

WTC:88657

2011-001003
Klamath County, Oregon



01/26/2011 03:23:13 PM

Fee: \$132.00

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 INSTRUMENT FOR RECORDING, ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

WHEN RECORDED MAIL TO

REGIONAL TRUSTEE SERVICES CORPORATION, as Trustee
616 1st Avenue, Suite 500
Seattle, WA 98104

Trustee's Sale No: 09-FMB-101016



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**
- AFFIDAVIT OF COMPLIANCE (AS REQUIRED BY ORS.750(5))**

Original Grantor on Trust Deed

JOHN A. SHORT III, A SINGLE MAN

Beneficiary

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR GOLF SAVINGS BANK, A WASHINGTON STOCK SAVINGS BANK

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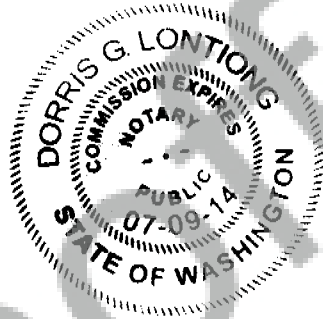
receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the Notice of Default and Election to Sell described in said Notice of Sale was recorded.

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

David J. Bone
On behalf of Regional Trustee Services Corporation

SUBSCRIBED AND SWORN TO before me on 10/14/10

Dorris M. Lontong
NOTARY PUBLIC for WASHINGTON
My commission expires: 7/9/14



Unofficial Copy

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. 09-FMB-101016



Reference is made to that certain Deed of Trust made by, JOHN A. SHORT III, A SINGLE MAN, as grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR GOLF SAVINGS BANK, A WASHINGTON STOCK SAVINGS BANK, as beneficiary, dated 1/24/2007, recorded 1/30/2007, under Instrument No. 2007-001629, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by ONEWEST BANK, FSB. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

ATTACHED HERETO AS EXHIBIT 'A' AND INCORPORATED HEREIN AS THOUGH FULLY SET FORTH.

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

7404 SHORT ROAD
KLAMATH FALLS, OR 97603

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 October 6, 2010

Delinquent Payments from July 01, 2010	
4 payments at \$ 1,193.62 each	\$ 4,774.48
(07-01-10 through 10-06-10)	
Late Charges:	\$ 196.48
Beneficiary Advances:	\$ 283.00
Suspense Credit:	\$ 0.00
	=====
TOTAL:	\$ 5,253.96

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

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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 \$138,934.59, PLUS interest thereon at 7.25% per annum from 06/01/10 to 1/1/2011, 7.25% per annum from 1/1/2011, 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 February 3, 2011, at the hour of 11:00 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.

EXHIBIT FOR LEGAL DESCRIPTION

Trustee's Sale 09-FMB-101016

EXHIBIT 'A'

A TRACT OF LAND 420 FEET BY 270 FEET, SITUATED IN THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 19, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, THENCE SOUTH ALONG SECTION LINE 420 FEET; THENCE EAST 270 FEET; THENCE NORTH 420 FEET TO THE EAST AND WEST CENTER SECTION LINE OF SAID SECTION 19; THENCE WEST ON SAID EAST AND WEST CENTER LINE OF SECTION 19 TO THE POINT OF BEGINNING, ALL IN KLAMATH COUNTY, OREGON.

Unofficial Copy

09-FMB-101016



10/6/2010

**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 7404 SHORT ROAD , 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 10/6/2010, to bring your mortgage loan current was \$8,662.21. 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 1-800-542-2550 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: Regional Trustee Services, 616 1st Avenue, Suite 500, Seattle, WA, 98104.

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

**February 3, 2011, 11:00 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 request that your lender 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 800-723-3638. 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 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.

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 866-354-5947. 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/.

IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "MODIFICATION REQUEST FORM" TO EITHER THE ADDRESS FOR YOUR LENDER LISTED ON THE REQUEST FORM OR TO REGIONAL TRUSTEE SERVICES WHOSE ADDRESS IS LISTED BELOW. YOUR LENDER MUST RECEIVE THE FORM BY 11/5/2010 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 10/6/2010

Regional Trustee Services
616 1ST Avenue, Suite 500
Seattle, WA 98104

Trustee signature: _____

Trustee telephone number: 800-542-2550

Section II: Request for Meeting

The grantor **did not request a meeting** with the beneficiary.

