

2010-013877

Klamath County, Oregon



00093704201000138770210212

12/06/2010 03:35:44 PM

Fee: \$147.00

**RECORDING COVER SHEET FOR NOTICE  
OF SALE PROOF OF COMPLIANCE PER  
O.R.S. 205.234**

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

WHEN RECORDED MAIL TO

**ASSET FORECLOSURE SERVICES, INC.**, as Trustee  
22837 Ventura Blvd., Suite 350  
Woodland Hills, CA 91364

Trustee's Sale No: OR-USB-096794

**MARK NAME(S) OF ALL THE TRANSACTION(S)** described in the attached instrument. Fill in the Original Grantor on Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of Sale or Proof of Service will be considered a transaction.

☒ **AFFIDAVIT OF MAILING NOTICE OF SALE** (must have trustee's notice of sale attached)

☒ **AFFIDAVIT OF PUBLICATION NOTICE OF SALE**

☒ **PROOF OF SERVICE /AFFIDAVIT OF NON-OCCUPANCY**

**Original Grantor on Trust Deed**

**WILLIAM R NOICE, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY**

**Beneficiary**

**SILVER SIERRA MORTGAGE, INC.**

OR\_AffRecCover

147Am

ASSET FORECLOSURE SERVICES, INC.  
22837 Ventura Blvd., Suite 350  
Woodland Hills, CA 91364  
Phone: (877)237-7878 / Fax:

Trustee Sale No.: OR-USB-096794

Affidavit of Mailing Trustee's Notice of Sale

STATE OF CALIFORNIA                     )  
  ) ss.  
COUNTY OF LOS ANGELES             )

The undersigned, being first duly sworn, states that I am now, and at all times herein mentioned was a citizen of the United States a resident of the State of California, and over the age of eighteen years, and not the beneficiary or his successor in interest named in the attached original Notice of Sale given under the terms of that certain trust deed described in said Notice.

That 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 addresses, to-wit:

WILLIAM R NOICE, 137325 N HIGHWAY 97, CRESCENT, OR, 97733  
WILLIAM R NOICE, VACANT LAND, CRESCENT, OR, 97733

RAY KLEIN INC, C/O FLOYD C MATTSON, BUZ MATTSON & ASSOCIATES PC, 400  
INTERNATIONAL WAY STE 250, SPRINGFIELD, OR, 97477  
RAY KLEIN INC, C/O JOSEPH R HAWES, 400 INTERNATIONAL WAY, SPRINGFIELD, OR, 97477  
RAY KLEIN, INC., AN OREGON CORPORATION, DBA, PROFESSIONAL CREDIT SERVICES, FLOYD  
C MATTSON, PO BOX 7637, EUGENE, OR, 97401  
RAY KLEIN, INC., AN OREGON CORPORATION, DBA, PROFESSIONAL CREDIT SERVICES, PO  
BOX 7548, EUGENE, OR, 97401  
Tenant, 137335 N HIGHWAY 97, CRESCENT, OR, 97733  
WILLIAM R. NOICE, 137335 HWY 97 N, CRESCENT, OR, 97733  
WILLIAM R. NOICE, PO BOX 321, GILCHRIST, OR, 97737

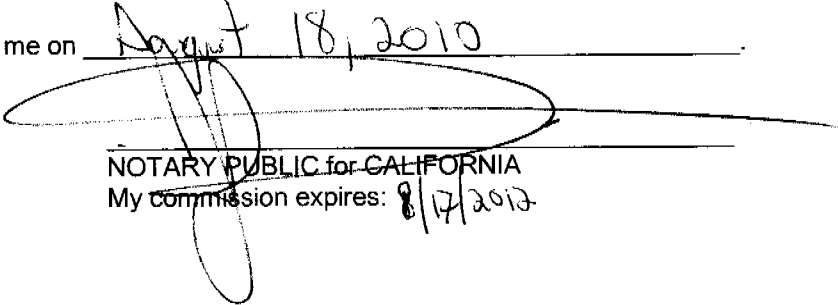
Said persons include (a) the grantor in the trust deed, (b) successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest 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 b ORS 86.785.

