

Asp 68162

2011-001370

Klamath County, Oregon



00096413201100013700290291

02/07/2011 11:32:21 AM

Fee: \$197.00

## 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:

Cal-Western Reconveyance Corporation  
P.O. Box 22004  
525 East Main Street  
El Cajon, CA 92022-9004

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

Affidavit of Mailing Notice of Sale ✓  
Affidavit of Service ✓  
Affidavit of Mailing ✓  
Affidavit of Publication ✓  
Affidavit of Compliance ✓

### 2. Direct Party (Grantor):

Peggy M. Pool

### 3. Indirect Party (Grantee):

### 4. True and Actual Consideration Paid:

### 5. Legal Description:

See attached

1977/1/1

WHEN RECORDED MAIL TO:

Cal-Western Reconveyance Corporation  
P.O. Box 22004  
525 East Main Street  
El Cajon, CA 92022-9004

\*1298639-09\*      \*ANOSXR\*

T.S. NO.: 1298639-09  
LOAN NO.: 3720021472669XX

100547681

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA                      }SS  
COUNTY OF SAN DIEGO                }

I, Brendan McMullen being first duly sworn, depose, say and certify that:


At all times hereinafter mentioned I was and now am a resident of the State of California, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached Notice of Sale given under the terms of that certain trust 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 registered or certified mail and regular mail to each of the following named persons at their last known address, to-wit:

**SEE ATTACHED**

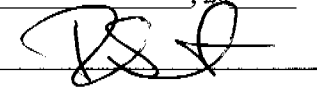
Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

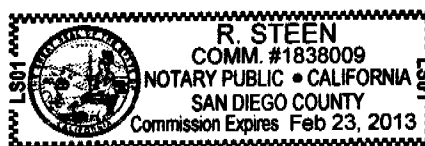
Each of the notices so mailed was certified to be a true copy of the original notice of sale by TAMMY LAIRD, for CAL-WESTERN RECONVEYANCE CORPORATION, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail in San Diego County, California, on October 22, 2010. Each of said notices was mailed after the Notice of Default and Election to Sell described in said Notice of Sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale. The additional notice required under HB3630 was mailed to grantors on or before the date the notice of sale was served or mailed via first class and certified mail with return receipt requested.

  
Affiant

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this \_\_\_\_\_ day of OCT 25 2010, 20

  
Notary Public



## TRUSTEE'S NOTICE OF SALE

I CERTIFY THIS TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL.

Loan No: XXXXXXXXXXXX69XX  
T.S. No: 1298639-09

BY 

Reference is made to that certain deed made by  
PEGGY M. POOL, UNMARRIED as Grantor to  
FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, as Trustee, in favor of

KEYBANK NATIONAL ASSOCIATION as Beneficiary,

dated March 18, 2005, recorded April 20, 2005, in official records of KLAMATH County, OREGON in  
book/reel/volume No. M05 at  
page No. 27674-27679, fee/file/instrument/microfilm/reception No. XX covering the following described  
real property situated in the said County and State, to-wit:

A TRACT OF LAND SITUATED IN THE NORTHEAST 1/4 SOUTHWEST 1/4 OF SECTION 9,  
TOWNSHIP 39 SOUTH, RANGE 9 EAST WILLAMETTE MERIDIAN, KLAMATH COUNTY,  
OREGON, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

Commonly known as:

3941 TINGLEY LN KLAMATH FALLS OR 97603

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations  
secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised  
Statutes: the default for which the foreclosure is made is the grantor's:  
Failure to pay the monthly payment due January 15, 2010 of principal, interest and impounds and  
subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by  
beneficiary pursuant to the terms and conditions of said deed of trust.

Monthly payment \$324.65      Monthly Late Charge \$.00

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust  
immediately due and payable, said sums being following, to-wit; The sum of \$45,852.25 together with  
interest thereon at the rate of 6.890% per annum, from December 15, 2009 until paid; plus all accrued late  
charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary  
pursuant to the terms and conditions of the said deed of trust.

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXXXXXXXX69XX

T.S. No: 1298639-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on February 22, 2011 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at

AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE  
316 MAIN STREET

City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had 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 expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any.

