

UTC 67563

2010-012416

Klamath County, Oregon



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10/20/2010 03:26:38 PM

Fee: \$67.00

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:

Joseph E. Kellerman
Hornecker, Cowling, Hassen & Heysell, LLP
717 Murphy Road
Medford, OR 97504

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

Affidavit of Mailing Amended Trustee's Notice of Sale
Affidavit of Publication

2. Direct Party (Grantor):

Legacy One Properties Group LLC, an Oregon limited liability company

3. Indirect Party (Grantee):

PremierWest Bank

4. True and Actual Consideration Paid:

5. Legal Description:

See attached

UTAMt

After Recording Return to:
Joseph E. Kellerman
Hornecker, Cowling, Hassen & Heysell, LLP
717 Murphy Road
Medford, OR 97504

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

State of Oregon)
) ss.
County of Jackson)

I, Joseph E. Kellerman, being first duly sworn, depose and say and certify that:

1. I am the successor trustee under that certain Trust Deed executed and delivered by Legacy One Properties Group, LLC, an Oregon limited liability company, as Grantor, to Aspen Title and Escrow Inc. as Trustee, in which PremierWest Bank is the beneficiary, recorded on November 27, 2007 in book 2007, page 19985 of the official records of Klamath County, Oregon and covering the following described real property, to wit:

Lot 9 and the Westerly 45 feet of Lot 10, Block 49, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, according the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM the South 7 feet thereof for alley conveyed to the City of Klamath Falls in Deed Book 63, Page 67, Deed Records of Klamath County, Oregon.

2. I gave notice of the sale (as required by ORS 86.745) of the real property described in the attached Trustee's Notice of Sale by mailing a true copy thereof by both first-class and certified mail with return receipt requested to each of the following named persons or their legal representatives at their respective last known addresses, to wit:

Legacy One Properties Group, LLC
3024 Front Street
Klamath Falls, OR 97601

Legacy One Properties Group, LLC
2575 Campus Drive, #262
Klamath Falls, OR 97601

3. Said persons include (a) the Grantors in the Trust Deed, (b) any successor-in-interest to the Grantors 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.

4. Each of the notices so mailed was certified to be a true copy of the original by the undersigned, attorney and successor Trustee named in said Notice; each such copy was contained in a sealed envelope, with postage thereon fully pre-paid, and was deposited by me in the United States Post Office at Medford, Oregon on the 25th day of June 2010. 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 the proper form to request and obtain a return receipt 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.

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

DATED this 14th day of October, 2010.

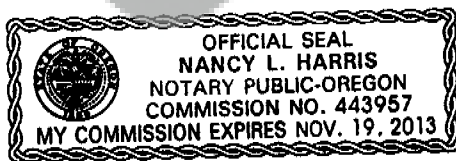
Joseph E. Kellerman

STATE OF OREGON)

) ss.

County of Jackson)

On this 14th day of October, 2010, Joseph E. Kellerman personally appeared in the above-named matter and acknowledged the foregoing instrument to be his voluntary act and deed.



Nancy L. Harris
Notary Public for Oregon

My commission expires: 11-19-2013

AMENDED TRUSTEE'S NOTICE OF SALE

AMENDED NOTICE is hereby given that the obligation secured by the Trust Deed described below is in default, and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: Legacy One Properties Group, LLC, an Oregon limited liability company
Trustee: Aspen Title and Escrow Inc.
Successor Trustee: Joseph E. Kellerman
717 Murphy Road
Medford, OR 97504
Beneficiary: PremierWest Bank
2. Property covered by the Trust Deed: Lot 9 and the Westerly 45 feet of Lot 10, Block 49, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM the South 7 feet thereof for alley conveyed to the City of Klamath Falls in Deed Book 63, Page 67, Deed Records of Klamath County, Oregon.
3. Trust Deed was recorded on November 27, 2007, book 2007, page 19985 of the Official Records of Klamath County, Oregon.
4. Default for which foreclosure is made is failure of Grantor to: 1) comply with affirmative covenants in loan documents which requires Grantor to provide lender various financial statements and additional information and statements; and 2) pay attorneys' and trustee's fees, costs and expenses incurred in connection with original filing of notice of default and election to sell which Grantor responded to by satisfying defaults of payment of real property taxes and monthly payments that were then delinquent.
5. The sum owing on the obligation secured by the Trust Deed is \$339,939.56 as of the 5th day of May 2010 plus at the rate of 12.5%, plus late fees, attorneys' fees, trustee's fees and such sums as the Beneficiary may advance for the benefit of Grantor (*i.e.*, insurance premiums, etc.)
6. The Beneficiary has and does elect to sell the property to satisfy the obligation.

