

MTA 88132

After Recording Return To:
Stephen W. Kaser P.C.
PO Box 1061
Roseburg, Oregon 97470

2011-004868

Klamath County, Oregon



00100505201100048680120125

04/15/2011 03:37:10 PM

Fee: \$102.00

**AFFIDAVIT OF MAILING
AFFIDAVIT OF PUBLICATION OF NOTICE OF SALE
PROOF OF SERVICE ON OCCUPANT(S)**

STATE OF OREGON)
) ss.
County of Douglas)

I, STEPHEN W. KASER, being duly sworn, depose, say, certify and swear that:

1. At all material times herein, I was and now am a resident of the state of Oregon, a competent person over the age of 18 years, and not the beneficiary or its successor in that Trust Deed dated October 16, 2007, recorded October 19, 2007, in the Microfilm Records of Klamath County, Oregon as Instrument No. 2007-018095, between Ronald M. Snyder, Jr., as grantor, and Orville Clark Houston and Patricia Ann Houston, Co-Trustees of the Houston Family Trust, Dated September 2, 1997, as beneficiary.

2. On December 8, 2010, a true copy of the Notice of Default, Election to Sell and Notice of Sale, which was recorded November 9, 2010, in the Klamath County, Oregon, Official Records as Instrument No. 2010-013077, along with the Notice to Residential Tenants, Servicemembers Civil Relief Act Notification, 2009 Two Page Notice, and Modification Request Form, were sent in a sealed envelope to Ronald M. Snyder, Jr., P.O. Box 633, Junction City, OR, 97448, via Certified Mail, Return Receipt Requested, postage prepaid and also in a sealed envelope via first class mail,

102 AMT

postage prepaid. A copy of the Two Page Notice, Modification Request Form and Certified Mail Receipt are attached hereto.

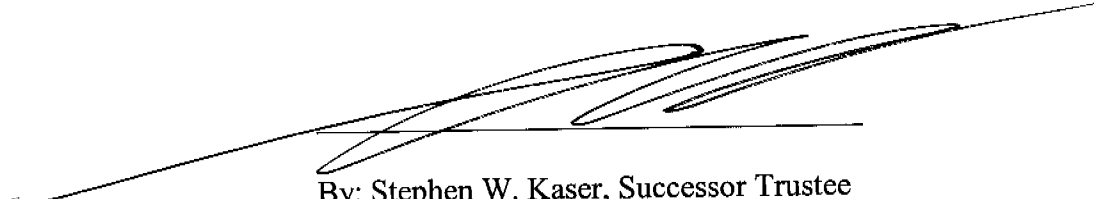
3. On December 1, 2010, at 4:32 p.m., the Notice of Default, Election to Sell and Notice of Sale, which was recorded November 9, 2010, in the Klamath County, Oregon, Official Records as Instrument No.2010-013077, with attached Notice to Residential Tenants, Servicemembers Civil Relief Act Notification, Modification Request Form and Two Page Notice Entitled: Notice You are In Danger of Losing Your Property If You Do Not Take Action Immediately, was personally served on Stacy McMahan, an occupant of 1319 Cheryl Drive, La Pine, Oregon, 97739, and all other occupants were also substitute served. Said services are further described in the Affidavit of Service, attached.

4. On December 12, 2010 a copy of the On December 12, 2010, at 4:49 p.m., the Notice of Default, Election to Sell and Notice of Sale, which was recorded November 9, 2010, in the Klamath County, Oregon, Official Records as Instrument No.2010-013077, with attached Notice to Residential Tenants, Servicemembers Civil Relief Act Notification, Modification Request Form and Two Page Notice Entitled: Notice You are In Danger of Losing Your Property If You Do Not Take Action Immediately, was served on Ronald M. Snyder Jr. at 93072 Hwy 99, Junction City, Oregon, 97448, by leaving a true copy with his wife, Bonnie Snyder. Said service is further described in the Affidavit of Service, attached. A copy of said documents were also mailed to Ron Snyder on December 16, 2010 at P.O. Box 633, Junction City, OR, 97448 via Certified Mail, Return Receipt Requested and First Class Mail. A copy of the Certified Mail Receipt is attached hereto.

