

NTC 89874

**2011-006469**

Klamath County, Oregon



00102387201100064690220226

05/24/2011 03:33:01 PM

Fee: \$172.00

**RECORDING COVER SHEET**

Pursuant to ORS 205.234

County Tax Account Number R587289

1. Affidavit of Service
2. Affidavit of Mailing Notice
3. Trustee's Notice of Sale
4. Affidavit of Publication
5. Affidavit of Compliance with HB3630
6. Certificate of Non-Military Service
7. Affidavit of Compliance with Oregon HB 3610 February 2010 (ORS 86.750)

Successor Trustee Stephen J. Scholz  
Beneficiary Oregon Department of Veterans' Affairs  
Grantor Robert G. Colville and Amy L. Colville

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors contained in this cover sheet do not affect the transactions(s) contained in the instrument itself.

After recording return to  
Foreclosure Section  
Oregon Department of Veterans' Affairs  
700 Summer St NE  
Salem, OR 97301-1285

Klamath County, Oregon  
DIRECTOR OF OREGON DEPT. OF VETERANS' AFFAIRS, beneficiary  
ROBERT G COLVILLE & AMY L COLVILLE, grantor  
STEPHEN J SCHOLZ, trustee/successor trustee  
TS # 0003038791  
REF # 3038791-COLVILLE, ROBERT G & AMY L

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; NOTICE RE: LOSING YOUR PROPERTY upon an OCCUPANT of 10711 SPRING LAKE RD, Klamath Falls, OR 97603, with copy(ies), as follows:

1st attempt: (date) 3/14/11 (time) 12:49 pm ☒ Posted ( ) Served

2nd attempt: (date) 3/16/11 (time) 1:34 pm ☒ Posted ( ) Served

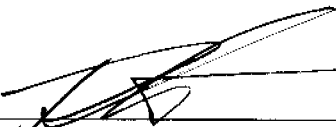
3rd attempt: (date) 3/18/11 (time) 2:27 pm ☒ Posted ( ) Served

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

Served upon an adult occupant by delivering a copy

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

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

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

STATE OF OREGON, County of Klamath  
Signed and affirmed before me on March 22, 2011.

Margaret A. Nielsen  
NOTARY PUBLIC - OREGON



CLIENT: OREGON DEPT OF VETERANS' AFFAIRS REF # 3038791-COLVILLE, ROBERT G & AMY L.  
IPS# 71917

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

Klamath County, Oregon  
DIRECTOR OF OREGON DEPT. OF VETERANS' AFFAIRS, beneficiary  
ROBERT G COLVILLE & AMY L COLVILLE, grantor  
STEPHEN J SCHOLZ, trustee/successor trustee  
TS # 0003038791  
REF # 3038791-COLVILLE, ROBERT G & AMY L

AFFIDAVIT OF MAILING

I certify that:

I mailed a copy of the TRUSTEE'S NOTICE OF SALE; NOTICE TO TENANTS; NOTICE RE:  
LOSING YOUR PROPERTY in a sealed envelope with first class postage thereon fully prepaid  
and deposited with the United States Post Office on  
**March 31, 2011**, addressed as follows:

OCCUPANT  
10711 SPRING LAKE RD  
Klamath Falls OR 97603.

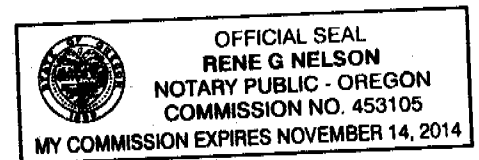
Gloria Carter

STATE OF OREGON, County of Multnomah.

Signed and attested before me on March 31, 2011 by Gloria Carter.

