

1st 1689173

2011-008040

Klamath County, Oregon



00104361201100080400280280

COVER SHEET

07/07/2011 03:17:26 PM

Fee: \$187.00

ORS: 205.234

This cover sheet has been prepared by the persons presenting 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:

T.D. Service Company
1820 EAST FIRST STREET Suite 210
Santa Ana, Ca 92705
(5158587

FAT
1689173

The date of the instrument attached is 6-7-11

1) NAMES(S) OF THE INSTRUMENT(S) required by ORS 205.234(a)

~~Affidavit of mailing of trustee sale~~ Affidavit of Publication ✓
~~Affidavit of Service~~ Affidavit of Compliance ✓
Affidavit of mailing & Danger notice

2) PARTY(IES)/GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160:

monti's construction

3) PARTY(IES)/GRANTEE, required by ORS 205.125(1)(b) and ORS 205.160

4) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

\$ 0

5) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY CLERK'S LIEN RECORDS, ORS 205.121(1)(c)

6) RE-RECORDED to correct: _____
Previously recorded as: _____

After recording return to:

T.D. SERVICE COMPANY
1820 East First Street, Suite 210
Santa Ana, CA 92705

T.S. No: D524309OR
Loan No: 115240460

AFFIDAVIT OF COMPLIANCE WITH Ch. 864 (2009 Oregon Laws)

STATE OF Washington, County of Spokane ss:

I, Crystal Nelson, being first duly sworn, depose, and say that I am employed by Sterling Savings Bank (hereinafter "beneficiary") and I am familiar name(s) is/are MONITS

CONSTRUCTION, INC. :

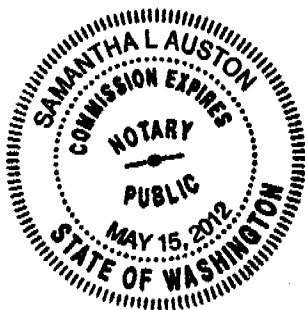
- ☒ Beneficiary did not receive a Modification Request Form from the grantor(s) within the time specified in Chapter 864 (2009 Oregon Laws); or
☐ Beneficiary received a timely Modification Request from the grantor(s) on _____

If beneficiary received a timely Modification Request Form, within 45 days of receipt of the Modification Request Form (check all that apply):

- ☐ Beneficiary or beneficiary's agent reviewed the information submitted by grantor(s), and notified the grantor(s) that the beneficiary denied the request for modification of the loan.
☐ Beneficiary or beneficiary's agent notified the grantor(s) that the beneficiary has denied the request for modification of the loan and the beneficiary or the beneficiary's agent has provided the grantor(s) with the information described in Section (1)(b) or (c) of this subsection.
☐ Beneficiary or beneficiary's agent notified the grantor(s) provide additional information needed to determine whether the loan could be modified.
☐ If timely requested by the grantor(s), the beneficiary or beneficiary's agent met with the grantor(s) in person or spoke to the grantor(s) by telephone before the beneficiary or beneficiary's agent responded to the grantor(s) request to modify the loan.
The person representing beneficiary or beneficiary's agent who met or spoke with grantor(s) had or was able to obtain authority to modify the loan.
☐ The grantor(s) did not respond to the beneficiary within seven business days of the date the beneficiary or the beneficiary agent attempted to contact the grantor(s) to schedule a meeting in person or by telephone.
☐ The beneficiary has previously considered the current financial information provided by the grantor(s), and has in good faith determined that the grantor(s) is not eligible for a modification of this loan. The beneficiary has informed the grantor(s) that the grantor(s) is not eligible for a modification of this loan.
☐ Other action taken: _____

By: Crystal Nelson
Crystal Nelson

Subscribed and sworn to before me on 6/7/11 by Crystal Nelson
(name of affiant).



Santa L. Auston
Notary Public for Washington

**AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF KLAMATH**

I, Jeanine P. Day, Finance Director, being duly sworn, depose and say that I am the principle 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#13406 MONTI'S CONSTRUCT
#936844

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues:

05/27/2011 06/03/2011 06/10/2011 06/17/2011

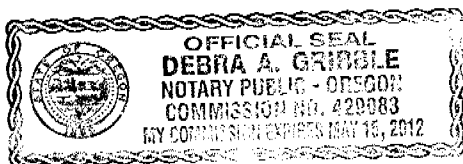
Jeanine P Day

Subscribed and sworn by Jeanine P Day before me on:
17th day of June in the year of 2011

Debra A Gribble

Notary Public of Oregon

My commission expires on May 15, 2012



OREGON TRUSTEE'S NOTICE OF SALE

T.S. No: D524309 OR Unit Code: D

Loan No: 115240460/MONTIS CON

Min No: 10018630000157980 AP #1: R893650

Title #: 5158587

Reference is made to that certain Trust Deed made by MONTIS CONSTRUCTION INC., AN OREGON CORPORATION as Grantor, to ASPEN TITLE & ESCROW, INC as Trustee, in favor of STERLING SAVINGS BANK as Beneficiary. Dated January 14, 2009, Recorded January 28, 2009 as Instr. No. 2009-001035 in Book --- Page --- of Official Records in the office of the Recorder of KLAMATH County: OREGON AND A CONTINUING GUARANTY DATED 02/08/07, TS # D 524309 Loan 115240460/Montis Construction EXHIBIT "A" Said Deed of Trust is Cross Collateralized with the following Deeds of Trust: TS# D524300 Recorded 1/28/09 as Instrument Number 2009-001040 TS# D 524317 Recorded 1/28/09 as Instrument Number 2009-001036 TS# D 524310 Recorded 1/28/09 as Instrument Number 2009-001038 TS# D524318 Recorded 1/28/09 as Instrument Number 2009-001039 TS# D524362 Recorded 8/24/06 as Instrument Number 2006-017078 TS# D524320 Recorded 5/16/05 as Vol M05 Page 35170 TS# D524316 Recorded 9/26/07 as Instrument Number 2007-016860 covering the following described real property situated in said county and state, to wit: LOT 7, TRACT NO. 1439, PRAIRIE MEADOWS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

