

1st 1646510

2011-004055

Klamath County, Oregon



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03/28/2011 02:51:11 PM

Fee: \$142.00

**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:**

**Law Offices of J. Spencer Taylor  
P.O. Box 2647  
Salem, OR 97308-2647**

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

**Affidavit of Mailing Notice of Sale  
Affidavit of Publication  
Affidavit of Compliance**

**Affidavit of Service  
Affidavit of Mailing Danger Notice**

**2. Direct Party (Grantor):**

**J. Spencer Taylor, successor trustee**

**3. Indirect Party (Beneficiary):**

**Holmes, Denny L. and Michelle L.**

**4. True and Actual Consideration Paid:**

**N/A**

**5. Legal Description:**

**See attached**

**6. Deed Reference:**

**M01-59193 and 2009-001665**

f

**AFFIDAVIT OF MAILING  
NOTICE OF SALE**

STATE OF OREGON     )  
                                  )ss.  
County of Marion     )

I, Matthew G. Shepard, under oath, state as follows:

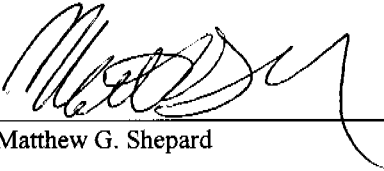
1. Attached hereto is a true and correct copy of the Notice of Sale pertaining to the trust deed dated November 16, 2001, by and between DENNY L. HOLMES and MICHELLE L. HOLMES, Grantors, and DAVID S. WINTERTON, Beneficiary, which was recorded November 19, 2001, in Vol. M01, page 59193 in Klamath County, Oregon. The beneficial interest of said Trust Deed, dated February 4, 2009, by and between DAVID S. WINTERTON, Assignor, and MICHAEL B. ILG, Trustee for Investors Lending Group Profit Sharing Plan, Assignee, was recorded February 10, 2009, in Volume 2009 Page 001665, Official Records of Klamath County, Oregon.
2. On December 6, 2010, a true and correct copy of the Notice of Sale was mailed by both first class mail and by certified mail with return receipt requested to the following persons at their last known addresses as indicated:
  - a. Denny and Michelle Holmes  
HC 30 Box 63C  
Chemult, OR 97731
  - b. Denny and Michelle Holmes  
County Rd 541-C  
P.O. Box 313  
Christmas Valley, OR 97641
  - c. Denny and Michelle Holmes  
100743 Highway 97 N  
Chemult, OR 97731-9735

AFTER RECORDING SEND TO:  
Law Offices of J. Spencer Taylor  
P.O. Box 2647  
Salem, OR 97308

UNTIL FURTHER NOTICE, PLEASE  
SEND TAX INFORMATION TO:  
No Change.

- d. Carter Jones Collection Services  
1143 Pine St.  
Klamath Falls, OR 97601
- e. General Credit Service Inc.  
2724 West Main Street  
P.O. Box 8  
Medford OR 97501
- f. Klamath County Tax Assessor  
305 Main St., Room 121  
Klamath Falls, OR 97601
- g. Department of Revenue  
P.O. Box 14380  
Salem, OR 97309-5075

DATED this 23rd day of March, 2011.



Matthew G. Shepard

STATE OF OREGON     )  
  )ss.  
County of Marion     )

On this 23<sup>rd</sup> day of March, 2011, personally appeared the above named Matthew G Shepard and acknowledged the foregoing instrument to be his voluntary act and deed.



  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires: 2/28/15

AFTER RECORDING SEND TO: Law Offices of J. Spencer Taylor P.O. Box 2647 Salem, OR 97308	UNTIL FURTHER NOTICE, PLEASE SEND TAX INFORMATION TO: No Change.
--	--

## Notice of Sale

A Certified True Copy

AFTER RECORDING SEND TO:  
Law Offices of J. Spencer Taylor  
P.O. Box 2647  
Salem, OR 97308

Pursuant to ORS 86.745, the following information is provided:

1. **PARTIES:** DENNY L. HOLMES AND MICHELLE L. HOLMES, Grantors;  
J. SPENCER S. TAYLOR, Attorney; P.O. Box 2647; Salem, OR 97308, First Successor Trustee;  
MICHAEL B. ILG DBA INVESTORS LENDING GROUP, Beneficiary
2. **DESCRIPTION OF PROPERTY:**  

