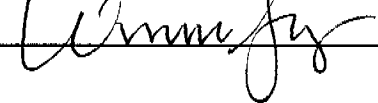
3. You can call William M. Ganong, Attorney at Law at 541-882-7228 to find out if your lender is willing to give you more time or change the terms of your loan.
4. You can sell your home, provided the sale price is enough to pay what you owe.

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](http://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.

Trustee name: William M. Ganong, Attorney at Law

Trustee phone number: 541-882-7228

Trustee signature:  Date: Nov 2, 2009