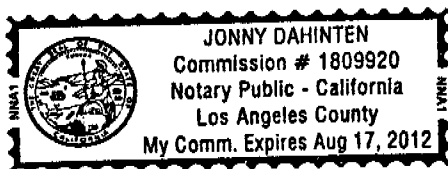
Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by an authorized representative of the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Woodland Hills, CALIFORNIA, on August 18, 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 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.

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

Gina Sepe (Gina Sepe)  
On behalf of ASSET FORECLOSURE SERVICES, INC.

SUBSCRIBED AND SWORN TO before me on August 18, 2010

  
NOTARY PUBLIC for CALIFORNIA  
My commission expires: 8/17/2012



OR-USB-096794

8/17/2010

**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 VACANT LOT 137335 HIGHWAY 97 NORTH , CRESCENT, OR 97733.

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 8/17/2010, to bring your mortgage loan current was \$16,717.35 plus foreclosure fees and costs. 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 (877)237-7878 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: ASSET FORECLOSURE SERVICES, INC., 22837 Ventura Blvd., Suite 350, Woodland Hills, CA 91364.

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

**December 22, 2010, 10:00 AM  
ON THE FRONT STEPS OF THE CIRCUIT COURT**

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 ASSET FORECLOSURE SERVICES, INC. at (877)237-7878 to find out if your lender is willing to give you more time or change the terms of the 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 800-723-3638. 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 the Oregon State Bar Legal Aid at 503-684-3763 or toll free in Oregon at 800-452-7636 or on the web at [www.oregonlawhelp.org](http://www.oregonlawhelp.org).

Your lender may be willing to modify your loan to reduce the interest rate, reduce the monthly payments or both. You can get information about possible loan modification programs by contacting your lender at . If you can't reach your lender, you may contact the trustee at the telephone number at the bottom of this notice. If you have already entered into a loan modification with your lender, it is possible that you will not be able to modify your loan again unless your circumstances have changed. Your lender is not obligated to modify your loan.

You may request to meet with your lender to discuss options for modifying your loan. During discussions with your lender, you may have assistance of a lawyer, a housing counselor or another person of your choosing. To receive a referral to a housing counselor or other assistance available in your community, call this toll-free consumer mortgage foreclosure information number: 800-723-3638. Many lenders participate in new federal loan

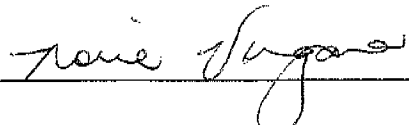
modification programs. You can obtain more information about these programs at [www.makinghomeaffordable.gov/](http://www.makinghomeaffordable.gov/).

IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "MODIFICATION REQUEST FORM." YOUR LENDER MUST RECEIVE THE FORM BY 9/17/2010 WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

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.

DATED 8/17/2010

ASSET FORECLOSURE SERVICES, INC.

Trustee signature: 

Trustee telephone number: (877)237-7878



usbank.com

800 Moreland Street  
Owensboro, KY 42301

Mortgage Loan Number

Dear Mortgagor:

There may be alternatives available to you when your mortgage is delinquent and foreclosure is imminent. Contact us to determine eligibility for one of our loan workout programs. The response should include.

1. A letter explaining the circumstances that caused the default on the loan (Hardship letter).
2. Copies of last two pay stubs for each individual.
3. Copies of last two bank statements for checking & savings.
4. If your home is listed for sale, name and phone number of real estate agent, and a copy of the listing agreement.
5. If you are self employed or applying for a short sale, copies of your last two years tax returns.
6. Complete financial statement (Form Enclosed).
7. Full disclosure of any liens and/or second mortgages. include names, monthly payments, due dates & balances owed.
8. Sign any enclosed waivers or Statements of Understanding or Prenegotiation Agreements.
9. If FHA, sign and return Application to Participate.