Rene G Nelson (SEAL)

NOTARY PUBLIC - OREGON



CLIENT: OREGON DEPT OF VETERANS' AFFAIRS REF # 3038791-COLVILLE, ROBERT G & AMY L  
IPS# 71917

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



(Reserved for Recording Purposes)

## AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR, SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE

ODVA Account Number	County Tax Account Number
0003038791	R587289

STATE OF OREGON                     )  
  ) ss.  
County of Marion                     )

I, Patty Bolstad, 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 Oregon, a competent person over the age of eighteen years, and not the beneficiary of his successor in interest named in the attached original 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 both first class and certified mail with return receipt requested to each of the following-named persons at their respective last known addresses, to wit:

AFTER RECORDING RETURN TO:

FORECLOSURE  
OREGON DEPARTMENT OF VETERANS' AFFAIRS  
700 SUMMER ST NE  
SALEM OR 97301-1285

Until a change is requested, all tax statements shall be sent to the following address:

TAX SECTION  
OREGON DEPARTMENT OF VETERANS' AFFAIRS  
700 SUMMER ST NE  
SALEM OR 97301-1285

**AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR, SUCCESSOR IN  
INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE (Continued)**

0003038791

R587289

Robert G Colville  
10711 Spring Lake Rd  
Klamath Falls OR 97603-8616

Owner

Robert G. Colville  
4224 E Betsy Ln  
Gilbert AZ 85296-9624

Amy L. Colville  
10711 Spring Lake Rd  
Klamath Falls OR 97603-8616

Amy L. Colville  
4224 E Betsy Ln  
Gilbert AZ 85296-9624

Occupant(s)  
10711 Spring Lake Rd  
Klamath Falls OR 97603-8616

CIT Small Business Lending Corporation  
1 CIT Dr  
Livingston, NJ 07039-5703

CitiBank South Dakota NA  
c/o Patrick J Layman  
Suttell and Hammer P.S.  
1450 114<sup>TH</sup> Ave SE Ste 240  
Bellevue WA 98004-6934

CitiBank South Dakota NA  
Attn Legal Department  
701 E 60<sup>TH</sup> St N  
Sioux Falls SD 57104-0432

Klamath County Tax Collector  
305 Main St  
Klamath Falls OR 97601-6332

State of Oregon Department of Revenue  
955 Center St NE  
Salem OR 97301-2555

Said persons 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 person requesting notice as provided in ORS 86.785.


Each of the notices so mailed was certified to be a true copy of the original notice of sale by Stephen J. Scholz , Trustee, was placed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States Post Office at Salem, Oregon, on March 15, 2011. 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.

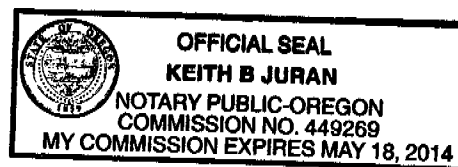
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal commercial entity.

  
\_\_\_\_\_  
Patty Bolstad

Subscribed and sworn to before me on March 15, 2011

(Seal)

  
\_\_\_\_\_  
Notary Public For Oregon





**NOTICE TO TENANTS: 10711 Spring Lake Road, Klamath Falls, Oregon.**

NOTICE is given that any person(s) who occupies and who is or might be a tenant(s) of said Property named in the Trustee's Notice of Sale shall have the right to this notice pursuant to Section 86.755(5) and Section 86.745(9) of Oregon Revised Statutes.

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 notice on or after the date of the sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale.

- If you have a fixed-term lease, you must give the trustee a copy of the rental agreement.
- If you do not have a fixed-term lease, you must give the trustee 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 July 17, 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 guidelines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice.

The Oregon State Bar's referral service number is 503-684-3763 or toll free in Oregon at 1-800-452-7636 or you may visit the web site at [www.osbar.org](http://www.osbar.org). You may also call 1-800-723-3638 for the name and phone number of an organization near you.