The grantor **made a timely request for a meeting** with the beneficiary and following such request:

The beneficiary or the authorized agent of the beneficiary, who had or was able to obtain authority to modify the loan, either met with the grantor in person or spoke with the grantor by telephone and said meeting was prior to the beneficiary's response to the grantor's request to modify the loan, or

The beneficiary or the authorized agent of the beneficiary attempted to contact the grantor by either contacting the grantor at the grantor's last known address or telephone number or at the grantor's electronic mail address, if the grantor indicated on the loan modification request form that the beneficiary or the beneficiary's agent could contact that grantor at the electronic mail address but the **grantor did not respond** within seven business days of the attempt(s) to contact the grantor.

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DATED this 2 day of NOV., 2010.

By: ONEWEST BANK, FSB

Beneficiary or Authorized Agent

Amy Smith
Name (printed)

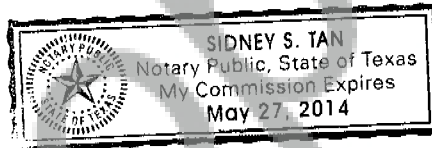
Its: Assistant Secretary

SUBSCRIBED AND SWORN TO before me this 2nd day of November, 2010.

Sidney S. Tan
NOTARY PUBLIC in and for
the State of Texas
residing at Williamson

Sidney S. Tan
(printed or typed name)

My appointment expires: 5/27/14



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 # 12794

Trustee's Notice of Sale

Short III

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:

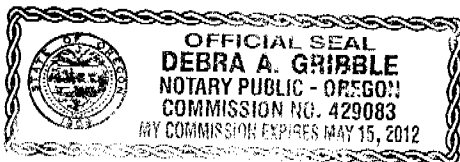
October 15, 22, 29, November 05, 2010

Total Cost: \$1,346.91

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: November 5, 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. 09-FMB-101016

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, JOHN A. SHORT III, A SINGLE MAN, as grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR GOLF SAVINGS BANK, A WASHINGTON STOCK SAVINGS BANK, as beneficiary, dated 1/24/2007, recorded 1/30/2007, under Instrument No. 2007-001629, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by ONEWEST BANK, FSB. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: A TRACT OF LAND 420 FEET BY 270 FEET, SITUATED IN THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 19, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, THENCE SOUTH ALONG SECTION LINE 420 FEET; THENCE EAST 270 FEET; THENCE NORTH 420 FEET TO THE EAST AND WEST CENTER SECTION LINE OF SAID SECTION 19; THENCE WEST ON SAID EAST AND WEST CENTER LINE OF SECTION 19 TO THE POINT OF BEGINNING, ALL IN KLAMATH COUNTY, OREGON. The street address or other common designation, if any, of the real property described above is purported to be: 7404 SHORT ROAD KLAMATH FALLS, OR 97603 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 October 6, 2010 Delinquent Payments from July 01, 2010 4 payments at \$ 1,193.62 each \$ 4,774.48 (07-01-10 through 10-06-10) Late Charges: \$ 196.48 Beneficiary Advances: \$ 263.00 Suspense Credit: \$ 0.00 TOTAL: \$ 5,253.96 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 \$138,934.59, PLUS interest thereon at 7.25% per annum from 06/01/10 to 1/1/2011, 7.25% per annum from 1/1/2011, 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.

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RB-105

WHEREFORE, notice hereby is given that the undersigned trustee, will on February 3, 2011, at the hour of 11:00 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. DATED: 10/6/2010 REGIONAL TRUSTEE SERVICES CORPORATION Trustee By KAREN JAMES, AUTHORIZED AGENT 616 1st Avenue, Suite 500, Seattle, WA 98104 Phone: (206) 340-2550 Sale Information: <http://www.rtrustee.com> ASAP# 3765855 10/15/2010, 10/22/2010, 10/29/2010, 11/05/2010. #12794 October 15, 22, 29, November 05, 2010.