Both the beneficiary and the trustee have elected to sell the said real property. The property will be sold to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is Grantor's failure to pay when due, the following sums: 7 PYMTS FROM 07/01/10 TO 01/01/11 @ 847.31 \$5,931.17 7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88 \$244.16 2 PYMTS FROM 02/01/11 TO 03/01/11 @ 855.03 \$1,710.06 1 L/C DUE 02/16/11 @ 34.88 \$34.88 DEMAND FEE \$35.00 Sub-Total of Amounts in Arrears: \$7,955.27 PLUS EVIDENCE THAT REAL ESTATE TAXES ARE CURRENT. D524309 Loan# 115240460 EXHIBIT B The following is an itemized account of the amounts in arrears under the Deeds of Trust and other obligations pursuant to certain cross default provisions under the Deeds of Trust and/or Cross Collateralization and Cross Default Riders to Deeds of Trust

D524300 Loan # 115240387 7 PYMTS FROM 07/01/10 TO 01/01/11 @ 848.62 \$5,940.34 7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88 \$244.16 2 PYMTS FROM 02/01/11 TO 03/01/11 @ 712.40 \$1,424.80 1 L/C DUE 02/16/11 @ 34.88 DEMAND FEE \$35.00 TOTAL \$7,679.18
D524317 Loan # 115240478 7 PYMTS FROM 07/01/10 TO 01/01/11 @ 847.31 \$5,931.17 7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88 \$244.16 2 PYMTS FROM 02/01/11 TO 03/01/11 @ 855.03 \$1,710.06 1 L/C DUE 02/16/11 @ 34.88 \$34.88 DEMAND FEE \$35.00 TOTAL \$7,955.27 D424310 Loan # 115240403 7 PYMTS FROM 07/01/10 TO 01/01/11 @ 847.31 \$5,931.17 7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88 \$244.16 2 PYMTS FROM 02/01/11 TO 03/01/11 @ 848.72 \$1,697.44 1 L/C DUE 02/16/11 @ 34.88 \$34.88 DEMAND FEE \$35.00 TOTAL \$7,942.65 D514318 Loan # 115240395 7 PYMTS FROM 07/01/10 TO 01/01/11 @ 869.75 \$6,088.25 7 L/C FROM 07/16/10 TO 01/16/11 @

\$69.75 \$6,088.25 7 L/C FROM 07/16/10 TO 01/16/11 @
 34.88 \$244.16 2 PYMTS FROM 02/01/11 TO 03/01/11 @
 848.78 \$1,697.56 1 L/C DUE 02/16/11 @34.88 \$34.88 DE-
 MAND FEE \$35.00 TOTAL \$8,099.85 D524362 Loan
 378001018-9001 9 PYMTS FROM 06/15/10 TO 02/15/11 @
 1,656.36 \$14,907.24 9 L/C FROM 06/26/10 TO 02/26/11
 @82.81 \$745.29 TOTAL \$15,652.53 D524320 Loan
 150703066 UNPAID PRINCIPAL BALANCE \$280,366.20
 INTEREST @ 6.5000 % FROM 05/24/10 THRU 03/04/11
 \$14,224.69 ACCRUED LATE CHARGES \$1,028.82 MIS-
 CELLANEOUS FEES \$25,495.26 TOTAL \$321,114.97
 D524316 Loan 378001543-9001 9 PYMTS FROM 06/15/10
 TO 02/15/11 @ 1,372.10 \$12,348.90 9 L/C FROM 06/26/10
 TO 02/26/11 @ 68.60 \$617.40 TOTAL \$12,966.30 Together
 with any default in the payment of recurring obligations as
 they become due. ALSO, if you have failed to pay taxes on
 the property, provide insurance on the property or pay other
 senior liens or encumbrances as required in the note and
 Trust Deed, the beneficiary may insist that you do so in order
 to reinstate your account in good standing. The beneficiary
 may require as a condition to reinstatement that you
 provide reliable written evidence that you have paid all senior
 liens or encumbrances, property taxes, and hazard insurance
 premiums. These requirements for reinstatement should be confirmed
 by contacting the undersigned Trustee. The street or other common
 designation if any, of the real property described above is
 purported to be: 5553 KELLAL LANE, KLAMATH FALLS, OR 97603
 The undersigned Trustee disclaims any liability for any incorrectness
 of the above street or other common designation.

By reason of said default, the beneficiary has declared all
 sums owing on the obligation secured by said Trust Deed
 immediately due and payable, said sums being the following,
 to wit: Principal \$1,477,707.97 together with interest as
 provided in the note or other instrument secured and such
 other costs and fees are due under the note or other instrument
 secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned
 trustee will, on July 11, 2011, at the hour of 10:00 A.M. in
 accord with the Standard Time, as established by ORS
 187.110, INSIDE THE MAIN LOBBY OF THE KLAMATH
 COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH
 FALLS, County of KLAMATH, State of OREGON, (which is
 the new date, time and place set for said sale) 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 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 se-
 cured and the costs and expenses of sale, including a rea-
 sonable charge by the trustee. Notice is further given that
 any person named in O.R.S. 86.753 has the right, at any time
 prior to five days before the date last set for the sale, to
 have this foreclosure proceeding dismissed and the Trust
 Deed reinstated by payment to the beneficiary of 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 herein that is capable
 of being cured by tendering the performance required un-
 der the obligation of the 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 in-
 curred in enforcing the obligation and Trust Deed, together
 with trustee's and attorney's fees not exceeding the
 amounts provided by said ORS 86.753. It will be necessary
 for you to contact the undersigned prior to the time you ten-
 der reinstatement or payoff so that you may be advised of
 the exact amount, including trustee's costs and fees, that you
 will be required to pay. Payment must be in the full amount
 in the form of cashier's or certified check. The effect of
 the sale will be to deprive you and all those who hold by,
 through and under you of all interest in the property de-
 scribed above.