Normal collection activities will continue, so a timely response is essential. Please fax the requested information to Default Resolution at 270-689-7590. Please include your loan number on all information sent to this office.

Sincerely,

Loss Mitigation

We are attempting to collect a debt ,any information obtained will be used for that purpose.

FC011/JCB





usbank.com

800 Moreland Street  
Owensboro, KY 42301

### Helpful Tips For Completing Your Financial Package

\*\*\*We recommend that you work with Consumer Credit Counseling for financial counseling. The Toll Free National CCCS Number is 1-800-783-5018.

\*\*\*Application for mortgage assistance will not stop routine collection activity on your account. You should submit the requested information as quickly as possible.

\*\*\*One week after mailing your package, you should contact your Default Resolution representative to ensure that your information was received, and to provide additional information if needed.

\*\*\*Provide all information requested. This includes any applicable modification fees. If you are not able to provide a specific item, provide a written explanation as to why the information is not available.

\*\*\*Complete every item on the financial statement. If an item does not apply, mark "0" or "N/A" so we will know you reviewed the item and determined it did not apply to your situation.

\*\*\*Every person listed on the mortgage should provide the requested financial information. If a person is not able to provide information a written explanation should be submitted.

\*\*\*Your hardship letter should explain why your account is in default and how you feel the default is best resolved. Any supporting documentation, such as doctors' statements, repair bills, etc., should also be provided.

\*\*\*Please do not send original items.

\*\*\*Please type or legibly print your hardship letter.

\*\*\*You may fax your workout package to the Default Resolution Department at (866)-516-2691.

\*\*\*If you have any additional questions, please call 1-800-365-7900.

\*\*\*If you are applying for a short sale or a Deed-in-Lieu of foreclosure and currently have any liens attached to the property, they must be satisfied before we are able to review further for this option.

We are attempting to collect a debt, any information obtained will be used for that purpose.

FC012/JCB





usbank.com

800 Moreland Street  
Owensboro, KY 42301

### Release of Information Authorization

Mortgage Loan Number

To whom it may concern:

I/We hereby authorize my mortgage company and/or its representatives to verify my employment record, banking accounts, credit history and any other information which they find necessary in connection with our Federal Housing Administration, Department of Veterans Affairs, or conventional home loan information.

A photograph or carbon copy of this authorization and my/our signatures may be deemed to be the equivalent of the original and may be used as a duplicate original.

Your prompt reply will help expedite my real estate transaction.

Thank You.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Social Security Number

**\*ALL PARTIES MUST SIGN\***

We are attempting to collect a debt, any information obtained will be used for that purpose.

FC007/JCB





usbank.com

800 Moreland Street  
Owensboro, KY 42301

## Financial Statement

Mortgage Loan Number \_\_\_\_\_

Property Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Borrower Work Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Home Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Co-Borrower Work Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Home Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Total Number of Persons Living in the Property: \_\_\_\_\_

Have you contacted an approved Credit Counselor: \_\_\_\_\_

Please provide the name, telephone number and company of your counselor:

\_\_\_\_\_  
\_\_\_\_\_

Do you receive government assistance (food stamps, disability, etc): \_\_\_\_\_  
If yes, please provide proof.

Do you receive any additional income other than wages: (I.E. rent, child, support, alimony, etc.) \_\_\_\_\_


If yes, amount \$ \_\_\_\_\_ /Month. Please provide proof.

How often are you paid \_\_\_\_\_ WEEKLY \_\_\_\_\_ BI-WEEKLY \_\_\_\_\_ MONTHLY \_\_\_\_\_ OTHER

Are you self employed: \_\_\_\_\_ If so provide a profit and Loss Statement.  
for the past six months.

