

1st 1621141

2011-005671

Klamath County, Oregon



00101479201100056710280280

05/09/2011 02:50:34 PM

Fee: \$192.00

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 Corp.
PO Box 22004
El Cajon, CA 92022-9004**

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

**Affidavit of Mailing
Notice to Tenants
Affidavit of Service**

**Trustee's Notice of Sale
Affidavit of Compliance
Affidavit of Publication**

2. Direct Party (Grantor):

Cal-Western Reconveyance Corp.

3. Indirect Party (Beneficiary):

Colin Duncan and Lisa Duncan

4. True and Actual Consideration Paid:

N/A

5. Legal Description:

N/A

6. Deed Reference:

N/A

f

WHEN RECORDED MAIL TO:

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

1296663-09 *ANOSXR*

T.S. NO.: 1296663-09
LOAN NO.: 2003214158

4526617

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS
COUNTY OF SAN DIEGO }

I, Clifton McBride 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 26, 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.

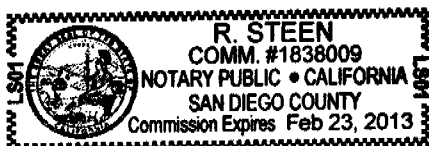
Clifton McBride
Affiant

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

OCT 27 2010

SUBSCRIBED AND SWORN to me this _____ day of _____, 20____

[Signature]
Notary Public



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:

1503 DELTA STREET

KLAMATH FALLS OR 97601

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 August 26, 2010 to bring your mortgage loan current was \$4,024.30. 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 (866)272-4749 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:

CMI WORKOUT DEPARTMENT

1000 TECHNOLOGY DRIVE, MS 314

O FALLON MO 63368-2240

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

Date and time: February 08, 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 (866)272-4749 . 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

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 03, 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 04, 2010

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Tammy Gaud

Trustee signature: _____

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

Trustee Sale No.: 1296663-09

TS #: 1296663-09

Loan #: 2003214158

Property Address: 1503 DELTA STREET
KLAMATH FALLS OR 97601

MODIFICATION REQUEST FORM

Pursuant to Oregon Senate Bill 628, this Modification Request Form must be completed and returned to:

CMI WORKOUT DEPARTMENT

1000 TECHNOLOGY DRIVE, MS 314

O FALLON MO 63368-2240

for receipt on or before November 03, 2010. As provided by Oregon Senate Bill 628, please complete and return this Modification Request Form and Financial Statement disclosing your current information including address, phone number and electronic e-mail address and other facts that may affect your eligibility for loan modification.

I wish to apply for a loan modification. A loan modification is a written agreement between me and the lender that permanently changes the terms of the loan. I fell behind on my mortgage payments because (hardship situation):

Signature: _____ Signature: _____

Borrower #1

Borrower #2

You must also complete and return the Financial Statement contained on the following page for your application to be processed. Pursuant to SB 628, the lender may request additional information or documentation from you after review of this Modification Request Form in order to make a determination as to your eligibility for modification.

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 & Insurance if non escrowed _____

HOA Dues _____

Food (including meals outside home) _____

Utilities: Electric & heat _____

Water & 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 & Dental _____

Rents Paid _____

Chapter 13 Trustee _____

Alimony & 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 \$ _____

TRUSTEE'S NOTICE OF SALE

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

Loan No: XXXXXX4158
T.S. No: 1296663-09

BY 

Reference is made to that certain deed made by
COLIN T DUNCAN AND LISA M DUNCAN as Grantor to
AMERITITLE, as Trustee, in favor of

SOUTH VALLEY BANK & TRUST., A BANKING CORPORATION as Beneficiary,

dated October 21, 2005, recorded October 21, 2005, in official records of KLAMATH County, OREGON
in book/reel/volume No. XX at
page No. XX, fee/file/instrument/microfilm/reception No. M05-67136 covering the following described
real property situated in the said County and State, to-wit:

THE WEST 78 FEET OF LOT 6 IN BLOCK 33, HILLSIDE ADDITION TO THE CITY OF
KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE
OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