Dated: October 15, 2010

CAL-WESTERN RECONVEYANCE CORPORATION  
525 EAST MAIN STREET  
P.O. BOX 22004  
EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By:  \_\_\_\_\_

TS#1298639

Exhibit A

**A tract of land situated in the Northeast 1/4 Southwest 1/4 of Section 9, Township 39 South, Range 9 East Willamette Meridian, Klamath County, Oregon, and being a portion of Block 16 and vacated Birch Street, Ewauna Park Subdivision, more particularly described as follows:**

**Beginning at a point on the centerline of vacated Birch Street, from which the center 1/4 corner of said Section 9 bears North 33 degrees 17 minutes 23 seconds East 571.15 feet; thence South 19 degrees 18 minutes West 25.00 feet to the Southerly line of said Birch Street; thence North 70 degrees 42 minutes West 191.00 feet, along said Southerly line of Tingley Lane (Manzanita Way by said Ewauna Park); thence North 19 degrees 18 minutes East, along said right of way line, 212.34 feet; thence South 27 degrees 54 minutes 47 seconds East 69.05 feet; thence South 66 degrees 22 minutes 22 seconds East 140.73 feet; thence South 19 degrees 18 minutes West 129.82 feet to the point of the beginning, containing 0.74 acres, with bearings based on said plat of Ewauna Park.**

**CODE:172 MAP:3909-009C0 TL:00300 KEY:R777653**

Loan No: XXXXXXXXXXXX69XX  
T.S. No: 1298639-09

### **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 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 January 23, 2011, 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 you 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 guide-lines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice.

OREGON STATE BAR  
16037 SW Upper Boones Ferry Road  
Tigard, Oregon 97224  
(503) 620-0222  
(800) 452-8260  
<http://www.osbar.org>

Directory of Legal Aid Programs:  
<http://www.oregonlawhelp.org>

**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:**

3941 TINGLEY LN

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 September 09, 2010 to bring your mortgage loan current was \$3,001.14. 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 (800)982-1102 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:

RISK OPERATIONS (LOAN WORKOUT)

4910 TIEDEMAN DRIVE

OH-01-51-0622

BROOKLYN OH 44144

**THIS IS WHEN AND WHERE YOUR PROPERTY WILL BE SOLD**

**IF YOU DO NOT TAKE ACTION:**

Date and time: February 22, 2011 1:00pm

Place: AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY  
COURTHOUSE 316 MAIN STREET

KLAMATH FALLS, Oregon

**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-SAFENET (800-723-3638)**. You may also wish to talk to 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: <http://www.osbar.org>.

Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to <http://www.oregonlawhelp.org>.

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 (800)982-1102 . 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 the 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-SAFENET (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)

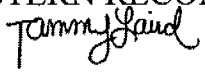
**IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "MODIFICATION REQUEST"**

FORM." YOUR LENDER MUST RECEIVE THE FORM BY November 14, 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: October 15, 2010

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Trustee signature:  \_\_\_\_\_

Trustee telephone number: (800) 546-1531 Ext. 8317

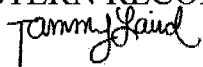
Trustee Sale No.: 1298639-09

FORM." YOUR LENDER MUST RECEIVE THE FORM BY November 14, 2010 WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

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Dated: October 15, 2010

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Trustee signature:  \_\_\_\_\_

Trustee telephone number: (800) 546-1531 Ext. 8317

Trustee Sale No.: 1298639-09

Date \_\_\_\_\_

**FINANCIAL STATEMENT**

Loan # \_\_\_\_\_

**Borrower 1** - NAME \_\_\_\_\_ SSN # \_\_\_\_\_ # of people living in house? \_\_\_\_\_

Currently Employed? (Y/N) \_\_\_\_\_ If no, date of last employment \_\_\_\_/\_\_\_\_/\_\_\_\_ Drawing Unemployment income? (Y/N) \_\_\_\_\_

If yes, date started receiving unemployment income \_\_\_\_/\_\_\_\_/\_\_\_\_ Self-employed? (Y/N) \_\_\_\_\_

If yes, is borrower combining business and personal income? (Y/N) **Name of Employer** \_\_\_\_\_

Disabled? Temporary/Permanent? (T/P) \_\_\_\_\_ If temp. Est. End date \_\_\_\_/\_\_\_\_/\_\_\_\_

**Work Phone #** \_\_\_\_\_ **Home Phone Number** \_\_\_\_\_ **E-mail** \_\_\_\_\_**Borrower 2** - NAME \_\_\_\_\_ SSN# \_\_\_\_\_