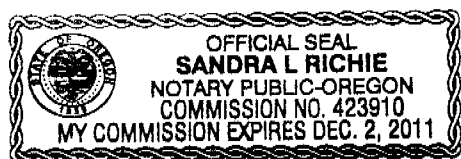
5. On or about December 14, 2010, I received a phone call from Mr. Snyder's wife requesting to know the current amounts due to cure the default. December 17, 2010, my assistant advised Mr. Snyder's wife verbally and I advised Mr. Snyder in writing, via letter sent first class mail, the

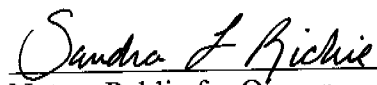
amounts due to cure the default. I later received from Mr. Snyder a Modification Request Form on January 7, 2011 with a Modification Request Form. I advised Mr. Snyder in writing, via letter sent first class mail, that he needed to let us know what modification he was specifically requesting. I spoke with Mr. Snyder's representative and spouse, Bonnie Snyder, on January 25, 2011 and she made a specific proposal to cure the default, to which the Beneficiaries agreed. Bonnie Snyder also confirmed that Mr. Snyder is not in the military. I then submitted a written confirmation to Mr. Snyder that the Beneficiaries agreed to the method to cure the default and current amount due, via letter sent first class mail, on January 26, 2011. Mr. Snyder did not cure the default as proposed.

6. Notice of Sale was published in the Herald and News newspaper of Klamath County, Oregon on February 16, 2011, February 23, 2011, March 2, 2011 and March 9, 2011. The Affidavit of Publication is attached.


By: Stephen W. Kaser, Successor Trustee

SIGNED and SWORN to before me this 14th day of April, 2011, by Stephen W. Kaser.




Notary Public for Oregon
My Commission Expires: 12/02/2011

**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: 1319 Cheryl Drive, La Pine, Oregon, 97739.

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 November 5, 2010 to bring your mortgage loan current was \$6,454.74. 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 **Stephen W. Kaser at (541)673-7461** 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:

Stephen W. Kaser
STEPHEN W. KASER P.C.
P.O. Box 1061
Roseburg, OR 97470

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

Date and time: Said sale will be held at the hour of 10:00 o'clock, am, as established by Section 187.110 of Oregon Revised Statutes on **March 29, 2011**.

Place: **316 E. Main Street, Klamath Falls, 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 call Stephen W. Kaser of Stephen W. Kaser P.C. at (541)673-7461 to find out if your lender is willing to 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. 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: <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.lawhelp.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: **(541)673-7461 (request to speak to Stephen W. Kaser)**. If you cannot 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/>.

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.

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 15, 2011, WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

DATED: December 8, 2010

Trustee name: Stephen W. Kaser

Trustee telephone number: (541) 673-7461



SIGNATURE

MODIFICATION REQUEST FORM

I wish to modify my loan. My contact information is:

Name: _____

Physical Address: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Monthly Income: _____

Source of Monthly Income: _____

Monthly Expenses: _____

Signature

PLEASE RETURN THIS FORM TO:

STEPHEN W. KASER
STEPHEN W. KASER P.C.
PO BOX 1061
ROSEBURG OR 97470

NO LATER THAN JANUARY 15, 2011

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RONALD M SNYDER JR
PO BOX 633
JUNCTION CITY OR 97448

2. Article Number
(Transfer from service label)

7010 0780 0001 7486 7206

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RONALD M SNYDER JR
PO BOX 633
JUNCTION CITY OR 97448

2. Article Number
(Transfer from service label)

7010 0780 0001 7486 7220

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Bonni Snyder*

B. Received by (Printed Name)

Bonni Snyder

D. Is delivery address different from item 1? If YES, enter delivery address below.

☐ Yes ☒ No

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Bonni Snyder*

B. Received by (Printed Name)

Bonni Snyder

D. Is delivery address different from item 1? If YES, enter delivery address below.

☐ Yes ☒ No

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	\$0.61
Certified Fee		\$2.80
Return Receipt Fee (Endorsement Required)		\$2.30
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.71

Sent To

RONALD M SNYDER JR
PO BOX 633
JUNCTION CITY OR 97448

PS Form 3800, August 2006

See Reverse for Instructions

**U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE



Postage	\$	\$0.61
Certified Fee		\$2.80
Return Receipt Fee (Endorsement Required)		\$2.30
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.71

Sent To

RONALD M SNYDER JR
PO BOX 633
JUNCTION CITY OR 97448

PS Form 3800, August 2006

See Reverse for Instructions

AFFIDAVIT OF SERVICE

State of Oregon

County of Deschutes

Circuit Court

Case Number: 2010-013077

Beneficiary:

ORVILLE CLARK HOUSTON and PATRICIA ANN HOUSTON, Co-Trustees of the HOUSTON FAMILY TRUST Dated September 2, 1997,

vs.