In construing this notice, the masculine gender includes the
 feminine and the neuter, the singular includes the 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. The Beneficiary may be at-
 tempting to collect a debt and any information obtained may
 be used for that purpose. If the Trustee is unable to con-
 vey title for any reason, the successful bidder's sole and ex-
 clusive remedy shall be the return of monies paid to the
 Trustee, and the successful bidder shall have no further re-
 course. If available, the expected opening bid and/or post-
 ponement information may be obtained by calling the fol-
 lowing telephone number(s) on the day before the sale:
 (714) 480-5690 or you may access sales information at
www.tacforeclosures.com/sales DATED: 03/04/11
 CHRISTOPHER C. DORR, LLC, OSBA # 992526 By
 CHRISTOPHER C. DORR, ATTORNEY AT LAW DIRECT
 INQUIRIES TO: T.D. SERVICE COMPANY FORECLO-
 SURE DEPARTMENT 1820 E. FIRST ST., SUITE 210
 P.O. BOX 11988 SANTA ANA, CA 92711-1988 (800)
 843-0260 TAC# 936844 PUB: 05/27/11, 06/03/11,
 06/10/11, 06/17/11.
 #13406 May 27, June 03, 10, 17, 2011.

**PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS**

STATE OF: Oregon
COUNTY OF: Klamath

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: Occupants of **5553 Kellal Lane. Klamath Falls, OR 97603** ✓

☐ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to ___ at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to __, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☒ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

1st Attempt: **March 9, 2011** **2:49 PM** **Posted**

2nd Attempt: **March 12, 2011** **3:00 PM** **Posted**

3rd Attempt: **March 15, 2011** **4:06 PM** **Posted**

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on ___ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the day of **March 17, 2011**, I mailed a copy of the Trustee's Notice of Sale addressed to **All Known Occupants** at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed Chelsen Meek

5553 Kellal Lane. Klamath Falls, OR 97603

ADDRESS OF SERVICE

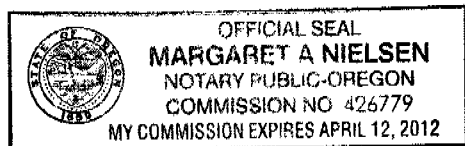
I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

March 9, 2011 **DATE OF SERVICE** 2:49 PM **TIME OF SERVICE**

☐ or non occupancy

By: A. Thompson

Subscribed and sworn to before on this 17 day of March, 2011.



Margaret A. Nielsen
Notary Public for Oregon

After recording Mail to

T.D. SERVICE COMPANY
1820 E. FIRST ST., SUITE 210
P.O. BOX 11988
SANTA ANA, CA 92711-1988

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
AND ADDITIONAL DOCUMENTS AS ATTACHED.**

T.S. No: D524309 OR Unit Code: D Loan No: 115240460/MONTIS CON

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, Jennifer Sanchez, being first duly sworn, depose, and 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 and not a party to the within action.

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 (or their legal representatives, where so indicated) at their respective last known address, attached hereto.

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee of the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien of interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by CHRISTOPHER C. DORR, LLC, OSBA # 992526, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited in the United States mail at Santa Ana, CA on March 11, 2011. With respect to each person listed on the attached, one such notice was mailed with postage thereon sufficient for first-class delivery to the address indicated, and another such notice was mailed with proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

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

T.S. No: D524309 OR Unit Code: D Loan No: 115240460/MONTIS CON

By: Jennifer Sanchez

STATE OF CA)

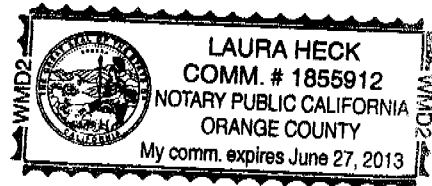
COUNTY OF OR)SS

On 3-11-11 before me, Laura Heck, a Notary Public in and for said County and State, personally appeared Jennifer Sanchez, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the Laws of the State of CA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Laura Heck (Seal)



DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# D 524309

Date: 03/11/11

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6713
RETURN RECEIPT REQUESTED

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6720
RETURN RECEIPT REQUESTED

MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6737
RETURN RECEIPT REQUESTED

MONTI'S CONSTRUCTION, INCORPORATED
1225 ADAMS ST.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6744
RETURN RECEIPT REQUESTED

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 ADAMS ST.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6751
RETURN RECEIPT REQUESTED

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 ADAMS ST.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6768
RETURN RECEIPT REQUESTED

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
1504 OREGON AVENUE
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6775
RETURN RECEIPT REQUESTED

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
1504 OREGON AVENUE
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6782
RETURN RECEIPT REQUESTED

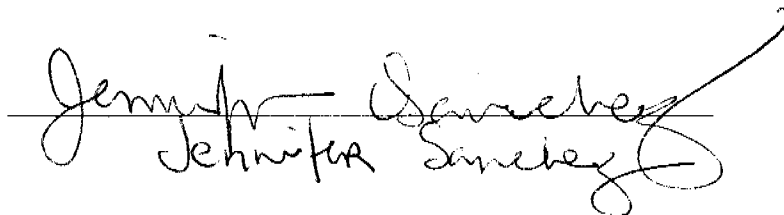
MONTI'S CONSTRUCTION, INCORPORATED
1504 OREGON AVENUE

CERTIFIED 7105 2257 2920 1466 6799
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.