A tract of land lying in the Northwest quarter of the Northwest quarter of Section 20, Township 28 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows: Beginning at a point where the Easterly line of the Dalles-California Highway intersects the North line of Section 20; thence East along the North line of Section 20 a distance of 200 feet, more or less to the Northeast corner of the Northwest quarter of the Northwest quarter of Section 20; thence South along the East line of the Northwest quarter of the Northwest quarter of Section 20, a distance of 200 feet; thence Westerly and parallel with the North line of Section 20 to the Easterly right of way line of the Dalles-California highway; thence Northeasterly along the Easterly right of way line of the Dalles-California Highway to the point of beginning. EXCEPTING THEREFROM that portion deeded to the state of Oregon by and through its state highway commission by deed recorded in volume 271 page 112, records of Klamath, county of Oregon.
3. **RECORDING:** The Trust Deed, dated November 16, 2001, by and between DENNY L. HOLMES and MICHELLE L. HOLMES, Grantors, and DAVID S. WINTERTON, Beneficiary, was recorded November 19, 2001, in Vol. M01, page 59193 in Klamath County, Oregon. The assignment of the beneficial interest of said Trust Deed, dated February 4, 2009, by and between DAVID S. WINTERTON, Assignor, and ILG PROFIT SHARING, Assignee, was recorded February 10, 2009, in Volume 2009 Page 001665, Official Records of Klamath County, Oregon.
4. **DEFAULT:** Grantor failed to pay monthly installments due of \$338.50 for each month from January 30, 2010, through October 30, 2010, with the same amount due on the 30th day of each month thereafter; and failed to pay late fees, fire insurance premiums, real property taxes and assessments levied against the above-described real property when due plus recoverable expenditures, and attorney's and trustee's fees and costs incurred by beneficiary or its assigns.

5. **AMOUNT DUE:** Unpaid balance (including principal, accrued interest, and fire insurance premiums) of \$26,693.20 as of October 31, 2010, plus interest thereon at 10% per annum; plus recoverable expenditures, and attorney and trustee's fees and costs incurred by beneficiary or its assigns.
6. **ELECTION:** Based on the default set forth herein, the Successor Trustee, at the direction of the Beneficiary, elects to sell the property to satisfy the obligation set forth above.
7. **SALE:**  
Date: Monday, April 11, 2011  
Time: 10:00 a.m. o'clock  
Place: At the front entrance of the Klamath County Courthouse, located at 316 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon.
8. **RIGHT TO REINSTATE:** Any person named in ORS 86.753 has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, together with costs, trustee's and attorney's fees, and by curing any other default complained of in the Notice of Default, at any time prior to five days before the date the Successor Trustee conducts the sale.

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**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 March 14, 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 as follows:

**Oregon State Bar, Lawyer Referral Service, P.O. Box 231935, Tigard, OR 97281  
Phone: 503-684-3763 or toll-free in Oregon at 800-452-7636.**

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 as follows:

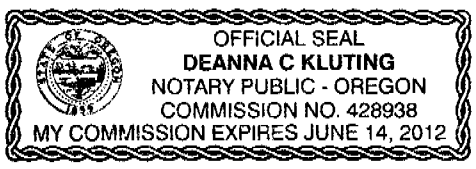
**LASO Hotline for Klamath & Lake Counties: (541) 882-6982 or 1-800-480-9160.**  
Answered on Thursdays, and on most Tuesdays, from 1:00 p.m. to 4:00 p.m. The hotline hours are subject to change; when clients and potential clients call the hotline, the message will tell them what the hours the hotline will be answered for answered for that week.

DATED this 6<sup>th</sup> day of December, 2010.

J. Spencer S. Taylor  
J. Spencer S. Taylor, Attorney and Successor Trustee

STATE OF OREGON )  
                                  )ss.  
County of Marion )

On this 6<sup>th</sup> day of December, 2010, personally appeared the above named J. Spencer S. Taylor, Attorney and Successor Trustee, and acknowledged the foregoing instrument to be his voluntary act and deed.



Deanna C. Kluting  
NOTARY PUBLIC FOR OREGON  
My Commission Expires:

Unofficial Copy



# LAW OFFICES OF J. SPENCER TAYLOR

MAILING ADDRESS:  
P.O. Box 2647  
SALEM, OR 97308-2647

STREET ADDRESS:  
The Liberty Corner Building  
2295 Liberty Street, N.E., Salem, OR 97301

(503) 399-9299  
FAX: (503) 581-6964  
jstaylor2008@123taylorlaw.com

December 6, 2010

A Certified True Copy

VIA UPS NEXT DAY AIR

Klamath County Sheriff  
3300 Vandenberg Road  
Klamath Falls, OR 97603

Re: **Service Instructions – Occupant of Property at 100743 Highway 97 N in Chemult**  
Our File No. 10080

Dear Sheriff:

Per our phone conversation yesterday, please find enclosed four true copies of our Notice of Sale for service on any occupants of the property described below, either personally or by posting.

