

2010-006113

Klamath County, Oregon



00084493201000061130080089

05/19/2010 02:46:51 PM

Fee: \$82.00

**RECORDING COVER SHEET**

Pursuant to ORS 205.234

After recording return to:

Northwest Trustee Services, Inc.

As successor trustee

Attention: Nanci Lambert

P.O. Box 997

Bellevue, WA 98009-0997

1st 1519974

1. AFFIDAVIT OF MAILING – TRUSTEE’S NOTICE OF SALE
2. TRUSTEE’S NOTICE OF SALE
3. PROOF OF SERVICE
4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Klamath Adolescent Program, Inc.

Beneficiary: Klamath First Federal Savings & Loan Association

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

F

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned, I was and now am a resident of the State of Washington, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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:

Klamath Adolescent Program, Inc.  
431 Washington Avenue  
Klamath Falls, OR 97601

Klamath Adolescent Program, Inc.  
c/o Betty Skeen, Reg. Agent  
2420 Lindley Way  
Klamath Falls, OR 97601

Occupant(s)  
431 Washington Avenue  
Klamath Falls, OR 97601

Klamath Adolescent Program, Inc.  
3018 Austin Street  
3018 Austin Street  
Klamath Falls, OR 97603-7222

Klamath Adolescent Program, Inc.  
PO Box 56  
Klamath Falls, OR 97601

Klamath Adolescent Program, Inc.  
c/o Betty Skeen, Reg. Agent  
2130 Arthur Street  
Klamath Falls, OR 97603

Klamath Adolescent Program, Inc.  
c/o Robert Wilson  
431 Washington Avenue  
Klamath Falls, OR 97601

Klamath Adolescent Program, Inc.  
2420 Lindley Way  
Klamath Falls, OR 97601

Klamath Adolescent Program, Inc.  
2130 Arthur Street  
Klamath Falls, OR 97603

Klamath Adolescent Program, Inc.  
431 Washington Street  
Klamath Falls, OR 97601

Klamath Adolescent Program, Inc.  
c/o Robert Wilson  
431 Washington Street  
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, 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 was certified to be a true copy of the original notice of sale, each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Bellevue, Washington, on 2.8.10. 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.

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

RE: Trust Deed from

Klamath Adolescent Program, Inc.

Grantor

to

Northwest Trustee Services, Inc.,

Trustee

File No. 7680.20330

After recording return to:

Northwest Trustee Services, Inc.

Successor by merger to Northwest Trustee Services, PLLC

(formerly known as Northwest Trustee Services, LLC)

Attn: Nanci Lambert

P.O. Box 997

Bellevue, WA 98009-0997

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

STATE OF WASHINGTON )

COUNTY OF KING )

) ss.

I certify that I know or have satisfactory evidence that Melinda Indeman is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 2/8/10

Ashley Ann Hogan  
NOTARY PUBLIC in and for the State of  
Washington, residing at 1475  
My commission expires 9/30/12

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

**RE: Trust Deed from  
Klamath Adolescent Program, Inc.  
Grantor**

**to  
Northwest Trustee Services, Inc.,  
Trustee**

**File No. 7680.20330**

**After recording return to:**

**Northwest Trustee Services, Inc.**

**Successor by merger to Northwest Trustee Services, PLLC  
(formerly known as Northwest Trustee Services, LLC)**

**Attn: Nanci Lambert**

**P.O. Box 997**

**Bellevue, WA 98009-0997**

**ASHLEY ANN HOGAN  
STATE OF WASHINGTON  
NOTARY PUBLIC  
MY COMMISSION EXPIRES  
9-30-12**

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Klamath Adolescent Program, Inc., as grantor, to William L. Sisemore, as trustee, in favor of Klamath First Federal Savings & Loan Association, as beneficiary, dated 06/29/98, recorded 06/29/98, in the mortgage records of Klamath County, Oregon, as Vol. M98 Page 22894, covering the following described real property situated in said county and state, to wit:

LOT 9 IN BLOCK 47 OF FIRST ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

TOGETHER WITH all improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing to this Security Instrument as "Property".

PROPERTY ADDRESS: 431 Washington Street  
Klamath Falls, OR 97601

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 of \$561.27 beginning 08/10/09; plus late charges of \$28.06 each month beginning 08/25/09; plus prior accrued late charges of \$6.22; plus advances of \$209.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$58,736.50 with interest thereon at the rate of 7.625 percent per annum beginning 07/10/09; plus late charges of \$28.06 each month beginning 08/25/09 until paid; plus prior accrued late charges of \$6.22; plus advances of \$209.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on **June 10, 2010** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby 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 described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, [www.northwesttrustee.com](http://www.northwesttrustee.com). 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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.

### NOTICE TO TENANTS

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease, you must give the trustee a copy of the rental agreement. If you do not have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is **May 11, 2010**. The name of the trustee and the trustee's mailing address are listed on this notice.

Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law.

You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so.

If you believe you need legal assistance with this matter, you may contact the Oregon State Bar Association (16037 Upper Boones Ferry Road, Tigard, Oregon 97224, (503)620-0222, toll-free in Oregon (800)452-8260) and ask for lawyer referral service. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance; a county-by-county listing of legal aid resources may be found on the Internet at <http://www.osbar.org/public/ris/lowcostlegalhelp/legalaid.html>.