Jennifer Sanchez

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# D 524309

Date: 03/11/11

KLAMATH FALLS, OR 97601

MONTI'S CONSTRUCTION, INCORPORATED
5480 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6805
RETURN RECEIPT REQUESTED

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
5480 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6812
RETURN RECEIPT REQUESTED

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
5480 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6829
RETURN RECEIPT REQUESTED

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6836
RETURN RECEIPT REQUESTED

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6843
RETURN RECEIPT REQUESTED

MONTI'S CONSTRUCTION, INCORPORATED
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6850
RETURN RECEIPT REQUESTED

OCCUPANT
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6867
RETURN RECEIPT REQUESTED

MARTIN MONTI
2076 CALIFORNIA AVE.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6874
RETURN RECEIPT REQUESTED

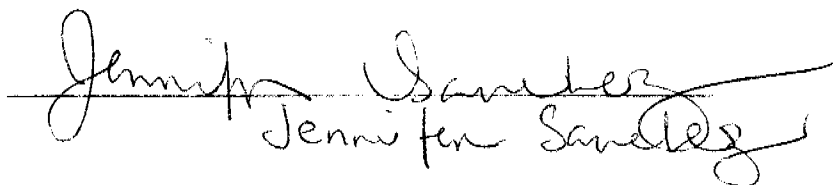
MARTIN I. MONTI
2076 CALIFORNIA AVE.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6881
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.


Jennifer Sanchez

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# D 524309

Date: 03/11/11

JAMES J. MONTI
2089 CALIFORNIA AVE.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6898
RETURN RECEIPT REQUESTED

JAMES MONTI
2089 CALIFORNIA AVE.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6904
RETURN RECEIPT REQUESTED

MONTI'S CONSTRUCTION, INCORPORATED
C/O BRAD ASPELL
ASPELL DELLA-ROSE & RICHARD
122 S 5TH ST.
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6911
RETURN RECEIPT REQUESTED

MARTIN MONTI
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6928
RETURN RECEIPT REQUESTED

JAMES J. MONTI
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6935
RETURN RECEIPT REQUESTED

MONTIS CONSTRUCTION INC.
1225 A ADAMS ST
KLAMATH FALLS, OR 97602

CERTIFIED 7105 2257 2920 1466 6942
RETURN RECEIPT REQUESTED

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST
KLAMATH FALLS, OR 97602

CERTIFIED 7105 2257 2920 1466 6959
RETURN RECEIPT REQUESTED

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST
KLAMATH FALLS, OR 97602

CERTIFIED 7105 2257 2920 1466 6966
RETURN RECEIPT REQUESTED

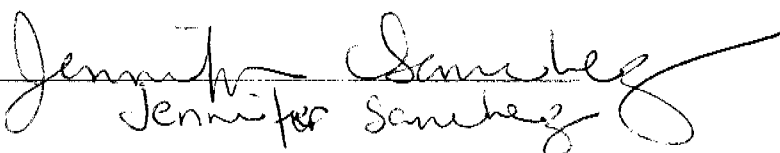
PRAIRIE MEADOWS HOMEOWNERS' ASSOCIATION, INC.
PRAIRIE MEADOWS
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1466 6973
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.


Jennifer Sanchez

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# D 524309

PRAIRIE MEADOWS HOMEOWNERS' ASSOCIATION, INC.
C/O MARTIN I. MONTI
1225 A ADAMS ST
KLAMATH FALLS, OR 97601

Date: 03/11/11

CERTIFIED 7105 2257 2920 1466 6980
RETURN RECEIPT REQUESTED

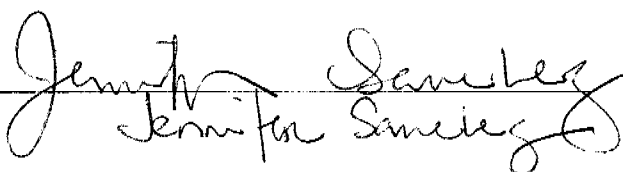
TENANT OF THE PROPERTY
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1466 6997
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA
COUNTY OF ORANGE

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I certify or declare under penalty of perjury that the foregoing is true and correct.


Jennifer Sanchez

AFFIDAVIT OF MAILING
BY FIRST CLASS MAIL

T.S.# D 524309

Date: 03/11/11

STATE OF CALIFORNIA
COUNTY OF ORANGE

SS.

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Addressed to the following:

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST.
KLAMATH FALLS, OR 97601

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST.
KLAMATH FALLS, OR 97601

MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST.
KLAMATH FALLS, OR 97601

MONTI'S CONSTRUCTION, INCORPORATED
1225 ADAMS ST.
KLAMATH FALLS, OR 97601

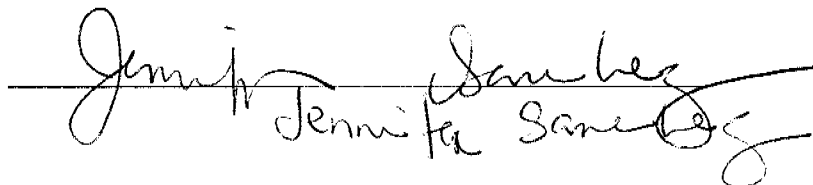
JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 ADAMS ST.
KLAMATH FALLS, OR 97601

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 ADAMS ST.
KLAMATH FALLS, OR 97601

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
1504 OREGON AVENUE
KLAMATH FALLS, OR 97601

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
1504 OREGON AVENUE
KLAMATH FALLS, OR 97601

I declare under penalty of perjury that the foregoing is true and correct.


Jennifer Sanchez

AFFIDAVIT OF MAILING
BY FIRST CLASS MAIL

T.S.# D 524309

Date: 03/11/11

STATE OF CALIFORNIA
COUNTY OF ORANGE

SS.