7. The property will be sold in the manner prescribed by law on the 1st day of November 2010, at 10:00 a.m. standard time as established by ORS 187.110, at the front steps of the Klamath County Circuit Court, 316 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon.
8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.
9. In construing this notice and whenever the context hereof so requires, 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 their successors in interest, the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed, and any collateral beneficiary, and their successors in interest.

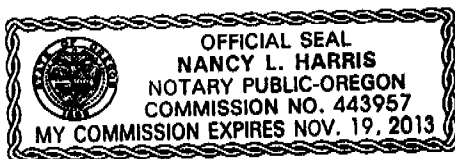
DATED this 25th day of June, 2010.

HORNECKER, COWLING,
HASSEN & HEYSELL, L.L.P.

By: _____
Joseph E. Kellerman, Successor Trustee

STATE OF OREGON)
) ss.
County of Jackson)

On this 25th day of June, 2010, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.



Nancy L. Harris
Notary Public for Oregon
My Commission Expires: 11-19-2013

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 # 12708

Amended Trustee's Notice of Sale

Kellerman

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:

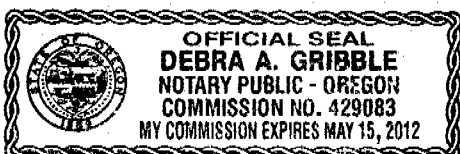
September 10, 17, 24, October 1, 2010

Total Cost: \$936.03

Jeanine P. Day
Subscribed and sworn by Jeanine P. Day
before me on: October 1, 2010

Debra A. Gribble
Notary Public of Oregon

My commission expires May 15, 2012



AMENDED TRUSTEE'S NOTICE OF SALE

AMENDED NOTICE is hereby given that the obligation secured by the Trust Deed described below is in default, and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: Legacy One Properties Group, LLC, an Oregon limited liability company Trustee: Aspen Title and Escrow Inc. Successor Trustee: Joseph E. Kellerman, 717 Murphy Road, Medford, OR 97504 Beneficiary: PremierWest Bank

2. Property covered by the Trust Deed: Lot 9 and the West-erly 45 feet of Lot 10, Block 49, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon. EXCEPTING THEREFROM the South 7 feet thereof for alley conveyed to the City of Klamath Falls in Deed Book 63, Page 67, Deed Records of Klamath County, Oregon.

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5. The sum owing on the obligation secured by the Trust Deed is \$339,939.56 as of the 5th day of May 2010 plus at the rate of 12.5%, plus late fees, attorneys' fees, trustee's fees and such sums as the Beneficiary may advance for the benefit of Grantor (i.e., insurance premiums, etc.)

6. The Beneficiary has and does elect to sell the property to satisfy the obligation.

7. The property will be sold in the manner prescribed by law on the 1st day of November 2010, at 10:00 a.m. standard time as established by ORS 187.110, at the front steps of the Klamath County Circuit Court, 316 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon.

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9. In construing this notice and whenever the context hereof so requires, 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 their successors in interest, the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed, and any collateral beneficiary, and their successors in interest.

DATED this 25th day of June 2010.

HORNECKER, COWLING,

HASSEN & HEYSELL, L.L.P.

By: Joseph E. Kellerman, Successor Trustee

#12708 September 10, 17, 24, October 01, 2010.