Currently Employed? (Y/N) \_\_\_\_\_ If no, date of last employment \_\_\_\_/\_\_\_\_/\_\_\_\_ Drawing Unemployment income? (Y/N) \_\_\_\_\_

If yes, date started receiving unemployment income \_\_\_\_/\_\_\_\_/\_\_\_\_ Self-employed? (Y/N) \_\_\_\_\_

If yes, is borrower combining business and personal income? (Y/N) **Name of Employer** \_\_\_\_\_

Disabled? Temporary/Permanent? (T/P) \_\_\_\_\_ If temp. Est. End date \_\_\_\_/\_\_\_\_/\_\_\_\_

**Work Phone #** \_\_\_\_\_ **Home Phone Number** \_\_\_\_\_ **E-mail** \_\_\_\_\_**FINANCIALS**

Monthly Gross Employment Income \_\_\_\_\_

Less taxes \_\_\_\_\_

Less medical insurance \_\_\_\_\_

Retirement/401K/etc \_\_\_\_\_

**Unemployment Data**

Former Monthly Gross \_\_\_\_\_

Total Severance Pkg Value \_\_\_\_\_

Monthly Unemployment Income \_\_\_\_\_

Profit Sharing \_\_\_\_\_

Rental Income \_\_\_\_\_

Disability/Social Security Income \_\_\_\_\_

Other deductions \_\_\_\_\_ (explain) \_\_\_\_\_

Other Income \_\_\_\_\_ (explain) \_\_\_\_\_

**Expenses****Monthly****Balance****Past Due? (Y/N)****Assets**

Mortgage Payment \_\_\_\_\_

Taxes &amp; Insurance if non escrowed \_\_\_\_\_

HOA Dues \_\_\_\_\_

Food (including meals outside home) \_\_\_\_\_

Utilities: Electric &amp; heat \_\_\_\_\_

Water &amp; Sewer \_\_\_\_\_

Telephone \_\_\_\_\_

Cable TV \_\_\_\_\_

Auto expenses: Gas \_\_\_\_\_

Insurance \_\_\_\_\_

Child Care \_\_\_\_\_

Auto loan payments(s) \_\_\_\_\_

Credit card payment(s) (#) \_\_\_\_\_

Other lien payment(s) (#) \_\_\_\_\_

Other property payment(s) \_\_\_\_\_

Student loans payment(s) \_\_\_\_\_

Medical &amp; Dental \_\_\_\_\_

Rents Paid \_\_\_\_\_

Chapter 13 Trustee \_\_\_\_\_

Alimony &amp; support paid to others \_\_\_\_\_

Other: \_\_\_\_\_

Balance: \_\_\_\_\_

Checking \_\_\_\_\_

Savings \_\_\_\_\_

401K/IRA \_\_\_\_\_

Vehicles: \_\_\_\_\_

# owned \_\_\_\_\_

Value \_\_\_\_\_

Other Property: \_\_\_\_\_

# owned \_\_\_\_\_

Value \_\_\_\_\_

of properties \_\_\_\_\_

Expires \_\_\_\_/\_\_\_\_/\_\_\_\_

**How much money do you have available to contribute as a down payment towards a workout \$ \_\_\_\_\_**

10/22/2010 8:31:31 PM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: Window

Affidavit Attachment: 1680298-01 000 10220822 CWR

Postal Number Sequence Recipient Name

11969002484001168343  
1

PEGGY M POOL

Address Line 1/3

3941 TINGLEY LN

Address Line 2/4

KLAMATH FALLS OR 97603

11969002484001168367  
2

PEGGY M POOL

3941 TINGLEY

KLAMATH FALLS OR 97603

11969002484001168404  
3

PEGGY M POOL

1938 WANTLAND AVE

KLAMATH FALLS OR 97601-3327

11969002484001168435  
4

PEGGY POOL

1938 WANTLAND AVE

KLAMATH FALLS OR 97601-3327

11969002484001168480  
5

Occupant(s) / Tenant(s)