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Addressed to the following:

MONTI'S CONSTRUCTION, INCORPORATED
1504 OREGON AVENUE
KLAMATH FALLS, OR 97601

MONTI'S CONSTRUCTION, INCORPORATED
5480 KELLAL LANE
KLAMATH FALLS, OR 97603

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
5480 KELLAL LANE
KLAMATH FALLS, OR 97603

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
5480 KELLAL LANE
KLAMATH FALLS, OR 97603

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

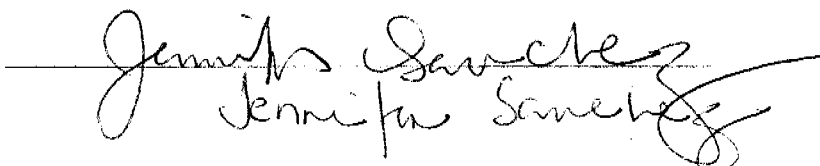
JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

MONTI'S CONSTRUCTION, INCORPORATED
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

OCCUPANT
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

MARTIN MONTI
2076 CALIFORNIA AVE.
KLAMATH FALLS, OR 97601

I declare under penalty of perjury that the foregoing is true and correct.


Jennifer Sanchez

AFFIDAVIT OF MAILING
BY FIRST CLASS MAIL

T.S.# D 524309

Date: 03/11/11

STATE OF CALIFORNIA
COUNTY OF ORANGE

SS.

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Addressed to the following:

MARTIN I. MONTI
2076 CALIFORNIA AVE.
KLAMATH FALLS, OR 97601

JAMES J. MONTI
2089 CALIFORNIA AVE.
KLAMATH FALLS, OR 97601

JAMES MONTI
2089 CALIFORNIA AVE.
KLAMATH FALLS, OR 97601

MONTI'S CONSTRUCTION, INCORPORATED
C/O BRAD ASPELL
ASPELL DELLA-ROSE & RICHARD
122 S 5TH ST.
KLAMATH FALLS, OR 97601

MARTIN MONTI
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

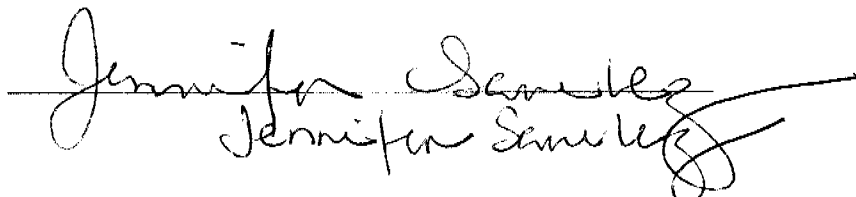
JAMES J. MONTI
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

MONTIS CONSTRUCTION INC.
1225 A ADAMS ST
KLAMATH FALLS, OR 97602

JAMES J. MONTI, SECRETARY
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST
KLAMATH FALLS, OR 97602

MARTIN I. MONTI, PRESIDENT
C/O MONTI'S CONSTRUCTION, INCORPORATED
1225 A ADAMS ST

I declare under penalty of perjury that the foregoing is true and correct.


Jennifer Samuels

AFFIDAVIT OF MAILING
BY FIRST CLASS MAIL

T.S.# D 524309

Date: 03/11/11

STATE OF CALIFORNIA
COUNTY OF ORANGE

SS.

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Addressed to the following:

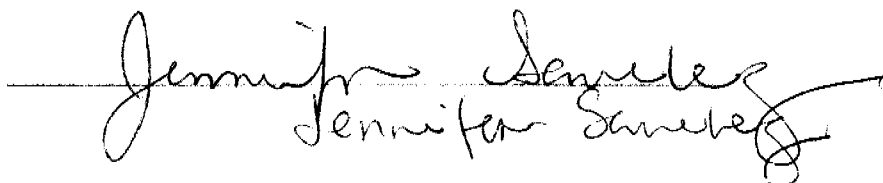
KLAMATH FALLS, OR 97602

PRAIRIE MEADOWS HOMEOWNERS' ASSOCIATION, INC.
PRAIRIE MEADOWS
KLAMATH FALLS, OR 97601

PRAIRIE MEADOWS HOMEOWNERS' ASSOCIATION, INC.
C/O MARTIN I. MONTI
1225 A ADAMS ST
KLAMATH FALLS, OR 97601

TENANT OF THE PROPERTY
5553 KELLAL LANE
KLAMATH FALLS, OR 97603

I declare under penalty of perjury that the foregoing is true and correct.


Jennifer Sanchez

RECORDING REQUESTED BY

T.D. SERVICE COMPANY

and when recorded mail to

T.D. SERVICE COMPANY
1820 E. FIRST ST., SUITE 210
P.O. BOX 11988
SANTA ANA, CA 92711-1988

Space above this line for recorder's use

OREGON TRUSTEE'S NOTICE OF SALE



T.S. No: D524309 OR Unit Code: D Loan No: 115240460/MONTIS CON
Min No: 10018630000157980
AP #1: R893650
Title #: 5158587

Reference is made to that certain Trust Deed made by MONTIS CONSTRUCTION INC., AN OREGON CORPORATION as **Grantor**, to ASPEN TITLE & ESCROW, INC as **Trustee**, in favor of STERLING SAVINGS BANK as **Beneficiary**.

Dated January 14, 2009, Recorded January 28, 2009 as Instr. No. 2009-001035 in Book --- Page --- of Official Records in the office of the Recorder of KLAMATH County; OREGON
AND A CONTINUING GUARANTY DATED 02/08/07, SEE EXHIBIT "A" FOR CROSS
COLLATERALIZED DEEDS OF TRUST

covering the following described real property situated in said county and state, to wit:
LOT 7, TRACT NO. 1439, PRAIRIE MEADOWS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON
FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON

Both the beneficiary and the trustee have elected to sell the said real property. The property will be sold to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is Grantor's failure to pay when due, the following sums:

7 PYMTS FROM 07/01/10 TO 01/01/11 @ 847.31	\$5,931.17
7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88	\$244.16
2 PYMTS FROM 02/01/11 TO 03/01/11 @ 855.03	\$1,710.06
1 L/C DUE 02/16/11 @ 34.88	\$34.88
DEMAND FEE	\$35.00