**ODVA TRUSTEE:**

Stephen J. Scholz, Oregon Department of Veterans' Affairs  
700 Summer St NE, Salem, Oregon 97301-1285  
Phone 503-373-2235



*(Reserved for Recording Purposes)*

### TRUSTEE'S NOTICE OF SALE

Account Number	County Tax Account Number
0003038791	R587289

Reference is made to that certain Trust Deed made by Robert G. Colville and Amy L. Colville as grantor, to AmeriTitle, an Oregon Corporation as trustee, in favor of State of Oregon, by and through the Director of Oregon Department of Veterans' Affairs, as beneficiary, dated October 17, 2005, recorded November 2, 2005, in the mortgage records of Klamath County, Oregon, M05, page 68136, and whereas a successor trustee, Stephen J. Scholz, was appointed pursuant to ORS 86.790(3) by written instrument recorded on March 8, 2011, covering the following described real property situated in said county and state to wit:

#### (SEE LEGAL DESCRIPTION ON NEXT PAGE)

The mailing address of the above-described real property is 10711 Spring Lake Road, Klamath Falls, Oregon.

By reason of said default, the beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following to-wit:

The principal sum of \$187,989.37 with interest thereon at the rate of 5.125 percent per annum from October 1, 2010, until paid, plus trustee's fees, attorney's fees, foreclosure costs, and sums advanced by the beneficiary pursuant to the terms of said Trust Deed.

#### AFTER RECORDING RETURN TO:

FORECLOSURE SECTION  
OREGON DEPARTMENT OF VETERANS' AFFAIRS  
700 SUMMER ST NE  
SALEM OR 97301-1285

Until a change is requested, all tax statements shall be sent to the following address:

TAX SECTION  
OREGON DEPARTMENT OF VETERANS' AFFAIRS  
700 SUMMER ST NE  
SALEM OR 97301-1285



**TRUSTEE'S NOTICE OF SALE (Continued)**

Account Number	County Tax Account Number
0003038791	R587289

**LEGAL DESCRIPTION:**

See Attached.

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 on March 8, 2011, in 2011-003312, pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Full monthly payments of \$1110.88 from November 1, 2010 through March 1, 2011, which totals \$5,554.40, and

Late fees of \$222.16, and

Legal costs of \$683.00 as of March 3, 2011, minus

The forbearance account balance of \$383.58,

Which totals \$6,075.98.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 16, 2011 at the hour of 10 o'clock, a.m., in accord with the Standard of Time established by Section 187.110, Oregon Revised Statutes, on the front steps of the County Courthouse at 316 Main St. in the 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 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 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 costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

D. Title to the estate or interest in the land is vested, as of the effective date, in:

ROBERT G. COLVILLE AND AMY L. COLVILLE  
AS TENANTS BY THE ENTIRETY

E. The land referred to in this Guarantee is described as follows:

That portion of the SE1/4 SE1/4 of Section 34, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point in the South line of said Section 34, 640 feet West of the Southeast corner of said Section; thence North 20° 40' West 31.5 feet; thence North 2° 50' East 754 feet; thence North 50° 49' West 175 feet; thence South 88° 47' West 285.8 feet; thence North 38° 35' West 394.2 feet; thence West 38 feet to a point in the West boundary of said SE1/4 NE1/4 of said Section, at a point 1195 feet North of the Southwest corner of the SE1/4 SE1/4 of said Section; thence South 1195 feet; thence East 680 feet to the point of beginning.

EXCEPTING THEREFROM one acre in the Southeast corner of said tract heretofore deeded to the Klamath Irrigation District.

AND EXCEPTING THEREFROM that portion thereof conveyed to Gustav Alfred Jacobson by Warranty Deed dated March 7, 1968, recorded March 21, 1969 in Volume M69, page 2060, Microfilm Records of Klamath County, Oregon.

AND EXCEPTING THEREFROM that portion thereof conveyed to Klamath Irrigation District, a corporation, by Warranty Deed dated March 7, 1969, recorded March 25, 1969 in Volume M69, page 2156, Microfilm Records of Klamath County, Oregon.

AND FURTHER EXCEPTING THEREFROM those portions thereof lying within the boundaries of Midland Road and Spring Lake Road.

**TRUSTEE'S NOTICE OF SALE (Continued)**

Account Number	County Tax Account Number
0003038791	R587289

In construing this instrument, the masculine gender includes the feminine and the neuter, and the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said Trust Deed; the word "trustee" and "beneficiary" include their respective successors-in-interest, if any.