1503 DELTA STREET KLAMATH FALLS OR 97601

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 April 1, 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 \$804.86 Monthly Late Charge \$32.64

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 \$107,410.50 together with
interest thereon at the rate of 5.500% per annum, from March 01, 2010 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: XXXXXX4158
T.S. No: 1296663-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on February 08, 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 04, 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: XXXXXX4158
T.S. No: 1296663-09

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 09, 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>

10/26/2010 5:08:49 PM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: Window

Affidavit Attachment: 1682442-01 000 10261253 CWR

Postal Number Sequence Recipient Name

11969002484001283688	1	COLIN T DUNCAN	1503 DELTA STREET	Address Line 2/4	KLAMATH FALLS OR 97601
11969002484001283695	2	COLIN T DUNCAN	PO BOX 44		KLAMATH FALLS OR 97601
11969002484001283701	3	LISA M DUNCAN	PO BOX 44		KLAMATH FALLS OR 97601
11969002484001283718	4	LISA M DUNCAN	1503 DELTA STREET		KLAMATH FALLS OR 97601
11969002484001283725	5	Occupant(s) / Tenant(s)	1503 DELTA STREET		KLAMATH FALLS OR 97601
11969002484001283732	6	COLIN DUNCAN	1503 DELTA STREET		KLAMATH FALLS OR 97601
11969002484001283749	7	LISA DUNCAN	1503 DELTA STREET		KLAMATH FALLS OR 97601
11969002484001283763	8	MERS	PO BXO 2026		FLINT MI 48501-2026
11969002484001283770	9	MERS	C/O GATEWAY BUSINESS BANK DBA MISSION HI SANTA ANA CA 92705		1403 NORTH TUSTIN AVENUE #280
11969002484001283787	10	MERS	3300 SW 34TH AVENUE SUITE 101		OCALA FL 34474
11969002484001283800	11	LISA DUNCAN	4702 WEYERHAUSER ROAD		KLAMATH FALLS OR 97601
11969002484001283817	12	LISA DUNCAN	C/O REBECCA WHITNEY-SMITH ATTORNEY AT LA KLAMATH FALLS OR 97601		1151 PINE STREET
11969002484001283824					

13	COLIN DUNCAN	1503 DELTA STREET	KLAMATH FALLS OR 97601
14	LISA MARIE DUNCAN	4702 WEYERHAUSER ROAD	KLAMATH FALLS OR 97601
15	LISA MARIE KIRK	4702 WEYERHAUSER ROAD	KLAMATH FALLS OR 97601
16	LISA MARIE DUNCAN	C/O REBECCA WHITNEY-SMITH, ATTORNEY AT L KLAMATH FALLS OR 97601	1151 PINE STREET
17	LISA MARIE KIRK	C/O REBECCA WHITNEY-SMITH, ATTORNEY AT L KLAMATH FALLS OR 97601	1151 PINE STREET
18	COLIN TRAHARN DUNCAN	1503 DELTA STREET	KLAMATH FALLS OR 97601
19	STATE OF OREGON DEPARTMENT OF JUSTICE	ATTN: ATTORNEY GENERAL JOHN KROGER SALEM OR 97301-4096	1162 COURT ST NE
20	STATE OF OREGON DIVISION OF CHILD SUPPOR	PO BOX 14506	SALEM OR 97309

10/26/2010 5:08:49 PM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: Window