Sub-Total of Amounts in Arrears: \$7,955.27

PLUS EVIDENCE THAT REAL ESTATE TAXES ARE CURRENT. SEE EXHIBIT B FOR ADDITIONAL AMOUNTS DUE

Together with any default in the payment of recurring obligations as they become due.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens

or encumbrances as required in the note and Trust Deed, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

The street or other common designation if any, of the real property described above is purported to be :
5553 KELLAL LANE, KLAMATH FALLS, OR 97603

The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following, to wit: Principal : *** , together with interest as provided in the note or other instrument secured and such other costs and fees are due under the note or other instrument secured, and as are provided by statute. ***\$1,586,280.68

WHEREFORE, notice is hereby given that the undersigned trustee will, on July 11, 2011, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS , County of KLAMATH, State of OREGON, (which is the date, time and place set for said sale) 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 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 the right exists under O.R.S.86.753, at any time that is not later than five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by paying 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 in the Notice of Default, that is capable of being cured by tendering the performance required under the obligation of the 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 said ORS 86.753.

Page 3

T.S. No: D524309 OR Unit Code: D Loan No: 115240460/MONTIS CON

It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check.

The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the 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.

We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: (714) 480-5690 or you may access sales information at www.tacforeclosures.com/sales

DATED: MARCH 04, 2011

CHRISTOPHER C. DORR, LLC, OSBA # 992526

By 

CHRISTOPHER C. DORR, ATTORNEY AT LAW

DIRECT INQUIRIES TO:
T.D. SERVICE COMPANY
FORECLOSURE DEPARTMENT
1820 E. FIRST ST., SUITE 210
P.O. BOX 11988
SANTA ANA, CA 92711-1988
(800) 843-0260

T.S. No: D524309 OR

Loan#: 115240460/MONTIS CON

Free legal assistance:

Oregon Law Center

Portland: (503) 473-8329

Coos Bay: 1-800-303-3638

Ontario: 1-888-250-9877

Salem: (503) 485-0696

Grants Pass: (541) 476-1058

Woodburn: 1-800-973-9003

Hillsboro: 1-877-726-4381

<http://www.oregonlawcenter.org/>

and Oregon Law Help Site (providing more information and a directory of legal aid programs)

<http://oregonlawhelp.org/OR/index.cfm>

and Oregon State Bar Lawyer Referral Service

503-684-3763 or toll-free in Oregon at 800-452-7636

<http://www.osbar.org>

<http://www.osbar.org/public/ris/ris.html#referral>

and information on federal loan modification programs at:

<http://www.makinghomeaffordable.gov/>

TS # D 524309

Loan 115240460/Montis Construction

EXHIBIT "A"

Said Deed of Trust is Cross Collateralized with the following Deeds of Trust:

TS# D524300

Recorded 1/28/09 as Instrument Number 2009-001040

TS# D 524317

Recorded 1/28/09 as Instrument Number 2009-001036

TS# D 524310

Recorded 1/28/09 as Instrument Number 2009-001038

TS# D524286

Recorded 1/28/09 as Instrument Number 2009-001037

TS# D524318

Recorded 1/28/09 as Instrument Number 2009-001039

TS# D524362

Recorded 8/24/06 as Instrument Number 2006-017078

TS# D524320

Recorded 5/16/05 as Vol M05 Page 35170

TS# D524316

Recorded 9/26/07 as Instrument Number 2007-016860

D524309 Loan# 115240460

EXHIBIT B

The following is an itemized account of the amounts in arrears under the Deeds of Trust and other obligations pursuant to certain cross default provisions under the Deeds of Trust and/or Cross Collateralization and Cross Default Riders to Deeds of Trust

D524300 Loan # 115240387

7 PYMTS FROM 07/01/10 TO 01/01/11 @ 848.62	\$5,940.34
7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88	\$244.16
2 PYMTS FROM 02/01/11 TO 03/01/11 @ 712.40	\$1,424.80
1 L/C DUE 02/16/11 @ 34.88	\$34.88
DEMAND FEE	\$35.00
TOTAL	\$7,679.18

D524317 Loan # 115240478

7 PYMTS FROM 07/01/10 TO 01/01/11 @ 847.31	\$5,931.17
7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88	\$244.16
2 PYMTS FROM 02/01/11 TO 03/01/11 @ 855.03	\$1,710.06
1 L/C DUE 02/16/11 @ 34.88	\$34.88
DEMAND FEE	\$35.00
TOTAL	\$7,955.27

D524286 Loan # 115240486

7 PYMTS FROM 07/01/10 TO 01/01/11 @ 848.04	\$5,936.28
7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88	\$244.16
2 PYMTS FROM 02/01/11 TO 03/01/11 @ 855.82	\$1,711.64
1 L/C DUE 02/16/11 @ 34.88	\$34.88
DEMAND FEE	\$35.00
TOTAL	\$7,961.96

D424310 Loan # 115240403

7 PYMTS FROM 07/01/10 TO 01/01/11 @ 847.31	\$5,931.17
7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88	\$244.16
2 PYMTS FROM 02/01/11 TO 03/01/11 @ 848.72	\$1,697.44
1 L/C DUE 02/16/11 @ 34.88	\$34.88
DEMAND FEE	\$35.00
TOTAL	\$7,942.65

D514318 Loan # 115240395

7 PYMTS FROM 07/01/10 TO 01/01/11 @ 869.75	\$6,088.25
7 L/C FROM 07/16/10 TO 01/16/11 @ 34.88	\$244.16
2 PYMTS FROM 02/01/11 TO 03/01/11 @ 848.78	\$1,697.56
1 L/C DUE 02/16/11 @ 34.88	\$34.88
DEMAND FEE	\$35.00
TOTAL	\$8,099.85

D524362 Loan 378001018-9001

9 PYMTS FROM 06/15/10 TO 02/15/11 @ 1,656.36	\$14,907.24
9 L/C FROM 06/26/10 TO 02/26/11 @ 82.81	\$745.29
TOTAL	\$15,652.53