DATED: March 8, 2011

*Stephen J. Scholz*

Successor Trustee  
Stephen J. Scholz  
Oregon Department of Veterans' Affairs  
700 Summer Street NE  
Salem OR 97301-1285  
Phone 503-373-2235

STATE OF OREGON                     )  
  )ss.  
County of Marion                    )

On March 8, 2011

I, the undersigned, certify that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale. This instrument was acknowledged before me by the above-named Stephen J. Scholz, who personally appeared, and, being first duly sworn, did say that he is authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.

Before me:

*Keith B. Juran*  
Notary Public for Oregon



# Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

I, Heidi Wright, Publisher,  
being first duly sworn, depose and say  
that I am 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 # 13255

Trustee's Notice of Sale

Colville

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:

April 17, 24, May 01, 08, 2011

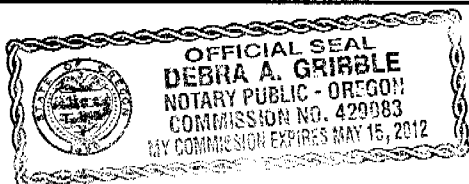
Total Cost: \$1,257.48

Subscribed and sworn by Heidi Wright

before me on: May 9, 2011

Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE Account Number 0003038791 County Tax Account Number R587289

Reference is made to that certain Trust Deed made by Robert G. Colville and Amy L. Colville as grantor, to AmeriTitle, an Oregon Corporation as trustee, in favor of State of Oregon, by and through the Director of Oregon Department of Veterans' Affairs, as beneficiary, dated October 17, 2005, recorded November 2, 2005, in the mortgage records of Klamath County, Oregon, M05, page 68136, and whereas a ~~successor trustee, Stephen L. Scholz, was appointed pursuant to ORS 86.790(3) by written instrument recorded on March 8, 2011, covering the following described real property~~ in said county and state to wit: The land hereinafter in this Guarantee is described as follows:

- That portion of the SE1/4 SE1/4 of Section 34, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:
  - Beginning at a point in the South line of said Section 34, 640 feet West of the Southeast corner of said Section; thence North 20° 40' West 31.5 feet; thence North 2°50' East 754 feet; thence North 50°49' West 175 feet; thence South 88°47' West 285.8 feet; thence North 38°35' West 394.2 feet; thence West 38 feet to a point in the West boundary of said SE1/4 NE1/4 of said Section, at a point 1195 feet North of the Southwest corner of the SE1/4 SE1/4 of said Section; thence South 1195 feet; thence East 680 feet to the point of beginning.
- EXCEPTING THEREFROM one acre in the Southeast corner of the said tract heretofore deeded to the Klamath Irrigation District.
- AND EXCEPTING THEREFROM that portion thereof conveyed to Gustav Alfred Jacobson by Warranty Deed dated March 7, 1968, recorded March 21, 1969 in Volume M69, page 2060, Microfilm Records of Klamath County, Oregon.
- AND EXCEPTING THEREFROM that portion thereof conveyed to Klamath Irrigation District, a corporation, by Warranty Deed dated March 7, 1969, recorded March 25, 1969 in Volume M69, page 2156, Microfilm Records of Klamath County, Oregon.
- AND FURTHER EXCEPTING THEREFROM those portions thereof lying within the boundaries of Midland Road and Spring Lake Road.
- The mailing address of the above-described real property is 10711 Spring Lake Road, Klamath Falls, Oregon.

By reason of said default, the beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following to-wit:

- The principal sum of \$187,989.37 with interest thereon at the rate of 5.125 percent per annum from October 1, 2010, until paid, plus trustee's fees, attorney's fees, foreclosure costs, and sums advanced by the beneficiary pursuant to the terms of said Trust Deed.