Do you own any properties other than the above referenced: \_\_\_\_\_

If yes, how many: \_\_\_\_\_ Total Monthly Payment (s) \$ \_\_\_\_\_

Number of cars you own: \_\_\_\_\_ 



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800 Moreland Street  
Owensboro, KY 42301

Please complete the below section listing the "monthly" total for each debt:

|   |    |                      |    |    |
|---|----|----------------------|----|----|
| Auto Loans: (1)                                       | \$ | (1)                  | \$ | \$ |
| Credit Cards: Number of Accounts:                     |    | Mo. Payment (2)      | \$ |    |
| Medical/Life Insurance (not deducted from salary) (3) | \$ |                      | \$ |    |
| Auto Insurance (3)                                    | \$ | Med/Doctor Bills (4) | \$ |    |
| Alimony (5)   | \$ | Child Support (5)    | \$ |    |
| Child Care (6)  | \$ | Student Loans (7)    | \$ |    |
| Equity/Other Loans (8)                                | \$ | Food (9)             | \$ |    |
| Telephone/Cell Phn. (10)                              | \$ | Home Security (10)   | \$ |    |
| Gas/Elec/Water/Trash (11)                             | \$ | Appliance rent (11)  | \$ |    |
| Donations (12)  | \$ | Other/Misc. (12)     | \$ |    |
| Gas/Parking (13)                                      | \$ | Auto Maint. (13)     | \$ |    |
| Cleaning Supplies (14)                                | \$ | Clothes/Dry Cln (15) | \$ |    |
| Newspaper/Magazines (16)                              | \$ | Internet (16)        | \$ |    |
| Cable (17)  | \$ | Satellite (17)       | \$ |    |
| Entertainment (17)                                    | \$ | Mortgage Payment     | \$ |    |

I (we) agree that the financial information provided above is an accurate statement of my (our) financial status. I understand and acknowledge that any action taken by the lender of my mortgage loan account on my behalf will be made in strict reliance on the financial information provided. My signature below grants the holder of my mortgage the authority to confirm the information we have disclosed in the statement, to verify that it is accurate by ordering a credit report and to contact my realtor and/or credit counseling representative (if applicable). I (we) also authorize the following person(s) to gain access to information regarding my (our) account. Please indicate a date that you wish for this authorization to expire.

\_\_\_\_\_  
Authorized party

\_\_\_\_\_  
Date

\_\_\_\_\_  
Borrower

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Borrower

\_\_\_\_\_  
Date

FC008/JCB





usbank.com

800 Moreland Street  
Owensboro, KY 42301

Mortgage Loan Number

\*\*\*\*\*  
\*\*\*\*\*

"LET US HELP YOU SAVE YOUR HOME"

Enclosed is important information regarding your mortgage loan with  
U. S. Bank Home Mortgage. Please read below for details.

\*\*\*\*\*  
\* If you have recently experienced a hardship, \*  
\* including an unexpected increase in expenses, \*  
\* or a decrease in income, you may be eligible \*  
\* for assistance to bring your account current. \*  
\*\*\*\*\*

Our Default Resolution Department may be able to help you save your  
home. Please complete and return the enclosed package to our office  
as soon as possible. Time is of the essence, so please respond today!  
If you have questions or need assistance please contact us by dialing  
1-800-365-7900.

For additional information regarding loss mitigation options for all  
loan types, visit <http://www.hud.gov/offices/hsg/sfh/econ/econ.cfm>.

Sincerely,

Default Resolution

FC013/JCB



**NOTICE TO BORROWER:** YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

**TRUSTEE'S NOTICE OF SALE**

*Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.*  
Trustee's Sale No. OR-USB-096794

Reference is made to that certain Deed of Trust made by, WILLIAM R NOICE, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY, as grantor, to FIRST AMERICAN TITLE INC., CO., as Trustee, in favor of SILVER SIERRA MORTGAGE, INC., as beneficiary, dated 1/19/2006, recorded 1/31/2006, under Instrument No. M06-01978, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

PARCEL 2 OF LAND PARTITION 32-03 LOCATED IN THE NE 1/4 OF SECTION 30, TOWNSHIP 24 SOUTH, RANGE 9 EAST OF WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

The street address or other common designation, if any, of the real property described above is purported to be:

VACANT LOT  
137335 HIGHWAY 97 NORTH  
CRESCENT, OR 97733

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

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 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:

|  | Amount due as of<br>August 17, 2010<br>----- |
|--|--|
| Delinquent Payments from June 01, 2009 |  |
| 9 payments at \$ 1,100.27 each         | \$ 9,902.43                                  |
| 6 payments at \$ 1,077.14 each         | \$ 6,462.84                                  |
| (06-01-09 through 08-17-10)            |  |
| Late Charges:                          | \$ 352.08                                    |
|  | =====  |
| TOTAL:                                 | \$ 16,717.35                                 |

FAILURE TO PAY INSTALLMENTS OF PRINCIPAL, INTEREST, IMPOUNDS AND LATE CHARGES WHICH BECAME DUE 6/1/2009 TOGETHER WITH ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, IMPOUNDS, LATE CHARGES, FORECLOSURE FEES AND EXPENSES; ANY ADVANCES WHICH MAY HEREAFTER BE MADE; ALL OBLIGATIONS AND INDEBTEDNESSES AS THEY BECOME DUE AND CHARGES PURSUANT TO SAID NOTE AND DEED OF TRUST.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

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:

UNPAID PRINCIPAL BALANCE OF \$135,019.02, PLUS interest thereon at 7% per annum from 05/01/09 to 3/1/2010, 7% per annum from 3/1/2010, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on December 22, 2010, at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the 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.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

**Sale Information Line: 714-730-2727 or Website: <http://www.lpsasap.com>**

DATED: 8/17/2010

LSI TITLE OF OREGON, LLC AS TRUSTEE  
By: Asset Foreclosure Services, Inc., as Agent for the Trustee  
22837 Ventura Blvd., Suite 350, Woodland Hills, CA 91364  
Phone: (877)237-7878 Sale Information Line:(714)730-2727

By: Norie Vergara  
Norie Vergara, Sr. Trustee Sale Officer

COUNTY OF LOS ANGELES

) ss.  
)

I certify that I am an authorized representative of trustee, and the foregoing is a complete and exact copy of the original trustee's notice of sale.

Kevin Gersony  
Authorized Representative of Trustee

## **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 the 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 11/22/2010. 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 and ask for the lawyer referral service. Contact information for the Oregon State Bar is included with this notice. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice.**

**Trustee: ASSET FORECLOSURE SERVICES, INC.  
22837 Ventura Blvd., Suite 350  
Woodland Hills, CA 91364**

**Oregon State Bar Lawyer Referral Service: 800-452-7636**

**Contact for free legal assistance through Safenet: 800-SAFENET**

**NOTICE REQUIRED BY THE  
FAIR DEBT COLLECTION PRACTICE ACT  
15 U.S.C. Section 1692**

TS# OR-USB-096794

8/18/2010

**ATTENTION TRUSTORS:**

1. You are hereby notified that ASSET FORECLOSURE SERVICES, INC. is attempting to collect a debt.
2. As of the date of this letter, you owe \$155,896.96. Because of interest, late charges, and other charges that may vary from day to day, or may apply only upon payoff, the amount due on the day you pay may be greater. Hence if you pay the amount shown above, an adjustment may be necessary after we receive your check, in which event we will inform you before depositing the check for collection.
3. The original creditor to whom the debt is/was owed is SILVER SIERRA MORTGAGE, INC.. The current creditor is MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC..
4. The debt will be assumed to be valid by ASSET FORECLOSURE SERVICES, INC. unless WITHIN THIRTY DAYS AFTER THE RECEIPT OF THIS NOTICE, you dispute the validity of the debt or some portion thereof.
5. If you notify ASSET FORECLOSURE SERVICES, INC. in writing within thirty days after the receipt of this Notice that the debt or any portion thereof is disputed, ASSET FORECLOSURE SERVICES, INC. will provide a verification of the debt, and a copy of the verification will be mailed to you by ASSET FORECLOSURE SERVICES, INC.. In attempting to collect the debt, any information obtained will be used for that purpose.
6. If the current creditor is not the original creditor, and if you make a written request to ASSET FORECLOSURE SERVICES, INC. within thirty days after the receipt of this Notice, the name and address of the original creditor will be mailed to you by ASSET FORECLOSURE SERVICES, INC..
7. Written request should be addressed to and further information can be obtained from:

ASSET FORECLOSURE SERVICES, INC.  
22837 Ventura Blvd., Suite 350  
Woodland Hills, CA 91364  
(877)237-7878 (818)591-9599

## **SOLDIERS' AND SAILORS' RELIEF ACT NOTIFICATION**

If you are on active duty in the armed services, or the dependent of a such a person, and you believe that you are entitled to protections afforded under the Soldiers' and Sailors' Relief Act, please contact the undersigned immediately. Failure to do so may result in loss of your rights, if any, under the Act. To facilitate follow-up to any response to this notice, please make any response in writing and describe the circumstances which you believe cause you to be entitled to protection under the Act.

If you have any questions about the applicability of the Soldiers' and Sailors' Relief Act, you should contact a lawyer immediately. The undersigned is not a lawyer and cannot provide you legal advice.

**ASSET FORECLOSURE SERVICES, INC.**  
22837 Ventura Blvd., Suite 350  
Woodland Hills, CA 91364  
(877)237-7878 (818)591-9599

ORUSB096794 / NOICE  
ASAP# 3700171

AFSINC

## AFFIDAVIT OF POSTING

STATE OF OREGON  
County of Deschutes

ss.

I, Robert Donahou, hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale; Notice Pursuant to the Fair Debt Collection Practices Act 15 U.S.C. 1692; Notice: You Are In Danger of Losing Your Property; Notice: This is What You Can Do to Stop the Sale upon the individuals and/or entities named below, by delivering a copy of the aforementioned documents, upon an OCCUPANT at the following "Property Address":

**137335 Highway 97 North  
Crescent, OR 97733**

As follows:


On 08/22/2010 at 4:49 PM, I attempted personal service at the Property Address. I received no answer at the front door and no one appeared to be home. At that time, I POSTED such true copy conspicuously on the front door, pursuant to ORS 86.750 (1)(b)(A).

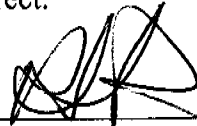
On 08/25/2010 at 9:20 PM, I returned to the Property Address and, again, received no answer at the front door. At that time, I POSTED another such copy conspicuously on the front door, pursuant to ORS 86.750 (1)(b)(B).

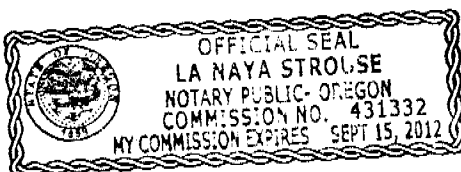
On 08/28/2010 at 7:32 AM, I returned to the Property Address and, again, received no answer at the front door. This attempt in person at the Property Address satisfies the third attempt requirement under ORS 86.750(1)(b)(C).

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 13 day of Sept, 2010  
by Robert Donahou.

  
Notary Public for Oregon

X   
Robert Donahou  
Nationwide Process Service, Inc.  
420 Century Tower  
1201 SW 12th Avenue  
Portland, OR 97205  
(503) 241-0636



\*239988\*

ORUSB096794 / NOICE  
ASAP# 3700171

AFSINC

**AFFIDAVIT OF MAILING**

STATE OF OREGON

County of Multnomah

ss.

I, Sarah Ruth Tasko, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On September 02, 2010, I mailed a copy of the Trustee's Notice of Sale; Notice Pursuant to the Fair Debt Collection Practices Act 15 U.S.C. 1692; Notice: You Are In Danger of Losing Your Property; Notice: This is What You Can Do to Stop the Sale, by First Class Mail, postage pre-paid, to occupant, pursuant to ORS 86.750(1)(b)(C).