Affidavit Attachment: 1682442-01 000 10261253 CWR

Postal Number Sequence Recipient Name

71969002484001155154 COLIN T DUNCAN
1

71969002484001155178 COLIN T DUNCAN
2

71969002484001155208 LISA M DUNCAN
3

71969002484001155215 LISA M DUNCAN
4

71969002484001155246 Occupant(s) / Tenant(s)
5

71969002484001155277 COLIN DUNCAN
6

71969002484001155284 LISA DUNCAN
7

71969002484001155314 MERS
8

71969002484001155338 MERS
9

71969002484001155345 MERS
10

71969002484001155352 LISA DUNCAN
11

71969002484001155369 LISA DUNCAN
12

71969002484001155376

Address Line 1/3

1503 DELTA STREET

PO BOX 44

PO BOX 44

1503 DELTA STREET

1503 DELTA STREET

1503 DELTA STREET

1503 DELTA STREET

PO BXO 2026

C/O GATEWAY BUSINESS BANK DBA MISSION HI
SANTA ANA CA 92705

3300 SW 34TH AVENUE SUITE 101

4702 WEYERHAUSER ROAD

C/O REBECCA WHITNEY-SMITH ATTORNEY AT LA
KLAMATH FALLS OR 97601

Address Line 2/4

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

FLINT MI 48501-2026

1403 NORTH TUSTIN AVENUE #280

OCALA FL 34474

KLAMATH FALLS OR 97601

1151 PINE STREET

13	COLIN DUNCAN	1503 DELTA STREET	KLAMATH FALLS OR 97601
71969002484001155383 14	LISA MARIE DUNCAN	4702 WEYERHAUSER ROAD	KLAMATH FALLS OR 97601
71969002484001155390 15	LISA MARIE KIRK	4702 WEYERHAUSER ROAD	KLAMATH FALLS OR 97601
71969002484001155406 16	LISA MARIE DUNCAN	C/O REBECCA WHITNEY-SMITH, ATTORNEY AT L KLAMATH FALLS OR 97601	1151 PINE STREET
71969002484001155413 17	LISA MARIE KIRK	C/O REBECCA WHITNEY-SMITH, ATTORNEY AT L KLAMATH FALLS OR 97601	1151 PINE STREET
71969002484001155420 18	COLIN TRAHERN DUNCAN	1503 DELTA STREET	KLAMATH FALLS OR 97601
71969002484001155437 19	STATE OF OREGON DEPARTMENT OF JUSTICE	ATTN: ATTORNEY GENERAL JOHN KROGER SALEM OR 97301-4096	1162 COURT ST NE
71969002484001155444 20	STATE OF OREGON DIVISION OF CHILD SUPPOR	PO BOX 14506	SALEM OR 97309

Department of Defense Manpower
Data Center

Oct-17-2010 16:15:28



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
DUNCAN	COLIN	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).

A handwritten signature in black ink, reading "Mary M. Snavely-Dixon".

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 "defenselink.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.

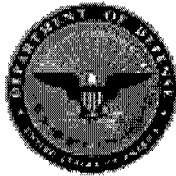
Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

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:T77EABE3HD

Department of Defense Manpower
Data Center

Oct-17-2010 16:15:33



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
DUNCAN	LISA	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).

A handwritten signature in black ink, reading "Mary M. Snavelly-Dixon".

Mary M. Snavelly-
Dixon, Director

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Defense -
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1600 Wilson
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<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: PIC7EFFCGL

Klamath County, Oregon
SOUTH VALLEY BANK & TRUST, beneficiary
COLIN T DUNCAN & LISA M DUNCAN, grantor
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee
TS # 1296663-09
REF # 348835

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 **1503 DELTA ST, Klamath Falls, OR 97601**, with copy(ies), as follows:

1st attempt: (date) 10/8/10 (time) 9:22 am () Posted ☒ Served

2nd attempt: (date) _____ (time) _____ () Posted () Served

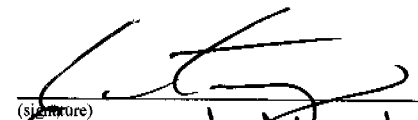
3rd attempt: (date) _____ (time) _____ () Posted () Served

Posted on the property in a secure manner, in a conspicuous place, to wit: _____.

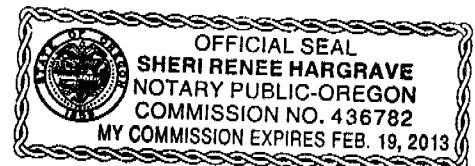
Served upon an adult occupant by delivering a copy

☒ Personally to (name) Lisa Duncan

() Substituted to (name) _____.


(signature)
Gabriel Martinez
(print name)

STATE OF OREGON, County of Klamath
Signed and affirmed before me on 10/17/2010
Sheri Renee Hargrave
NOTARY PUBLIC - OREGON (SEAL)



CLIENT: RELIABLE POSTING & PUBLISHING REF # 348835
IPS# 67380

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

348835.