3941 TINGLEY LN

KLAMATH FALLS OR 97603

11969002484001168510  
6

ESTATE ADMINISTRATION UNIT DEPT OF HUMAN

PO BOX 14021

SALEM OR 97309-5024

11969002484001168541  
7

SANDRA SHADDUCK

3941 TINGLEY LANE

KLAMATH FALLS OR 97603

11969002484001168565  
8

LESA SILER

3941 TINGLEY LANE

KLAMATH FALLS OR 97603

11969002484001168596  
9

THOMAS POOL

3941 TINGLEY LANE

KLAMATH FALLS OR 97603

11969002484001168626  
10

SAMUEL POOL

3941 TINGLEY LANE

KLAMATH FALLS OR 97603

11969002484001168657  
11

SANDRA SHADDUCK

1418 WEEPING WILLOW COURT

GRANTS PASS OR 97527

11969002484001168671  
12

LESA SILER

1418 WEEPING WILLOW COURT

GRANTS PASS OR 97527

11969002484001168701

10/22/2010 8:31:31 PM Sender:

CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: Window

Affidavit Attachment: 1680298-01 000 10220822 CWR

Postal Number	Sequence	Recipient Name	Address Line 1/3	Address Line 2/4
11969002484001168343	1	PEGGY M POOL	3941 TINGLEY LN	KLAMATH FALLS OR 97603
11969002484001168367	2	PEGGY M POOL	3941 TINGLEY	KLAMATH FALLS OR 97603
11969002484001168404	3	PEGGY M POOL	1938 WANTLAND AVE	KLAMATH FALLS OR 97601-3327
11969002484001168435	4	PEGGY POOL	1938 WANTLAND AVE	KLAMATH FALLS OR 97601-3327
11969002484001168480	5	Occupant(s) / Tenant(s)	3941 TINGLEY LN	KLAMATH FALLS OR 97603
11969002484001168510	6	ESTATE ADMINISTRATION UNIT DEPT OF HUMAN	PO BOX 14021	SALEM OR 97309-5024
11969002484001168541	7	SANDRA SHADDUCK	3941 TINGLEY LANE	KLAMATH FALLS OR 97603
11969002484001168565	8	LESA SILER	3941 TINGLEY LANE	KLAMATH FALLS OR 97603
11969002484001168596	9	THOMAS POOL	3941 TINGLEY LANE	KLAMATH FALLS OR 97603
11969002484001168626	10	SAMUEL POOL	3941 TINGLEY LANE	KLAMATH FALLS OR 97603
11969002484001168657	11	SANDRA SHADDUCK	1418 WEEPING WILLOW COURT	GRANTS PASS OR 97527
11969002484001168671	12	LESA SILER	1418 WEEPING WILLOW COURT	GRANTS PASS OR 97527

11969002484001169067 29	CODY, BARDEN, DANIELS, INC. DBA THE COMM	P.O. BOX 23909	PORTLAND OR 97281
11969002484001169074 30	CODY, BARDEN, DANIELS, INC. DBA THE COMM	C/O ANTHONY A BUCCINO, OSB NO. 750571 PORTLAND OR 97204	1211 SW 5TH AVE., SUITE 1100
11969002484001169081 31	LESA SILER	3941 TINGLEY LANE	KLAMATH FALLS OR 97603
11969002484001169098 32	THOMAS POOL	3941 TINGLEY LANE	KLAMATH FALLS OR 97603
11969002484001169104 33	SAMUEL POOL	3941 TINGLEY LANE	KLAMATH FALLS OR 97603

10/22/2010 8:31:31 PM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: Window

Affidavit Attachment: 1680298-01 000 10220822 CWR

Postal Number Sequence Recipient Name

71969002484001037573  
1

PEGGY M POOL

Address Line 1/3

3941 TINGLEY LN

Address Line 2/4

KLAMATH FALLS OR 97603

71969002484001037580  
2

PEGGY M POOL

3941 TINGLEY

KLAMATH FALLS OR 97603

71969002484001037597  
3

PEGGY M POOL

1938 WANTLAND AVE

KLAMATH FALLS OR 97601-3327

71969002484001037603  
4

PEGGY POOL

1938 WANTLAND AVE

KLAMATH FALLS OR 97601-3327

71969002484001037610  
5

Occupant(s) / Tenant(s)