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 on March 8, 2011, in 2011-003312, pursuant to Section 86.735 (3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

- Full monthly payments of \$1110.88 from November 1, 2010 through March 1, 2011, which totals \$5,554.40, and
- Late fees of \$222.16, and
- Legal costs of \$683.00 as of March 3, 2011, minus
- The forbearance account balance of \$383.58,
- Which totals \$6,075.98.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 16, 2011 at the hour of 10 o'clock, a.m., in accord with the Standard of Time established by Section 187.110, Oregon Revised Statutes, on the front steps of the County Courthouse at 316 Main St. in the 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 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 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 costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

In construing this instrument, the masculine gender includes the feminine and the neuter, and the singular includes the plural; the word "grantor" includes any successor in interest to the grantor as well as each and all other persons owing an obligation, the performance of which is secured by said Trust Deed; the word "trustee" and "beneficiary" include their respective successors-in-interest, if any.

DATED: March 8, 2011

/s/Stephen J. Scholz, Successor Trustee  
Oregon Department of Veterans' Affairs  
700 Summer Street NE, Salem OR 97301-1285  
Phone 503-373-2235  
# 13255 April 17, 24, May 01, 08, 2011.

**TRUSTEE'S AFFIDAVIT AS TO COMPLIANCE WITH HB3630**

**State of Oregon  
County of Marion**

**I, Stephen J. Scholz, being first duly sworn, depose, say and certify that:**

**I am the Successor Trustee in that certain Trust Deed executed by Robert G. Colville and Amy L. Colville as grantor(s), to AmeriTitle, an Oregon Corporation as Trustee, with the Oregon Department of Veterans' Affairs, a State Agency of the State of Oregon, by and through the Director of the Oregon Department of Veterans' Affairs as beneficiary, recorded November 2, 2005, Volume M05, page 68136 Microfilm Records of Klamath County, Oregon.**

**Commonly known as 10711 Spring Lake Rd., Klamath Falls, Oregon.**

**I herby certify that the attached notice of danger of losing notice was furnished by registered or certified mail, return receipt requested, and first class mail to each of the following named persons:**

**Robert G. Colville  
10711 Spring Lake Rd  
Klamath Falls OR 97603-8616**

**Robert G. Colville  
4224 E Betsy Ln  
Gilbert AZ 85296-9634**

**Amy L. Colville  
10711 Spring Lake Rd  
Klamath Falls OR 97603-8616**

**Amy L. Colville  
4224 E Betsy Ln  
Gilbert AZ 85296-9624**

Occupant(s)  
10711 Spring Lake Rd  
Klamath Falls OR 97603-8616

The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.

*Stephen J. Scholz*

Stephen J. Scholz  
Successor Trustee

State of Oregon  
County of Marion

On this 23RD day of May in the year 2011, before me the undersigned, a Notary Public in and for said County and State, personally appeared Stephen J. Scholz personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

*Keith B. Juran*  
Keith B. Juran  
Notary Public for Oregon

My Commission expires:



AFTER RECORDING RETURN TO:

OREGON DEPARTMENT OF VETERANS' AFFAIRS  
700 SUMMER ST NE  
SALEM OR 97301-1285



**NOTICE:**

0003038791

**COLVILLE, Robert G. and Amy L.**

**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:**

Street Address: 10711 Spring Lake Road  
City: Klamath Falls  
State: Oregon  
ZIP: 97603

Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender.

This is sometimes called 'foreclosure'.

The amount that you would have had to pay as of March 3, 2011, to bring your mortgage current was \$6,075.98.

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 J. Scholz at 503-373-2235 or 1-800-633-6808 ext 2235 to find out the exact amount you must pay to bring your mortgage 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 J. Scholz  
700 Summer St NE  
Salem, Oregon 97301-1285.



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

**PLACE:** Klamath County Courthouse (front steps at 316 Main St.,  
Klamath Falls, Oregon)

**DATE:** August 16, 2011.

**TIME:** 10:00 a.m.

**THIS IS WHAT YOU CAN DO TO STOP THE SALE:**

1. You can pay the amount past due plus the accumulated legal costs 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 sell your home, provided the sale price is enough to pay what you owe.
4. You can call STEVE SCHLAG, ODVA Loan Servicing Manager, at 503-373-2229 to find out if your lender is willing to either give you more time or to change the terms of your loan.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decided what to do. For the name and phone number of an organization near you, please call the statewide phone contact number at 800-SAFENET (800-723-3638). You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's lawyer referral Service at 503-684-3763 or toll free in Oregon at 800-452-7636 or you may visit its Web site at:  
[www.osbar.org](http://www.osbar.org)

**WARNING:** You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have questions, talk to a lawyer or one of those organizations mentioned above before signing.