Grantor:

RONALD M. SNYDER, JR.,

For:

Stephen W. Kaser
Lee & Kaser, P.C.
880 SE Jackson
PO Box 486
Roseburg, OR 97470

Received by CENTRAL LEGAL SERVICES on the 24th day of November, 2010 at 10:39 am to be served on **All Occupants, 1319 Cheryl Drive, La Pine, OR OR.**

I, Eric Mathews, being duly sworn, depose and say that on the **1st day of December, 2010 at 4:32 pm, I:**

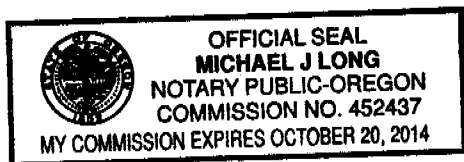
Did **PERSONALLY SERVE** a copy of the within TRUSTEE'S NOTICE OF SALE OF DEFAULT; ELECTION TO SELL AND NOTICE OF SALE ("Notice of Sale") WITH NOTICE TO TENANTS; SERVICEMEMBERS CIVIL RELIEF ACT NOTIFICATION, REQUEST FOR MODIFICATION FORM AND TWO-PAGE NOTICE ENTITLED "NOTICE: YOU ARE IN DANGER OF LOSING YOUR PROPERTY IF YOU DO NOT TAKE ACTION IMMEDIATELY" by delivering such personally and in person, to **STACY McMAHAN**, who resides at the above address.

At the same time I did **SUBSTITUTE SERVE- ALL OTHER OCCUPANTS** by delivering a second copy to the above named.

CERTIFICATE OF MAILING: I hereby certify that on DECEMBER 2, 2010 I did also cause to be **MAILED**, first class postage affixed, a copy of the aforementioned document addressed to **OCCUPANT, 1319 Cheryl Drive, La Pine, OR OR .**

AFFIDAVIT OF SERVICE for 2010-013077

I further certify that I am a competent person over the age of 18 and a resident of the state of Oregon, and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise: that the person served by me is the identical person named in the action. I also declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service including service fees is true and correct.



Subscribed and Sworn to before me on the 6th day
of December, 2010 by the affiant who is personally
known to me.

NOTARY PUBLIC

A handwritten signature in black ink, appearing to read "Eric Mathews", is written over a horizontal line.

Eric Mathews
Process Server

CENTRAL LEGAL SERVICES
P.O. Box 130
Bend, OR 97709
(541) 389-8133

Our Job Serial Number: CML-2010003558

AFFIDAVIT OF SERVICE

State of OREGON

County of KLAMATH

Circuit Court

Case Number: _____

Beneficiary:

HOUSTON FAMILY TRUST

vs.

Grantor:

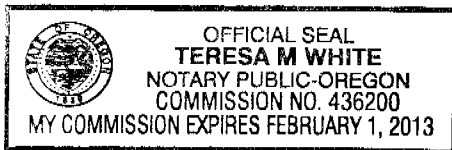
RONALD M. SNYDER JR.

Received by OREGON PROCESS SERVICE, INC. to be served on **RONALD M. SNYDER JR. AND ALL OTHER OCCUPANTS, 93072 HWY 99, JUNCTION CITY, OR 97448.**

I, L. DANIELS, being duly sworn, depose and say that on the **12th day of December, 2010 at 4:59 pm, I:**

Served the **TRUSTEE'S NOTICE OF DEFAULT, ELECTION TO SELL AND NOTICE OF SALE WITH ATTACHED NOTICE TO RESIDENTIAL TENANTS, SERVICEMEMBERS CIVIL RELIEF ACT NOTIFICATION, MODIFICATION REQUEST FORM AND TWO PAGE NOTICE ENTITLED: NOTICE YOU ARE IN DANGER OF LOSING YOUR PROPERTY IF YOU DO NOT TAKE ACTION IMMEDIATELY.** by personally serving **BONNIE SNYDER** at the above listed address at the above listed time.