The property is located at 100743 Highway 97 N, Chemult 97731-9735. The legal description and a map are attached.

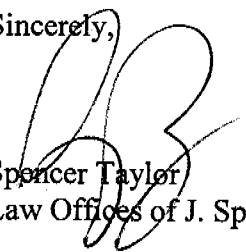
Pursuant to ORS 86.750, please serve the Notice at any dwellings found as follows:

- |                        |   |
|------------------------|---|
| Day 1 – First Attempt  | <ol style="list-style-type: none"><li>1. Attempt personal service upon occupant.</li><li>2. If no one is home, post one copy of the Notice on the door.</li></ol>   |
| Day 3 – Second Attempt | <ol style="list-style-type: none"><li>1. Attempt personal service upon occupant.</li><li>2. If no one is home, post one copy of the Notice on the door (again).</li></ol>   |
| Day 5 – Third Attempt  | <ol style="list-style-type: none"><li>1. Attempt personal service upon occupant.</li><li>2. If no one is home, post one copy of the Notice on the door (yet again).</li><li>3. After third posting, mail the Notice to the address by first class mail addressed to “Occupant.”</li></ol> |

The rule regarding the dates is that you must **wait at least two days between postings**. To meet our deadline, **the first service attempt (either completion of service or by posting) must be completed no later than Monday, December 13.**

**Please send us a notarized affidavit describing with particularity service attempts, postings, and mailing.**

Sincerely,



Spencer Taylor  
Law Offices of J. Spencer Taylor

Enclosures: Legal Description (1)  
Map (1)  
Notice of Sale – (4)

Unofficial  
Copy

KLAMATH COUNTY SHERIFF'S OFFICE  
RETURN OF SERVICE

State of Oregon  
County of Klamath

Court Case No.  
Sheriff's Case No. **A10003325**

Received for Service **12/9/2010**

I hereby certify that I received for service on  
**HOLMES, DENNY L**  
the within:  
**NOTICE OF SALE**

**HOLMES, DENNY L**  
was served by posting true copies of the above listed process at  
the main entrance of the dwelling located at  
**100743 HWY 97 N**  
**CHEMULT, OR 97731**  
on **12/9/2010** at **15:20** hours.

All search and service was made within Klamath County, State of Oregon.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By   
Deputy 4152 **DARREN FRANK**

Copy to:

KLAMATH COUNTY SHERIFF'S OFFICE  
RETURN OF SERVICE

State of Oregon  
County of Klamath

Court Case No.  
Sheriff's Case No. **A10003325**

Received for Service **12/9/2010**

I hereby certify that I received for service on  
**HOLMES, DENNY L**  
the within:  
**NOTICE OF SALE**

**HOLMES, DENNY L**  
was served by posting true copies of the above listed process at  
the main entrance of the dwelling located at  
**100743 HWY 97 N**  
**CHEMULT, OR 97731**  
on **12/14/2010** at **13:40** hours.

All search and service was made within Klamath County, State of Oregon.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By

  
Deputy 4152 DARREN FRANK

Copy to:

KLAMATH COUNTY SHERIFF'S OFFICE  
RETURN OF SERVICE

State of Oregon  
County of Klamath

Court Case No.  
Sheriff's Case No. **A10003325**

Received for Service **12/9/2010**

I hereby certify that I received for service on

**HOLMES, DENNY L**

the within:

**NOTICE OF SALE**

**HOLMES, DENNY L**

was served by posting true copies of the above listed process at  
the main entrance of the dwelling located at

**100743 HWY 97 N**

**CHEMULT, OR 97731**

on **12/21/2010** at **14:15** hours.

All search and service was made within Klamath County, State of Oregon.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By

  
Deputy 4152 DARREN FRANK

Copy to:

KLAMATH FALLS, OR

# 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 # 13000

Notice of Sale

Holmes

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:

January 5, 12, 19, 26, 2011

Total Cost: \$1,397.72

Subscribed and sworn by Jeanine P Day

before me on: January 26, 2011

Debra A Gribble  
Notary Public of Oregon

My commission expires May 15, 2012

### NOTICE OF SALE

Pursuant to ORS 86.745,  
the following information is provided:

#### PARTIES:

- DENNY L. HOLMES AND MICHELLE L. HOLMES, Grantors;
- J. SPENCER S. TAYLOR, Attorney; P.O. Box 2647; Salem, OR 97308, First Successor Trustee;
- MICHAEL B. ILG DBA INVESTORS LENDING GROUP, Beneficiary

