

WTC 89965

2011-08592

Klamath County, Oregon



00105072201100085920050052

07/25/2011 03:22:14 PM

Fee: \$57.00

After Recording Return to:

Joseph E. Kellerman
Hornecker, Cowling, Hassen & Heysell, LLP
717 Murphy Road
Medford, OR 97504

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

State of Oregon)
) ss.
County of Jackson)

I, Joseph E. Kellerman, being first duly sworn, depose and say and certify that:

1. I am the successor trustee under that certain Trust Deed executed and delivered by Robert Wisnovsky, as Grantor, to AmeriTitle, an Oregon corporation, as Trustee, in which Bank of the Cascades, Trustee is the beneficiary, recorded on April 4, 2007 at Volume 2007, page 006336, Microfilm Records of Klamath County, Oregon and covering the following described real property, to wit:

The Easterly 53.4 feet of Lot 7 and the Westerly 20 feet of Lot 8 in Block 38 of ORIGINAL TOWN OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM any portion lying within the alley adjacent to said lots.

2. I gave notice of the sale (as required by ORS 86.745) of the real property described in the attached Trustee's Notice of Sale by mailing a true copy thereof by both first-class and certified mail with return receipt requested to each of the following named persons or their legal representatives at their respective last known addresses, to wit:

Steven Shapiro, individually and
on behalf of the Steven Shapiro Trust
7122 Hwy 66
Ashland, OR 97520

Any and All Occupants or
Parties in Possession or Claiming
Right to Possession
630 N Main Street
Klamath Falls, OR 97601

On Time 4U, LLC,
an Oregon limited liability company
John S. George, Registered Agent
180 E "F" Street
Jacksonville, OR 97530

Robert Wisnovsky
270 Wells Fargo Drive
Jacksonville, OR 97530

57AMJ

3. Said persons include (a) the Grantors in the Trust Deed, (b) any successor-in-interest to the Grantors whose interest appears of record or of whose interest the Trustee or 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 or 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.

4. Each of the notices so mailed was certified to be a true copy of the original by the undersigned, attorney and successor Trustee named in said Notice; each such copy was contained in a sealed envelope, with postage thereon fully pre-paid, and was deposited by me in the United States Post Office at Medford, Oregon on the 10th day of April 2011. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first-class delivery to the address indicated, and another such notice was mailed with the proper form to request and obtain a return receipt 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.

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

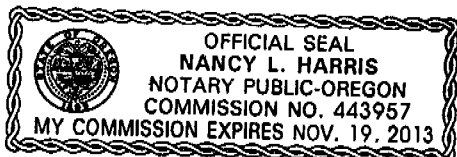
DATED this 22nd day of July 2011.

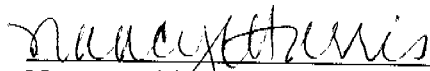


Joseph E. Kellerman

STATE OF OREGON)
) ss.
County of Jackson)

On this 22nd day of July 2011, Joseph E. Kellerman personally appeared in the above-named matter and acknowledged the foregoing instrument to be his voluntary act and deed.





Nancy L. Harris
Notary Public for Oregon
My commission expires: 11-19-2013

TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the Trust Deed described below is in default, and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: Robert Wisnovky
 Trustee: AmeriTitle, an Oregon corporation
 Successor Trustee: Joseph E. Kellerman
 717 Murphy Road
 Medford, OR 97504
 Beneficiary: Bank of the Cascades
2. Property covered by the Trust Deed: The Easterly 53.4 feet of Lot 7 and the Westerly 20 feet of Lot 8 in Block 38 of ORIGINAL TOWN OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM any portion lying within the alley adjacent to said lots.
3. Trust Deed was recorded on April 4, 2007 at Volume 2007, page 006336, Microfilm Records of Klamath County, Oregon.
4. Default for which foreclosure is made is 1) failure of Grantor to pay required monthly payments pursuant to the terms of the promissory note; and 2) failure to pay real property taxes assessed against the premises.
5. The sum owing on the obligation secured by the Trust Deed is \$319,508.02 plus accrued but unpaid interest as of March 4, 2011 in the amount of \$17,966.95, plus accrued but unpaid late charges in the amount of \$1,154.80 plus interest on the unpaid principal balance from March 4, 2011 until paid at the Five-Year Treasury Constant Maturity Rate, plus 8 percentage points plus trustee's, attorneys' costs and fees incurred plus such sums as the Beneficiary may advance for the benefit of Grantor (*i.e.*, real property taxes, insurance premiums, etc.) The Beneficiary has accelerated the entire balance as due and owing.
6. The Beneficiary has and does elect to sell the property to satisfy the obligation.
7. The property will be sold in the manner prescribed by law on the 11th day of August, 2011, at 10:00 a.m. standard time as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon.

8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.
9. In construing this notice and whenever the context hereof so requires, 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 their successors in interest, the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed, and any collateral beneficiary, and their successors in interest.

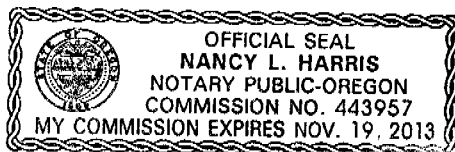
DATED this 11th day of April, 2011.

HORNECKER, COWLING,
HASSEN & HEYSELL, L.L.P.

By: _____
Joseph E. Kellerman, Successor Trustee

STATE OF OREGON)
) ss.
County of Jackson)

On this 11th day of April, 2011, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.



Nancy L. Harris
Notary Public for Oregon
My Commission Expires: 11-19-2013

**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#13410 SALE WISNOVKY

TRUSTEE'S NO

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

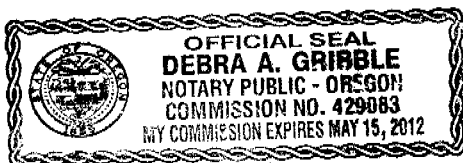
Insertion(s) in the following issues:

05/31/2011 06/07/2011 06/14/2011 06/21/2011

Total Cost: \$827.54

Jeanine P Day
Subscribed and sworn by Jeanine P Day before me on:
21st day of June in the year of 2011

Debra A Gribble
Notary Public of Oregon
My commission expires on May 15, 2012



TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the Trust Deed described below is in default, and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. **Grantor:** Robert Wisnovky
Trustee: AmeriTitle, an Oregon corporation
Successor Trustee: Joseph E. Kellerman, 717 Murphy Road, Medford, OR 97504
Beneficiary: Bank of the Cascades

2. **Property subject to the Trust Deed:** The Eastern 20 feet of Lot 7 and the Western 20 feet of Lot 8 in Block 38 of ORIGINAL TOWN OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM any portion lying within the alley adjacent to said lots.

3. Trust Deed was recorded on April 4, 2007 at Volume 2007, page 006336, Microfilm Records of Klamath County, Oregon.

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6. The Beneficiary has and does elect to sell the property to satisfy the obligation.

7. The property will be sold in the manner prescribed by law on the 11th day of August, 2011, at 10:00 a.m. standard time, as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon.

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9. In construing this notice and whenever the context hereof so requires, 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 their successors in interest, the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed, and any collateral beneficiary, and their successors in interest.

DATED this 11th day of April 2011.
HORNECKER, COWLING,
HASSEN & HEYSELL, L.L.P.
By: Joseph E. Kellerman, Successor Trustee
#13410 May 31, June 07, 14, 21, 2011.