The envelope was addressed as follows:

**OCCUPANT**  
**137335 Highway 97 North**  
**Crescent, OR 97733**


This mailing completes service upon an occupant at the above address with an effective date of **08/22/2010** as calculated pursuant to ORS 86.750 (1)(c).

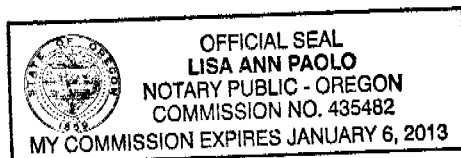
I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 2 day of September, 20 10  
by Sarah Ruth Tasko.

\_\_\_\_\_  
Notary Public for Oregon

X

  
\_\_\_\_\_  
Sarah Ruth Tasko  
Nationwide Process Service, Inc.  
420 Century Tower  
1201 SW 12th Avenue  
Portland, OR 97205  
(503) 241-0636



\*239980\*

# 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 # 12652

Trustee's Notice of Sale

Noice

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:

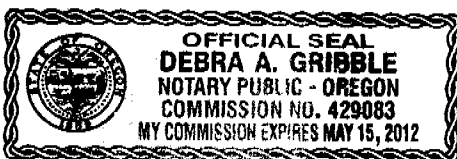
August 31, September 07, 14, 21, 2010

Total Cost: \$1,321.23

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day  
before me on: September 21, 2010

*Debra A Gribble*  
Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq. Trustee's Sale No. OR-USB-096794 NOTICE TO BORROWER: YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Reference is made to that certain Deed of Trust made by, WILLIAM R NOICE, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY, as grantor, to FIRST AMERICAN TITLE INC., CO., as Trustee, in favor of SILVER SIERRA MORTGAGE, INC., as beneficiary, dated 1/19/2006, recorded 1/31/2006, under instrument No. M06-01978, records of KLAMATH COUNTY, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: PARCEL 2 OF LAND PARTITION 32-03 LOCATED IN THE NE 1/4 OF SECTION 30, TOWNSHIP 24 SOUTH, RANGE 9 EAST OF WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. The street address or other common designation, if any, of the real property described above is purported to be: VACANT LOT 137335 HIGHWAY 97 NORTH CRESCENT, OR 97733. The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

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 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: Amount due as of August 17, 2010 Delinquent Payments from June 01, 2009 9 payments at \$ 1,100.27 each \$ 9,902.43 6 payments at \$ 1,077.14 each \$ 6,462.84 (06-01-09 through 08-17-10) Late Charges: \$ 352.08 TOTAL: \$ 16,717.35 FAILURE TO PAY INSTALLMENTS OF PRINCIPAL, INTEREST, IMPOUNDS AND LATE CHARGES WHICH BECAME DUE 6/1/2009 TOGETHER WITH ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, IMPOUNDS, LATE CHARGES, FORECLOSURE FEES AND EXPENSES; ANY ADVANCES WHICH MAY HEREAFTER BE MADE; ALL OBLIGATIONS AND INDEBTEDNESS AS THEY BECOME DUE AND CHARGES PURSUANT TO SAID NOTE AND DEED OF TRUST. ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

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: UNPAID PRINCIPAL BALANCE OF \$135,019.02, PLUS interest thereon at 7% per annum from 05/01/09 to 3/1/2010, 7% per annum from 3/1/2010, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on December 22, 2010, at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the 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. Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same. Sale Information Line: 714-730-2727 or Website: <http://www.lpsasap.com> Dated: 8/17/2010 LSI TITLE OF OREGON, LLC AS TRUSTEE By: Asset Foreclosure Services, Inc., as Agent for the Trustee 22837 Ventura Blvd., Suite 350, Woodland Hills, CA 91364 Phone: (877) 237-7878 Sale Information Line: (714) 730-2727 By: Norie Vergara, Sr. Trustee Sale Officer ASAP# 3700171 08/31/2010, 09/07/2010, 09/14/2010, 09/21/2010. #12652 August 31, September 07, 14, 21, 2010.