**DESCRIPTION OF PROPERTY:** A tract of land lying in the Northwest quarter of the Northwest quarter of Section 20, Township 28 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows: Beginning at a point where the Easterly line of the Dalles-California Highway intersects the North line of Section 20; thence East along the North line of Section 20 a distance of 200 feet, more or less to the Northeast corner of the Northwest quarter of the Northwest quarter of Section 20; thence South along the East line of the Northwest quarter of the Northwest quarter of Section 20, a distance of 200 feet; thence Westerly and parallel with the North line of Section 20 to the Easterly right of way line of the Dalles-California highway; thence Northeasterly along the Easterly right of way line of the Dalles-California Highway to the point of beginning. EXCEPTING THEREFROM that portion deeded to the state of Oregon by and through its state highway commission by deed recorded in volume 271 page 112, records of Klamath, County of Oregon.

**RECORDING:** The Trust Deed, dated November 16, 2001, by and between DENNY L. HOLMES and MICHELLE L. HOLMES, Grantors, and DAVID S. WINTERTON, Beneficiary, was recorded November 19, 2001, in Vol. M01, page 59193 in Klamath County, Oregon. The assignment of the beneficial interest of said Trust Deed, dated February 4, 2009, by and between DAVID S. WINTERTON, Assignor, and ILG PROFIT SHARING, Assignee, was recorded February 10, 2009, in Volume 2009 Page 001665, Official Records of Klamath County, Oregon.

**DEFAULT:** Grantor failed to pay monthly installments due of \$338.50 for each month from January 30, 2010, through October 30, 2010, with the same amount due on the 30th day of each month thereafter; and failed to pay late fees, fire insurance premiums, real property taxes and assessments levied against the above-described real property when due plus recoverable expenditures, and attorney's and trustee's fees and costs incurred by beneficiary or its assigns.

**5.AMOUNT DUE:** Unpaid balance (including principal, accrued interest, and fire insurance premiums) of \$26,693.20 as of October 31, 2010, plus interest thereon at 10% per annum; plus recoverable expenditures, and attorney and trustee's fees and costs incurred by beneficiary or its assigns.

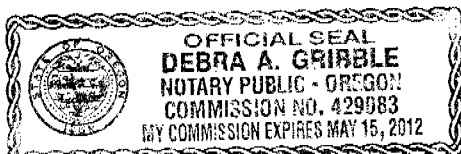
**6.ELECTION:** Based on the default set forth herein, the Successor Trustee, at the direction of the Beneficiary, elects to sell the property to satisfy the obligation set forth above.

#### 7.SALE:

- Date: Monday, April 11, 2011
- Time: 10:00 a.m. o'clock

• Place: At the front entrance of the Klamath County Courthouse, located at 316 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon.

**8.RIGHT TO REINSTATE:** Any person named in ORS 86.753 has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, together with costs, trustee's and attorney's fees, and by curing any other default complained of in the Notice of Default, at any time prior to five days before the date the Successor Trustee conducts the sale.



**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 March 14, 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 as follows:

Oregon State Bar, Lawyer Referral Service, P.O. Box 231935, Tigard, OR 97281, Phone: 503-684-3763 or toll-free in Oregon at 800-452-7636.

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 as follows:

LASO Hotline for Klamath & Lake Counties: (541) 882-6982 or 1-800-480-9160. Answered on Thursdays, and on most Tuesdays, from 1:00 p.m. to 4:00 p.m. The hotline hours are subject to change; when clients and potential clients call the hotline, the message will tell them what the hours the hotline will be answered for that week.

DATED this 5<sup>th</sup> day of January, 2011.

J. Spencer S. Taylor, Attorney and Successor Trustee  
#13000 January 5, 12, 19, 26, 2011.

**AFFIDAVIT OF MAILING  
NOTICE OF DANGER**

STATE OF OREGON     )  
                                  )ss.  
County of Marion     )

I, Matthew G. Shepard, under oath, state as follows:

1. Attached hereto is a true and correct copy of the Notice of Danger pertaining to the trust deed dated November 16, 2001, by and between DENNY L. HOLMES and MICHELLE L. HOLMES, Grantors, and DAVID S. WINTERTON, Beneficiary, which was recorded November 19, 2001, in Vol. M01, page 59193 in Klamath County, Oregon. The beneficial interest of said Trust Deed, dated February 4, 2009, by and between DAVID S. WINTERTON, Assignor, and MICHAEL B. ILG, Trustee for Investors Lending Group Profit Sharing Plan, Assignee, was recorded February 10, 2009, in Volume 2009 Page 001665, Official Records of Klamath County, Oregon.
2. On December 6, 2010, a true and correct copy of the Notice of Danger was mailed by both first class mail and by certified mail with return receipt requested to the following persons at their last known addresses as indicated:
  - a. Denny and Michelle Holmes  
HC 30 Box 63C  
Chemult, OR 97731
  - b. Denny and Michelle Holmes  
County Rd 541-C  
P.O. Box 313  
Christmas Valley, OR 97641
  - c. Denny and Michelle Holmes  
100743 Highway 97 N  
Chemult, OR 97731-9735

AFTER RECORDING SEND TO:  
Law Offices of J. Spencer Taylor  
P.O. Box 2647  
Salem, OR 97308

UNTIL FURTHER NOTICE, PLEASE  
SEND TAX INFORMATION TO:  
No Change.

- d. Carter Jones Collection Services  
1143 Pine St.  
Klamath Falls, OR 97601
- e. General Credit Service Inc.  
2724 West Main Street  
P.O. Box 8  
Medford OR 97501
- f. Klamath County Tax Assessor  
305 Main St., Room 121  
Klamath Falls, OR 97601
- g. Department of Revenue  
P.O. Box 14380  
Salem, OR 97309-5075

DATED this 23rd day of March, 2011.



Matthew G. Shepard

STATE OF OREGON     )  
                                  )ss.  
County of Marion     )

On this 23rd day of March, 2011, personally appeared the above named Matthew G Shepard and acknowledged the foregoing instrument to be his voluntary act and deed.



  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 2/28/15

<p>AFTER RECORDING SEND TO: Law Offices of J. Spencer Taylor P.O. Box 2647 Salem, OR 97308</p>	<p>UNTIL FURTHER NOTICE, PLEASE SEND TAX INFORMATION TO: No Change.</p>
--	---

*[Handwritten Signature]*

**NOTICE:**  
**YOU ARE IN DANGER OF LOSING YOUR PROPERTY** A Certified True Copy  
**IF YOU DO NOT TAKE ACTION IMMEDIATELY**

This notice is about your mortgage loan on your property at:

Street address: 100743 HIGHWAY 97 NORTH

City: CHEMULT

State: OR

ZIP: 97731

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 July 8, 2010 (date) to bring your mortgage loan current was \$ 3,157.82. 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 (503) 399-9299 to find out the exact amount you must pay bring your to 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:

Law Offices of J. Spencer Taylor

P.O. Box 2647

Salem, OR 97308

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

Date and time: Monday, April 11, 2011 at 10:00 a.m. o'clock

At the front entrance of the Klamath County Courthouse, located at  
316 Main Street in the City of Klamath Falls, County of Klamath,

Place: State of 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 phone number of an organization near you, please call the statewide phone contact number at **800-SAFENET (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 Web site 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 <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 (503)-585-7866. 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: <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 January 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 questions, talk to a lawyer or one of the organizations mentioned above before signing.

DATED: **December 6, 2010**

Trustee name (print): J. Spencer Taylor

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

Trustee telephone number: 877-884-9299

**AFFIDAVIT OF COMPLIANCE  
WITH SECTION 3 (1) AND (2),  
CHAPTER 864, OREGON LAWS 2009**

AFTER RECORDING SEND TO:  
Law Offices of J. Spencer Taylor  
P.O. Box 2647  
Salem, OR 97308

STATE OF OREGON; County of Marion ) ss.

I, Dana Barkdoll, under oath, state as follows:

1. I am the Administrative Manager of Investors Lending Group Profit Sharing Plan, the lender in the loan transaction underlying that certain Trust Deed dated November 16, 2001, and recorded November 19, 2001, in Vol. M01, page 59193 in the Klamath County Records. I am able to obtain authority from the principal broker of Investors Lending Group to modify the loan of Denny and Michelle Holmes.
2. Denny or Michelle Holmes did not return the Modification Request Form to our office.
3. Each time that Denny or Michelle Holmes has requested a meeting, either I or the principal broker has contacted him or her or attempted to contact him or her at his or her last known address or telephone number.

DATED this 22 day of March, 2011.



Dana Barkdoll, Administrative Manager  
Investors Lending Group

STATE OF OREGON; County of Marion ) ss.

On this 22 day of March, 2011, personally appeared the above named Dana Barkdoll, Administrative Manager of Investors Lending Group, and acknowledged the foregoing instrument to be her voluntary act and deed.



  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 2/28/15