I am a competent person over 18 years of age and a resident of the State of Oregon; I am not a party to, nor an officer, director or employee of, nor attorney for any party in this action. I declare under the penalty of perjury that the above statement is true and correct.



Subscribed and Sworn to before me on the 14th day of December, 2010 by the affiant who is personally known to me.

NOTARY PUBLIC

L. DANIELS
Process Server

OREGON PROCESS SERVICE, INC.
P.O. Box 23938
Eugene, OR 97402
(541) 485-0006

Our Job Serial Number: OPS-2010004686

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 # 13103

Trustee's Notice of Sale

Snyder, Jr.

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:

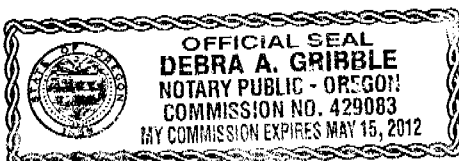
February 16, 23, March 02, 09, 2011.

Total Cost: \$1,222.64

Subscribed and sworn by Jeanine P Day
before me on: March 9, 2011

Debra A Grubbe
Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Ronald M. Snyder, Jr., as grantor, to AmeriTitle, an Oregon corporation, as trustee in favor of Orville Clark Houston and Patricia Ann Houston, Co-Trustees of the Houston Family Trust, Dated September 2, 1997, as beneficiary, dated October 16, 2007, recorded October 19, 2007, as Instrument No. 2007-018095, Microfilm Records of Klamath County, Oregon, covering the following described real property:

•Lot 9 in Block 17, of Tract No. 1061, SECOND ADDITION TO RIVER PINE ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, COMMONLY KNOWN AS: 1319 Cheryl Drive, La Pine, Oregon, 97739.

•The real property includes a 1973 Kings Manufactured structure, County I.D. No. M809281, VIN 61LK6412F2S2600, which is exempt from registration and title.

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 Statute 86.735(3); the default for which the foreclosure is made is grantor's failure to pay installment payments beginning March 1, 2010 and real property taxes plus interest; together with title expenses, costs, trustee's fees and attorney fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable. The beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being as follows: \$33,953.56 with interest thereon at the rate of eleven and 25/100ths percent (11.25%) until paid plus trustee's fees, attorney fees, Real Property Taxes, Foreclosure Guarantee (\$248.00), other foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.

WHEREFORE, notice is hereby given that the undersigned trustee will on **March 29, 2011** at the hour of **10:00 a.m.** Pacific Time, as established by, Oregon Revised Statutes, at the door of the Klamath County Courthouse, 316 East Main Street, Klamath Falls, State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check 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 expenses 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, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes a 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. This sale is subject to the Trustee's rules of auction and shall not be final until a Trustee's deed is issued.

•If you believe you need legal assistance with this matter, you may contact the Oregon State Bar Association (16037 Upper Boones Ferry Road, Tigard, Oregon, 97224, (503) 620-0222, toll-free in Oregon (800) 452-8260) and ask for the lawyer referral service, or call the Oregon State Bar Lawyer Referral Service (800) 452-7636. If you do not have enough money to pay a lawyer and are otherwise eligible, you may be able to receive free legal assistance. Information about whom to contact for free legal assistance; a county-by-county listing of legal aid resources may be found on the internet at <http://www.osbar.org/public/ris/lowcostlegal-help/legalaid.html> or www.oregonlawhelp.org or you may contact Safenet (800-SAFENET) or Legal Aid Services of Oregon, 700 S.E. Kane Street, Roseburg, Oregon, 97470, (541) 673-1181. You may have rights under ORS 86.755(5)(c) and federal law.

•Trustee: Stephen W. Kaser, Stephen W. Kaser P.C., P.O. Box 1061, Roseburg, OR, 97470, (541) 673-7461.

•**This is an attempt to collect a debt. Any information obtained will be used for that purpose.**

•For further information regarding this matter, please contact Stephen W. Kaser at (541) 673-7461.

Publish Date: February 16, 23, March 02, 09, 2011.

#13103 February 16, 23, March 02, 09, 2011.