Trustee name: Stephen J. Scholz

Signature: Stephen J. Scholz

Trustee phone 503-373-2235

Date: 3-8-2011

## **CERTIFICATE OF NON-MILITARY SERVICE**

**State of Oregon  
County of Marion**

**This is to certify that I, Stephen J. Scholz, am the Successor Trustee of that certain Trust Deed made by Robert G. Colville and Amy L. Colville as grantors, AmeriTitle, an Oregon Corporation, as Trustee, and The Oregon Department of Veterans' Affairs, a State Agency of the State of Oregon, by and through the Director of the Department of Veterans' Affairs as Beneficiary, dated October 17, 2005, recorded November 2, 2005, Volume M05, Page 68136, Microfilm Records of Klamath County, Oregon.**

**The property secured by the Trust Deed is scheduled for sale August 16, 2011. I reasonably believe at no time during the period of three months and twenty days immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said Trust Deed, or any interest therein owned by a person in the military service as defined in Article I of the "Soldiers' and Sailor' Civil Relief Act of 1940," as amended and evidenced by the attached Department of Defense certificate(s), or legally incompetent under the laws of the State of Oregon.**

**In construing this certificate, the masculine includes the feminine, the singular includes the plural, the work "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary name in said Trust Deed.**

*Stephen J. Scholz*

Stephen J. Scholz  
Successor Trustee

State of Oregon  
County of Marion

Subscribed and sworn to me this 23RD day of May 2011.  
By Stephen J. Scholz, Successor Trustee.

*Keith B. Juran*

Keith B. Juran  
Notary Public for Oregon

My commission expires:



**AFTER RECORDING RETURN TO:**

**FORECLOSURE SECTION  
OREGON DEPARTMENT OF VETERANS' AFFAIRS  
700 SUMMER ST NE  
SALEM OR 97301-1285**

Department of Defense Manpower Data Center

May-23-2011 14:15:06



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
COLVILLE	ROBERT G	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 cursive script that reads "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 "defense link.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.

Department of Defense Manpower Data Center

May-23-2011 14:10:13



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
COLVILLE	AMY L	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 cursive script that reads "Mary M. Snavely-Dixon".

Mary M. Snavely-Dixon, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
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**AFFIDAVIT OF COMPLIANCE WITH OREGON HB 3610 February 2010 (ORS 86.750)**

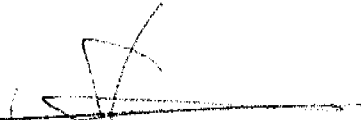
**State of Oregon  
County of Marion**

**The Oregon Department of Veterans' Affairs does not participate in the federal HAMP (Home Owner Assistance Modification Program) or the federal HARP (Home Affordable Refinance Program).**

**We do offer a Temporary Reduction of Payment program per ORS 407.095. The borrowers did not apply for the Temporary Reduction of Payment Program.**

**This is to certify that Robert G. Colville and Amy L. Colville did not apply for a Modification of Mortgage with the Oregon Department of Veterans' Affairs. My name and phone number were listed on the Danger of Losing Notice.**

**I also believe that our loan program is exempt from the obligation of participating in any of the federal modification of mortgage programs because the property is secured by a trust deed that a government agency holds for a loan the government agency funded through a government program.**



**Steve Schlag  
Loan Servicing Manager**

**Subscribed and sworn to me this 23TH day of May 2011 by Steve Schlag, Loan Servicing Manager for the Oregon Department of Veterans' Affairs.**



**Keith B. Juran  
Notary Public for Oregon**

**My commission expires:**



**After recording return to:  
OREGON DEPARTMENT OF VETERANS' AFFAIRS  
700 SUMMER ST NE  
SALEM OR 97301-1285**