3941 TINGLEY LN

KLAMATH FALLS OR 97603

71969002484001037627  
6

ESTATE ADMINISTRATION UNIT DEPT OF HUMAN

PO BOX 14021

SALEM OR 97309-5024

71969002484001037634  
7

SANDRA SHADDUCK

3941 TINGLEY LANE

KLAMATH FALLS OR 97603

71969002484001037641  
8

LESA SILER

3941 TINGLEY LANE

KLAMATH FALLS OR 97603

71969002484001037658  
9

THOMAS POOL

3941 TINGLEY LANE

KLAMATH FALLS OR 97603

71969002484001037665  
10

SAMUEL POOL

3941 TINGLEY LANE

KLAMATH FALLS OR 97603

71969002484001037672  
11

SANDRA SHADDUCK

1418 WEEPING WILLOW COURT

GRANTS PASS OR 97527

71969002484001037689  
12

LESA SILER

1418 WEEPING WILLOW COURT

GRANTS PASS OR 97527

71969002484001037696

10/22/2010 8:31:31 PM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: Window

Affidavit Attachment: 1680298-01 000 10220822 CWR

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3941 TINGLEY LN

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KLAMATH FALLS OR 97603

71969002484001037580  
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PEGGY M POOL

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KLAMATH FALLS OR 97603

71969002484001037597  
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1938 WANTLAND AVE

KLAMATH FALLS OR 97601-3327

71969002484001037603  
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KLAMATH FALLS OR 97603

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SALEM OR 97309-5024

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KLAMATH FALLS OR 97603

71969002484001037672  
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SANDRA SHADDUCK

1418 WEEPING WILLOW COURT

GRANTS PASS OR 97527

71969002484001037689  
12

LESA SILER

1418 WEEPING WILLOW COURT

GRANTS PASS OR 97527

71969002484001037696

71969002484001037856 29	CODY, BARDEN, DANIELS, INC. DBA THE COMM	P.O. BOX 23909	PORTLAND OR 97281
71969002484001037863 30	CODY, BARDEN, DANIELS, INC. DBA THE COMM	C/O ANTHONY A BUCCINO, OSB NO. 750571 PORTLAND OR 97204	1211 SW 5TH AVE., SUITE 1100
71969002484001037870 31	LESA SILER	3941 TINGLEY LANE	KLAMATH FALLS OR 97603
71969002484001037887 32	THOMAS POOL	3941 TINGLEY LANE	KLAMATH FALLS OR 97603
71969002484001037894 33	SAMUEL POOL	3941 TINGLEY LANE	KLAMATH FALLS OR 97603

Department of Defense Manpower Data Center

Sep-09-2010 09:06:41



Military Status Report  
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
POOL	PEGGY	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

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Mary M. Snavely-Dixon, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenseink.mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

***More information on "Active Duty Status"***

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

***Coverage Under the SCRA is Broader in Some Cases***

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.  
Report ID:F4LL8DIA0T

Klamath County, Oregon  
KEYBANK NATIONAL ASSOCIATION, beneficiary  
PEGGY M POOL, grantor  
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee  
TS # 1298639-09  
REF # 351410

AFFIDAVIT OF SERVICE

I hereby certify that I am a competent person 18 years of age or older and meet the requirements in the state of service, am not the beneficiary of the trustee named in the original trustee's Notice of Sale, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or trustee, or successor of either, corporate or otherwise.

I further certify that service was made of the foregoing TRUSTEE'S NOTICE OF SALE; NOTICE TO TENANTS upon an OCCUPANT of **3941 TINGLEY LN, Klamath Falls, OR 97603**, with copy(ies), as follows:

1st attempt: (date) 10/20/10 (time) 1:53 pm ☒ Posted ( ) Served

2nd attempt: (date) 10/25/10 (time) 2:49 pm ☒ Posted ( ) Served

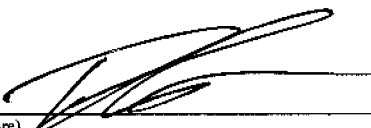
3rd attempt: (date) 10/27/10 (time) 12:20 pm ☒ Posted ( ) Served

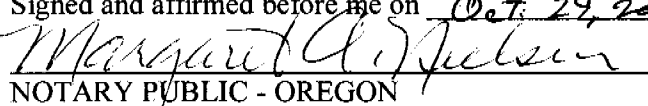
Posted on the property in a secure manner, in a conspicuous place, to wit: Posted to front door

Served upon an adult occupant by delivering a copy

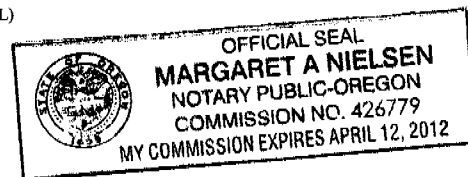
( ) Personally to (name) \_\_\_\_\_,

( ) Substituted to (name) \_\_\_\_\_.