The trustee's rules of auction may be accessed at [www.northwesttrustee.com](http://www.northwesttrustee.com) and are incorporated by this reference. You may also access sale status at [www.northwesttrustee.com](http://www.northwesttrustee.com) and [www.USA-Foreclosure.com](http://www.USA-Foreclosure.com).

Northwest Trustee Services, Inc.

Dated: FEBRUARY 2, 20 10

By

Assistant Vice President,  
Northwest Trustee Services, Inc.

For further information, please contact:

**Nanci Lambert**  
**Northwest Trustee Services, Inc.**  
**P.O. Box 997**  
**Bellevue, WA 98009-0997**  
**(425) 586-1900**  
**File No.7680.20330/Klamath Adolescent Program, Inc.**

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

By Authorized Signer

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

**PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS**

STATE OF: Oregon  
COUNTY OF: Klamath

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: Occupants of **431 Washington St. Klamath Falls, OR 97601**

☐ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to \_\_\_ at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to \_\_\_, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☒ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

1<sup>st</sup> Attempt: February 09, 2010 4:53 PM Posted

2<sup>nd</sup> Attempt: February 16, 2010 1:58 PM Posted

3<sup>rd</sup> Attempt: February 19, 2010 2:37 PM Posted

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on \_\_\_ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the day of February 23, 2010, I mailed a copy of the Trustee's Notice of Sale addressed to All Known Occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed

*Chelsey Meek*

**431 Washington St. Klamath Falls, OR 97601**

**ADDRESS OF SERVICE**

I further certify that I am a competent person 18 years of age or older and a resident of the state of service 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, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

February 09, 2010 4:53 PM  
**DATE OF SERVICE TIME OF SERVICE**

☐ or non occupancy

By:

*[Signature]*

JOHN W. BOLENBAUGH

Subscribed and sworn to before on this 22<sup>nd</sup> day of February, 2010.

*Margaret A. Nielsen*  
Notary Public for Oregon



1002.146219

# 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 # 12080

Trustee's Notice of Sale

Klamath Adolescent Program, Inc.

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:

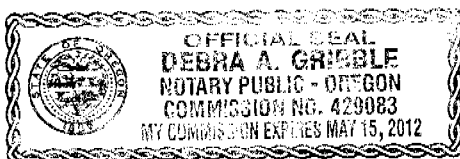
March 10, 17, 24, 31, 2010.

Total Cost: \$1,659.29

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day  
before me on: April 5, 2010

*Debra A Grizzle*  
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 Klamath Adolescent Program, Inc., as grantor, to William L. Sisemore, as trustee, in favor of Klamath First Federal Savings & Loan Association, as beneficiary, dated 06/29/98, recorded 06/29/98, in the mortgage records of Klamath County, Oregon, as Vol. M98 Page 22894, covering the following described real property situated in said county and state, to wit: LOT 9 IN BLOCK 47 OF FIRST ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. TOGETHER WITH all improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing to this Security Instrument as "Property". PROPERTY ADDRESS: 431 Washington Street Klamath Falls, OR 97601.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 of \$561.27 beginning 08/10/09; plus late charges of \$28.06 each month beginning 08/25/09; plus prior accrued late charges of \$6.22; plus advances of \$209.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$58,736.50 with interest thereon at the rate of 7.625 percent per annum beginning 07/10/09; plus late charges of \$28.06 each month beginning 08/25/09 until paid; plus prior accrued late charges of \$6.22; plus advances of \$209.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 10, 2010 at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby 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 described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, [www.northwesttrustee.com](http://www.northwesttrustee.com). 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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. **NOTICE TO TENANTS** If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement. If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of sale. If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out. To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease, you must give the trustee a copy of the rental agreement. If you do not have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is May 11, 2010. The name of the trustee and the trustee's mailing address are listed on this notice. Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law. You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so. If you believe you need legal assistance with this matter, you may contact the Oregon State Bar Association (16037 Upper Boones Ferry Road, Tigard, Oregon 97224, (503)620-0222, toll-free in Oregon (800)452-8260) and ask for lawyer referral service. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance; a county-by-county

may be eligible for free legal assistance; a county-by-county listing of legal aid resources may be found on the Internet at <http://www.osbar.org/public/ris/lowcostlegalhelp/legalaid.html>. The trustee's rules of auction may be accessed at [www.northwesttrustee.com](http://www.northwesttrustee.com) and are incorporated by this reference. You may also access sale status at [www.northwesttrustee.com](http://www.northwesttrustee.com) and [www.USA-Foreclosure.com](http://www.USA-Foreclosure.com). Northwest Trustee Services, Inc. For further information, please contact: Nanci Lambert Northwest Trustee Services, Inc. P.O. Box 997 Bellevue, WA 98009-0997 586-1900 File No.7680.20330/Klamath Adolescent Program, Inc. (TS# 7680.20330) 1002.146219-FEI. #12080 March 10, 17, 24, 31, 2010.