D524320 Loan 150703066

UNPAID PRINCIPAL BALANCE	\$280,366.20
INTEREST @ 6.5000 % FROM 05/24/10 THRU 03/04/11	\$14,224.69
ACCRUED LATE CHARGES	\$1,028.82
MISCELLANEOUS FEES	\$25,495.26
TOTAL	\$321,114.97

D524316 Loan 378001543-9001

9 PYMTS FROM 06/15/10 TO 02/15/11 @ 1,372.10	\$12,348.90
9 L/C FROM 06/26/10 TO 02/26/11 @ 68.60	\$617.40
TOTAL	\$12,966.30

T.S. Number: D52430 OR
Loan No: 115240460/MONTIS CON

**NOTICE: Pursuant to CH 864, 2009 Oregon Laws
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:
5553 KELLAL LANE, KLAMATH FALLS, OR 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 you would have had to pay as of **March 4, 2011** to bring your mortgage loan current was \$410,313.42

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 **(800) 843-0260** 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: **T.D. SERVICE COMPANY 1820 E. FIRST ST., SUITE 210, P.O. BOX 11988, SANTA ANA, CA 92711-1988.**

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

SALE DATE: July 11, 2011 AT 10:00 A.M. INSIDE THE MAIN LOBBY OF THE 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 call at 509/227-0910 to find out if your lender is willing to give you more time or change the terms of your loan.
 4. You can sell your home, provided the sale price is enough to pay what you owe.
-

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and phone 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 Web site 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 509/227-0910. 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 circumstances have changed. Your lender is not obligated to modify your loan.

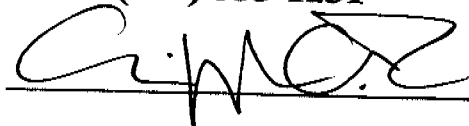
You may request to meet with your lender to discuss options for modifying your loan. During discussions with your lender, you may have the assistance of a lawyer, a housing counselor or another person of your choosing. To receive a referral to a housing counselor or other assistance available in your community, call this toll-free consumer mortgage foreclosure information number: 1-800-723-3638. Many lenders participate in new federal loan modification programs. You can obtain more information about these programs at:
<http://www.makinghomeaffordable.gov/> or 1-888-995-Hope.

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 APRIL 13, 2011 WHICH IS AT LEAST 30 DAYS AFTER THE DATE SHOWN BELOW.

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

Trustee name (print): **CHRISTOPHER DORR**
Trustee phone number: **(206) 555-1231**

Trustee signature



Date:

MARCH 04, 2011

STERLING SAVINGS BANK MODIFICATION REQUEST FORM

Date: March 4, 2011

TS Number: D524309

Unit Code: D

Loan No. 115240460

Property: 5553 Kellal Lane, Klamath Falls, OR 97603

Please note that this Modification Request Form must be completed and returned to:

T.D. Service Company

Attn: Unit D/ Foreclosure Department

1820 East First Street, Suite 210

Santa Ana, CA 92705

and must be received *on or before April 13, 2011*. Complete and return this Modification Request Form and Financial Statement disclosing the information requested, including your current address, phone number, 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 changes at least some of the terms of the loan.

Signature: _____

Signature: _____

You must also complete and return the Financial Statement contained on the following page. **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.

Financial Information Request For Loan # _____

Your name & mailing address _____

Co-Borrower's name & mailing address _____

Phone/Cell numbers and best time to call _____

How long have you owned the home? _____

Total Monthly Income (Net)

	Wages	Social Security	Pensions	Rent/Other Income
Mortgagor				
Co-Mortgagor				

Of Dependents _____ How long on current job? Mortgagor _____ Co-Mortgagor _____

Is the property for sale? _____ Listing date & price _____

Realtor name & company _____ Realtor's phone # _____

Monthly Expenses

1 st Mortgage	\$	Food	\$
2 nd Mortgage	\$	Gas/Electric	\$
Property Taxes	\$	Water/Sewer	\$
Homeowner's Insurance	\$	Trash	\$
HOA/Condo Fees	\$	Phones/Cell Phones	\$
Credit Card Payments	\$	Cable/Satellite TV	\$
Installment loan payments	\$	Internet	\$
Transportation/Gas/Car Repairs	\$	Life/Health Insurance	\$
# Of vehicles in household	\$	Child Support/Alimony	\$
Auto payments	\$	Medical/Dental Expenses	\$
Auto Insurance	\$	Charitable Contributions	\$
Day Care/Child Care	\$	Tuition	\$
Other	\$	Other	\$

I agree that the financial information provided is an accurate statement of my / Our financial status. I understand that any action taken by the Lender is in strict reliance on this information. My / our signature below grants the holder of my mortgage the authority to confirm the information that I have disclosed in this financial statement, to verify it is accurate by ordering a credit report and to contact my realtor and/or credit counseling representative.

By signing below, I agree that the lender, lender's affiliates, the loan servicer and their respective successors and assigns (collectively, "Servicer") may contact me at the telephone numbers listed above for the purpose related to the servicing and/or collection of any loan(s) or line of credit I have made. I agree that Servicer may use an automated dialing and announcing device to make such calls, that Servicer may make such calls to any telephone, facsimile or cellular telephone number that Servicer may subsequently obtain.

Mortgagor's Signature Date

Co-Mortgagor's Signature Date

T.S. Number: D524309 OR

Property Address: 5553 KELLAL LANE, KLAMATH FALLS, OR 97603

NOTICE TO TENANTS

The Trustee is required to give you the following "Notice to Residential Tenants," which was written by the Oregon Legislature. However, it may not accurately or fully state your rights and responsibilities as a tenant under state and federal law. The Trustee cannot give you legal advice regarding these matters. If you have questions, you should consult with your own legal advisor.

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale.

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

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease, you must give the trustee a copy of the rental agreement. If you do not have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is 06/11/11. 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.