  
(signature) \_\_\_\_\_  
ROBERT W. BOLENBAUGH  
(print name) \_\_\_\_\_

STATE OF OREGON, County of Klamath  
Signed and affirmed before me on Oct. 29, 2010 (SEAL)  
  
NOTARY PUBLIC - OREGON

CLIENT: RELIABLE POSTING & PUBLISHING REF # 351410  
IPS# 67572



INTERSTATE PROCESS SERVING, INC.\*PO Box 80815, Portland OR 97280\* 503/452-7179  
member of  
Oregon Association of Process Servers  
National Association of Professional Process Servers  
Washington State Process Servers Association

351410

Klamath County, Oregon  
KEYBANK NATIONAL ASSOCIATION, beneficiary  
PEGGY M POOL, grantor  
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee  
TS # 1298639-09  
REF # 351410

AFFIDAVIT OF MAILING

I certify that:

I mailed a copy of the TRUSTEE'S NOTICE OF SALE; NOTICE TO TENANTS in a sealed envelope with first class postage thereon fully prepaid and deposited with the United States Post Office on

**November 13, 2010**, addressed as follows:

OCCUPANT  
3941 TINGLEY LN  
Klamath Falls OR 97603.

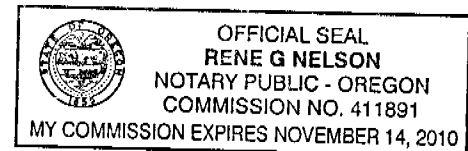
Gloria Carter

STATE OF OREGON, County of Multnomah.

Signed and attested before me on November 13, 2010 by Gloria Carter.

Rene G Nelson (SEAL)

NOTARY PUBLIC - OREGON



CLIENT: RELIABLE POSTING & PUBLISHING REF # 351410  
IPS# 67572

INTERSTATE PROCESS SERVING INC \* P.O. Box 80815, Portland OR 97280 \* 503/452-7179

351410

**TRUSTEE'S NOTICE OF SALE**

I CERTIFY THIS TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL.

Loan No: XXXXXXXXXXXX69XX  
T.S. No: 1298639-09

BY 

Reference is made to that certain deed made by  
PEGGY M. POOL, UNMARRIED as Grantor to  
FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, as Trustee, in favor of  
KEYBANK NATIONAL ASSOCIATION as Beneficiary,

dated March 18, 2005, recorded April 20, 2005, in official records of KLAMATH County, OREGON in  
book/reel/volume No. M05 at  
page No. 27674-27679, fee/file/instrument/microfilm/reception No. XX covering the following described  
real property situated in the said County and State, to-wit:

A TRACT OF LAND SITUATED IN THE NORTHEAST 1/4 SOUTHWEST 1/4 OF SECTION 9,  
TOWNSHIP 39 SOUTH, RANGE 9 EAST WILLAMETTE MERIDIAN, KLAMATH COUNTY,  
OREGON, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

Commonly known as:

3941 TINGLEY LN KLAMATH FALLS OR 97603

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations  
secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised  
Statutes: the default for which the foreclosure is made is the grantor's:  
Failure to pay the monthly payment due January 15, 2010 of principal, interest and impounds and  
subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by  
beneficiary pursuant to the terms and conditions of said deed of trust.

Monthly payment \$324.65      Monthly Late Charge \$.00

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust  
immediately due and payable, said sums being following, to-wit; The sum of \$45,852.25 together with  
interest thereon at the rate of 6.890% per annum, from December 15, 2009 until paid; plus all accrued late  
charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary  
pursuant to the terms and conditions of the said deed of trust.

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXXXXXXXX69XX

T.S. No: 1298639-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on February 22, 2011 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at  
AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE  
316 MAIN STREET


City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had 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 expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any.

Dated: October 15, 2010

CAL-WESTERN RECONVEYANCE CORPORATION  
525 EAST MAIN STREET  
P.O. BOX 22004  
EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By:  \_\_\_\_\_

Loan No: XXXXXXXXXXXX69XX  
T.S. No: 1298639-09

### 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 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 January 23, 2011, 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 you 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 guide-lines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice.