TRUSTEE'S NOTICE OF SALE

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

Loan No: XXXXXX4158
T.S. No: 1296663-09

BY 

Reference is made to that certain deed made by
COLIN T DUNCAN AND LISA M DUNCAN as Grantor to
AMERITITLE, as Trustee, in favor of

SOUTH VALLEY BANK & TRUST., A BANKING CORPORATION as Beneficiary,

dated October 21, 2005, recorded October 21, 2005, in official records of KLAMATH County, OREGON
in book/reel/volume No. XX at
page No. XX, fee/file/instrument/microfilm/reception No. M05-67136 covering the following described
real property situated in the said County and State, to-wit:

THE WEST 78 FEET OF LOT 6 IN BLOCK 33, HILLSIDE ADDITION TO THE CITY OF
KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE
OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

1503 DELTA STREET KLAMATH FALLS OR 97601

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 April 1, 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 \$804.86 Monthly Late Charge \$32.64

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 \$107,410.50 together with
interest thereon at the rate of 5.500% per annum, from March 01, 2010 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: XXXXXX4158

T.S. No: 1296663-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on February 08, 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.

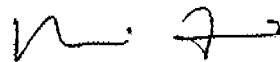
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words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

Dated: October 04, 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: XXXXXX4158

T.S. No: 1296663-09

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 09, 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>

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 # 12803

Trustee's Notice of Sale

Duncan

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:

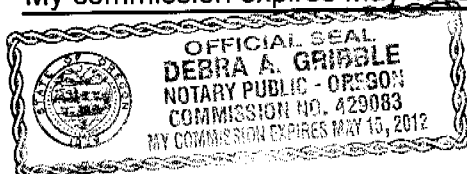
November 03, 10, 17, 24, 2010

Total Cost: \$1,269.87

Subscribed and sworn by Jeanine P Day
before me on: November 24, 2010

Debra A Grubbe
Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE Loan No: xxxxxx4158 T.S. No.: 1296663-09.

Reference is made to that certain deed made by Colin T Duncan and Lisa M Duncan, as Grantor to Amerititle, as Trustee, in favor of South Valley Bank & Trust, A Banking Corporation, as Beneficiary, dated October 21, 2005, recorded October 21, 2005, in official records of Klamath, Oregon in book/reel/volume No. xx at page No. xx, fee/file/instrument/microfilm/reception No. m05-67136 covering the following described real property situated in said County and State, to-wit: **The west 78 feet of lot 6 in block 33, Hillside addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.** Commonly known as: 1503 Delta Street Klamath Falls OR 97601.

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 April 1, 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 \$804.86 Monthly Late Charge \$32.64.

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 \$107,410.50 together with interest thereon at 5.500% per annum from March 01, 2010 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 08, 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 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 04, 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 8, 2010, 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-348835 11/03/10, 11/10, 11/17, 11/24. #12803 November 03, 10, 17, 24, 2010.

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

Loan No: 2003214158

TS#: 1296663-09

Borrower name(s): COLIN T DUNCAN AND LISA M DUNCAN

Property Address: 1503 DELTA STREET
KLAMATH FALLS OR 97601

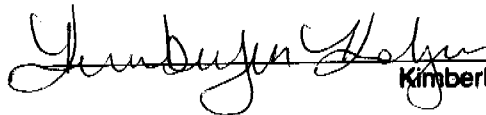
The undersigned beneficiary or authorized agent for the beneficiary hereby represents and declares under the penalty of perjury that a person with authority to modify Borrower's loan took the following action prior to the foreclosure sale (select all that apply):

- ☒ [x] 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.

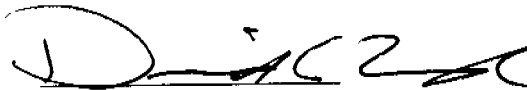
DATED: 4/26/11

CITIMORTGAGE, INC.


Kimberly M Knickmeyer

STATE OF MO
COUNTY OF St Charles

SUBSCRIBED AND SWORN to me this 26 day of April , 2011


Notary Public