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for July 11, 2011. Unless the property owner (your landlord) pays the lender who is foreclosing on this property, the foreclosure will go through and someone new will own this property.

The following information applies to you only if you occupy and rent this property as a residential dwelling under a legitimate rental agreement. The information does not apply to you if you own this property or if you are a commercial tenant.

If the foreclosure goes through, the business or individual who buys this property at the foreclosure sale has the right to require you to move out. The buyer must first give you an eviction notice in writing that specifies the date by which you must move out. The buyer may not give you this notice until after the foreclosure sale happens. If you do not leave before the move-out date, the buyer can have the sheriff remove you from the property after a court hearing. You will receive notice of the court hearing.

FEDERAL LAW REQUIRES YOU TO BE NOTIFIED

IF YOU ARE OCCUPYING AND RENTING THIS PROPERTY AS A RESIDENTIAL DWELLING UNDER A LEGITIMATE RENTAL AGREEMENT, FEDERAL LAW REQUIRES THE BUYER TO GIVE YOU NOTICE IN WRITING A CERTAIN NUMBER OF DAYS BEFORE THE BUYER CAN REQUIRE YOU TO MOVE OUT. THE FEDERAL LAW THAT REQUIRES THE BUYER TO GIVE YOU THIS NOTICE IS EFFECTIVE UNTIL DECEMBER 31, 2012. Under federal law, the buyer must give you at least 90 days' notice in writing before requiring you to move out. If you are renting this property under a fixed-term lease (for example, a six-month or one-year lease), you may stay until the end of your lease term. If the buyer wants to move in and use this property as the buyer's primary residence, the buyer can give you written notice and require you to move out after 90 days, even if you have a fixed-term lease with more than 90 days left.

STATE LAW NOTIFICATION REQUIREMENTS

IF THE FEDERAL LAW DOES NOT APPLY BECAUSE YOU ARE NOT CONSIDERED TO BE A BONA FIDE TENANT, STATE LAW STILL REQUIRES THE BUYER TO GIVE YOU NOTICE IN WRITING BEFORE REQUIRING YOU TO MOVE OUT IF YOU ARE OCCUPYING AND RENTING THE PROPERTY AS A TENANT IN GOOD FAITH. EVEN IF THE FEDERAL LAW REQUIREMENT IS NO LONGER EFFECTIVE AFTER DECEMBER 31, 2012, THE REQUIREMENT UNDER STATE LAW STILL APPLIES TO YOUR SITUATION. Under state law, if you have a fixed-term lease (for example, a six-month or one-year lease), the buyer must give you at least 60 days' notice in writing

before requiring you to move out. If the buyer wants to move in and use this property as the buyer's primary residence, the buyer can give you written notice and require you to move out after 30 days, even if you have a fixed-term lease with more than 30 days left.

If you are renting under a month-to-month or week-to-week rental agreement, the buyer must give you at least 30 days' notice in writing before requiring you to move out.

IMPORTANT: For the buyer to be required to give you notice under state law, you must prove to the business or individual who is handling the foreclosure sale that you are occupying and renting this property as a residential dwelling under a legitimate rental agreement. The name and address of the business or individual who is handling the foreclosure sale is shown on this notice under the heading 'TRUSTEE.' You must mail or deliver your proof not later than 06/11/11 (30 days before the date first set for the foreclosure sale). Your proof must be in writing and should be a copy of your rental agreement or lease. If you do not have a written rental agreement or lease, you can provide other proof, such as receipts for rent you paid.

ABOUT YOUR SECURITY DEPOSIT

Under state law, you may apply your security deposit and any rent you paid in advance against the current rent you owe your landlord. To do this, you must notify your landlord in writing that you want to subtract the amount of your security deposit or prepaid rent from your rent payment. You may do this only for the rent you owe your current landlord. If you do this, you must do so before the foreclosure sale. The business or individual who buys this property at the foreclosure sale is not responsible to you for any deposit or prepaid rent you paid to your landlord.

ABOUT YOUR TENANCY AFTER THE FORECLOSURE SALE

The business or individual who buys this property at the foreclosure sale may be willing to allow you to stay as a tenant instead of requiring you to move out. You should contact the buyer to discuss that possibility if you would like to stay. Under state law, if the buyer accepts rent from you, signs a new residential rental agreement with you or does not notify you in writing within 30 days after the date of the foreclosure sale that you must move out, the buyer becomes your new landlord and must maintain the property. If the buyer does not accept rent from you and does not notify you in writing that you must move out, there is no landlord and no one is responsible for maintaining the property.

YOU SHOULD CONTINUE TO PAY RENT TO YOUR LANDLORD UNTIL THE PROPERTY IS SOLD TO ANOTHER BUSINESS OR INDIVIDUAL OR UNTIL A COURT OR A LENDER TELLS YOU OTHERWISE. IF YOU DO NOT PAY RENT, YOU CAN BE EVICTED. BE SURE TO KEEP PROOF OF ANY PAYMENTS YOU MAKE.

IT IS UNLAWFUL FOR ANY PERSON TO TRY TO FORCE YOU TO LEAVE YOUR HOME WITHOUT FIRST GOING TO COURT TO EVICT YOU. FOR MORE INFORMATION ABOUT YOUR RIGHTS, YOU MAY WISH TO CONSULT A LAWYER. If you believe you need legal assistance, 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 do not have enough money to pay a lawyer and are otherwise eligible, you may be able to receive legal assistance for free. Information about whom to contact for free legal assistance is included with this notice.

Trustee name: **CHRISTOPHER C. DORR, LLC, OSBA # 992526**
c/o T.D. SERVICE COMPANY
Foreclosure Department
1820 E. FIRST ST., SUITE 210
P.O. BOX 11988
SANTA ANA, CA 92711-1988
(800) 843-0260

You are entitled to receive notice as provided under ORS 86.755 (5)(c) and you may have additional rights under Federal Law.

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: <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>.