OREGON STATE BAR  
16037 SW Upper Boones Ferry Road  
Tigard, Oregon 97224  
(503) 620-0222  
(800) 452-8260  
<http://www.osbar.org>

Directory of Legal Aid Programs:  
<http://www.oregonlawhelp.org>

TS#1298639

Exhibit A

A tract of land situated in the Northeast 1/4 Southwest 1/4 of Section 9, Township 39 South, Range 9 East Willamette Meridian, Klamath County, Oregon, and being a portion of Block 16 and vacated Birch Street, Ewauna Park Subdivision, more particularly described as follows:

Beginning at a point on the centerline of vacated Birch Street, from which the center 1/4 corner of said Section 9 bears North 33 degrees 17 minutes 23 seconds East 571.15 feet; thence South 19 degrees 18 minutes West 25.00 feet to the Southerly line of said Birch Street; thence North 70 degrees 42 minutes West 191.00 feet, along said Southerly line of Tingley Lane (Manzanita Way by said Ewauna Park); thence North 19 degrees 18 minutes East, along said right of way line, 212.34 feet; thence South 27 degrees 54 minutes 47 seconds East 69.05 feet; thence South 66 degrees 22 minutes 22 seconds East 140.73 feet; thence South 19 degrees 18 minutes West 129.82 feet to the point of the beginning, containing 0.74 acres, with bearings based on said plat of Ewauna Park.

CODE:172 MAP:3909-009C0 TL:00300 KEY:R777653

# 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 # 12861

Trustee's Notice of Sale

Pool

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:

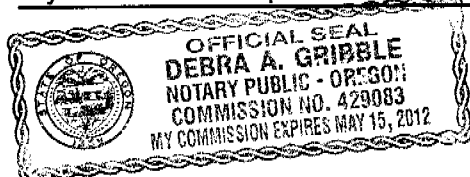
November 16, 23, 30, December 07, 2010

Total Cost: \$1,449.63

Subscribed and sworn by Jeanine P Day  
before me on: December 7, 2010

Debra A Gribble  
Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE

Loan No: xxxxxxxxxxxxx69xx T.S. No.: 1298639-09.

Reference is made to that certain deed made by Peggy M. Pool, Unmarried, as Grantor to First American Title Insurance Company Of Oregon, as Trustee, in favor of Keybank National Association, as Beneficiary, dated March 18, 2005, recorded April 20, 2005, in official records of Klamath, Oregon in book/reel/volume No. m05 at page No. 27674-27679, fee/file/Instrument/microfilm/reception No. xx covering the following described real property situated in said County and State, to-wit: A tract of land situated in the Northeast 1/4 Southwest 1/4 of Section 9, Township 39 South, Range 9 East Willamette Meridian, Klamath County, Oregon, and being a portion of Block 16 and vacated Birch Street, Ewauna Park Subdivision, more particularly described as follows: Beginning at a point on the centerline of vacated Birch Street, from which the center 1/4 corner of said Section 9 bears North 33 degrees 17 minutes 23 seconds East 571.15 feet; thence South 19 degrees 16 minutes West 25.00 feet to the Southerly line of said Birch Street; thence North 70 degrees 42 minutes West 191.00 feet, along said Southerly line of Tingley Lane (Manzanita Way by said Ewauna Park); thence North 19 degrees 18 minutes East, along said right of way line, 212.34 feet; thence South 27 degrees 54 minutes 47 seconds East 69.05 feet; thence South 66 degrees 22 minutes 22 seconds East 140.73 feet; thence South 19 degrees 18 minutes West 129.82 feet to the point of the beginning, containing 0.74 acres, with bearings based on said plat of Ewauna Park. CODE: 172 MAP:3909-009C0 TL:00300 KEY:R777653 Commonly known as: 3941 Tingley Ln, Klamath Falls, OR 97603.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's: Failure to pay the monthly payment due January 15, 2010 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Monthly payment \$324.65 Monthly Late Charge \$.00.

By this reason of said default the beneficiary has declared all obligations secured by said Deed of Trust immediately due and payable, said sums being the following, to-wit: The sum of \$45,852.25 together with interest thereon at 6.890% per annum from December 15, 2009 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of the said deed of trust.

Whereof, notice hereby is given that, Cal-Western Reconveyance Corporation the undersigned trustee will on February 22, 2011 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, At the main street entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon; sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had 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 expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default.

