After Recording Return To: Stephen W. Kaser P.C. PO Box 1061 Roseburg, Oregon 97470 **2011-004868** Klamath County, Oregon

00100505201100048680120435

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,

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Page 1 - AFFIDAVIT OF MAILING; PUBLICATION; PROOF OF SERVICE

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 19th day of April, 2011, by Stephen W. Kaser.

OFFICIAL SEAL
SANDRA L RICHIE
NOTARY PUBLIC-OREGON
COMMISSION NO. 423910
MY COMMISSION EXPIRES DEC. 2, 2011

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 <u>November 5, 2010</u> to bring your mortgage loan current was <u>\$6,454.74</u>. 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 with 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 Fall, 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 you 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

Physical Address: Mailing Address: Phone Number: Email Address: Monthly Income: Source of Monthly Income: Monthly Expenses:	Name:	
Phone Number: Email Address: Monthly Income: Source of Monthly Income:	Physical Address:	
Email Address: Monthly Income: Source of Monthly Income:	Mailing Address:	
Monthly Income: Source of Monthly Income:	Phone Number:	
Source of Monthly Income:	Email Address:	
	Monthly Income:	
Monthly Expenses:	Source of Monthly In	come:
	Monthly Expenses:	

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

Return Receipt for Merchandise COMPLETE THIS SECTION ON DELIVERY If YES, enter delivery address below Express Mai D. Is delivery address different from item 7206 Restricted Delivery? (Extra Fee) _ C.O.D od Name) 7485 B_Received by (Prin K Certified Mail Porvi Insured Mail SON Service Type 0260 000l A. Signature × Attach this card to the back of the mailplece, 7070 Print your name and address on the reverse Complete items 1, 2, and 3. Also complete tem 4 if Restricted Delivery is desired. SENDER: COMPLETE THIS SECTION so that we can return the card to you. RONALD M SNYDER IR PO BOX 633 JUNCTION CITY OR 97448 or on the front if space permits. (Transfer from service label) 1. Article Addressed to: Article Number

(Domestic Mail Only; No Insurance Coverage Provi

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HOSPERIER PAGE

For delivery informat

9027

\$2.80/

\$0.61

Postage Certified Fee

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8.8 \$5,71

Restricted Delivery Fee (Endorsement Required)

Return Receipt Fee (Endorsement Required)

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Total Postage & Fees

0870

CERTIFIED MAIL** RECEIPT

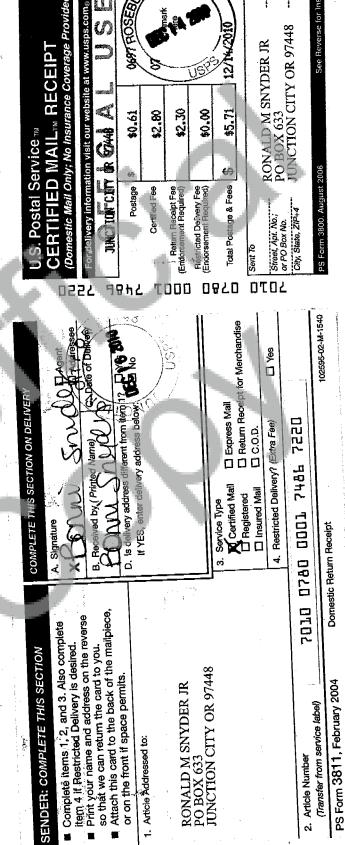
U.S. Postal Service 🖽

PO BOX 633 JUNCTION CITY OR 97448 RONALD M SNYDER JR City, State, ZIP+4 Street, Apt. No.; or PO Box No. DIOL

102595-02-M-1540

Domestic Return Receipt

PS Form 3811, February 2004



\$2.30 \$0.8 \$5.71

\$0.61 \$2.88

Postage

Service 🖚

JUNCTION CITY OR 97448 RONALD M SNYDER JR

PO BOX 633

de & Fees

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:

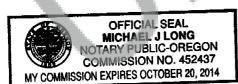
Did **PERSONALLY SERVE** a copy of the within TRUSTEE'S NOTICE OF SALE OF DEFAULT; E:ECTION TO SELL AND NOTICE OF SALE ("Notice of Sale") WITH NOTICE TO TENANTS; SERVICEMEMBERS CIVIL RELIEF ACT NOTIFICATION, REQUEST FOR MODIFICATION FORM AND TWO-PAGE NOTICE ENTITLED "NOTICE: YOU ARE IN DANGER OF LOSING 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 n to*l*me.

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:	NA-	
Beneficiary: HOUSTON FAMILY TRUST		
vs.		
Grantor: RONALD M. SNYDER JR.		
Received by OREGON PROCESS SER OCCUPANTS, 93072 HWY 99, JUNCT	RVICE,INC. to be served on RONALD M. SNYDE	R JR. AND ALL OTHER
I, L. DANIELS, being duly sworn, depos	e and say that on the 12th day of December, 20)10 at 4:59 pm, I:
MODIFICATION REQUEST FORM AN	DEFAULT, ELECTION TO SELL AND NOTICE AL TENANTS, SERVICEMEMBERS CIVIL RELID TWO PAGE NOTICE ENTITLED: NOTICE YOU NOT TAKE ACTION IMMEDIATELY, by per t the above listed time.	LIEF ACT NOTIFICATION,
I am a competent person over 18 years officer, director or employee of, nor attor the above statement is true and correct.	of age and a resident of the State of Oregon; I al mey for any party in this action. I declare under	m not a party to, nor an the penalty of perjury that
		3
OFFICIAL SEAL TERESA M WHITE NOTARY PUBLIC-OREG COMMISSION NO, 4362 MY COMMISSION EXPIRES FEBRUARY 1	GON 200	
Subscribed and Sworn to before me on the of December, 2010 by the affiant who is proceed the control of the con	he 14th day L. Danuels	
known to me.	L. DANIELS Process Server	

Our Job Serial Number: OPS-2010004686

OREGON PROCESS SERVICE,INC.

P.O. Box 23938 Eugene, OR 97402 (541) 485-0006

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			
Jeanine P Dog			
Subscribed and sworn by Jeanine P Day			
perfore me on: March 9, 2011			
Jahran 12 Co 11/1			

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 Direc, La Pine, Oregon, 57739.

•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 fallure 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 Founty 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 aid-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.

Notary Public of Oregon

My commission expires May 15, 2012

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.