1 trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any. Dated: October 15, 2010. 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 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 January 23, 2011, 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 guide-lines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice. OREGON STATE BAR 16037 SW Upper Boones Ferry Road Tigard, Oregon 97224 (503) 620-0222 (800) 452-8260 <http://www.osbar.org> Directory of Legal Aid Programs: <http://www.oregonlawhelp.org> Cal-Western Reconveyance Corporation 525 East Main Street P.O. Box 22004 El Cajon Ca 92022-9004 Cal-Western Reconveyance Corporation Signature/By: Tammy Laird R-351410 11/16, 11/23, 11/30, 12/07. #12861 November 16, 23, 30, December 07, 2010.

**Affidavit of Compliance with SB 628 of 2009 and HB 3610 of 2010**

Loan No: 3720021472669XX

TS#: 1298639-09

Borrower name(s): PEGGY M. POOL, UNMARRIED

Property Address: 3941 TINGLEY LN  
KLAMATH FALLS OR 97603

The undersigned beneficiary or authorized agent for the beneficiary hereby represents and declares under the penalty of perjury that a person with authority to modify Borrower's loan took the following action prior to the foreclosure sale (select all that apply):

- ☒ No request for a meeting or loan modification was received from the Borrower.
- ☐ The Borrower requested a meeting by telephone or in person within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The beneficiary or beneficiary's authorized agent contacted the Borrower by the methods requested by the Borrower within 45 days of receiving the loan modification request, but the Borrower did not respond within 7 days of contact.
- ☐ The Borrower requested a meeting by telephone or in person within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The beneficiary or beneficiary's authorized agent contacted the Borrower by phone or in person and met with the Borrower prior to making a decision on loan modification.
- ☐ The Borrower requested a loan modification within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The loan modification request was evaluated in good faith within 45 days of receipt. **After considering the most current financial information the Borrower provided**, the beneficiary or beneficiary's agent determined that Borrower is ineligible for a loan modification. The Borrower was provided with a written notification that the Borrower is ineligible for a loan modification that included either (a) an explanation of how the beneficiary or the beneficiary's agent calculated that the Borrower was not eligible for a loan modification; or (b) the information specified for a borrower notice in Supplemental Directive 09-08 issued by the United States Department of the Treasury under the Helping Families Save Their Homes Act of 2009.
- ☐ The Borrower requested a loan modification within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The loan modification request was evaluated in good faith within 45 days of receipt, and the loan modification was denied. The Borrower was provided with a written notification that the Borrower is ineligible for a loan modification that included either (a) an explanation of how the beneficiary or the beneficiary's agent calculated that the Borrower was not eligible for a loan modification; or (b) the information specified for a borrower notice in Supplemental Directive 09-08 issued by the United States Department of the Treasury under the Helping Families Save Their Homes Act of 2009.
- ☐ The Borrower requested a loan modification within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The loan modification request was evaluated in good faith within 45 days of receipt, but Borrower failed to provide information as required.

- [ ] A loan modification was entered, but Borrower failed to comply with its terms.
- [ ] The Borrower requested a loan modification, but did not send the Loan Modification Request Form. The beneficiary or beneficiary's authorized agent contacted the Borrower by the methods requested by the Borrower, but the Borrower did not respond within 7 days of contact.
- [ ] The Borrower requested a loan modification, **but did not send the Loan Modification Request Form**. The loan modification request was evaluated in good faith. After considering the most current financial information the Borrower provided, the beneficiary or beneficiary's agent determined that Borrower is ineligible for a loan modification. The Borrower was provided with a written notification that the Borrower is ineligible for a loan modification that included a description of the basis for the beneficiary's determination and an explanation of the reasons why the Borrower was not eligible.
- [ ] The Borrower requested a loan modification, but did not send the Loan Modification Request Form. The loan modification request was evaluated, but Borrower failed to provide information as required.

DATED: 11/28/2011

KEYBANK NATIONAL ASSOCIATION

Margaret Chiff

STATE OF Ohio  
COUNTY OF Cuyahoga

SUBSCRIBED AND SWORN to me this 18 day of January, 2011

Michelle M. Cottrill  
Notary Public



**MICHELLE M. COTTRILL**  
Notary Public, State of Ohio  
My Commission Expires  
March 17, 2015