

2011-012286

Klamath County, Oregon

After recording return to:

William M. Ganong  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls, OR 97601



00109586201100122860200206

11/02/2011 08:23:09 AM

Fee: \$132.00

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**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
AND DANGER NOTICE**

STATE OF OREGON, County of Klamath, ss:

I, Wendy Young, secretary to William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601, being first duly sworn, depose, say and certify that:

I am an employee of William M. Ganong, Successor Trustee for the Trust Deed more particularly described in the Notice of Default and Election to Sell and Trustee's Notice of Sale recorded in Book 2011-007362 on June 17, 2011 in the records of the Clerk of Klamath County, Oregon.

On June 21, 2011, I deposited with the United States Postal Service at Klamath Falls, Oregon, sealed envelopes containing a Trustee's Notice of Sale executed by William M. Ganong containing the information shown on the Trustee's Notice of Sale attached hereto; the Danger Notice required by Section 20, Chapter 19, Oregon Laws 2008, as modified by 2009 SB628, a copy of which is attached hereto; a Loan Modification Request Form; a Making Home Affordable Program "Request for Modification and Affidavit" ("RMA"); and IRS Form 4506T-EX, copies of which are also attached hereto. I mailed one such envelope by First Class Mail and one such envelope by Certified Mail with Return Receipt Requested, postage prepaid, from Klamath Falls, Oregon to the following named parties at the following addresses:

Daniel I. Phelps  
4118 Washburn Way  
Klamath Falls OR 97603

Sandylee A. Phelps  
Post Office Box 1256  
Chiloquin OR 97624

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

Discover Bank  
Post Office Box 3025  
New Albany OH 43054-3025

Louis and Company  
c/o C. Thomas Davis  
12220 SW First Street  
Beaverton OR 97005

Lumber Products  
c/o C. Thomas Davis  
12220 SW First Street  
Beaverton OR 97005

Wells Fargo Equipment Finance, Inc.  
733 Marquette Avenue, Suite 700  
Minneapolis MN 55402

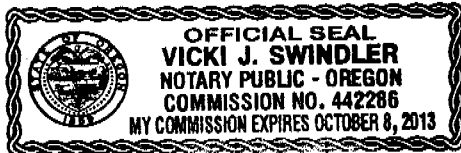
E. B. Bradley Co.  
1150-A N. Red Gum Street  
Anaheim CA 92806

Said persons include the grantors in the trust deed.

The addresses shown above are the last known addresses of said parties.

Wendy Young  
Wendy Young, Secretary to  
William M. Ganong, Successor Trustee

This instrument was acknowledged before me on the 31<sup>st</sup> day of October 2011 by Wendy Young.



Vicki Swindler  
Notary Public for Oregon  
My commission expires: 10-8-13

## TRUSTEE'S NOTICE OF SALE

The Beneficiaries have elected to foreclose the Trust Deed described below pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.

1. The Trust Deed is described as follows:

- A. Names of Grantors: Daniel I. Phelps and Sandy Lee A. Phelps
- B. Name of Trustee: AmeriTitle, an Oregon corporation
- C. Name of Successor Trustee: William M. Ganong  
Attorney at Law
- D. Mailing Address of Successor Trustee: 514 Walnut Avenue  
Klamath Falls OR 97601
- E. Names of Beneficiary: June Fitts

2. The legal description of the property covered by the subject Trust Deed is described as follows:

Parcel 1 of Land Partition 36-92, said Land Partition being situated in Government Lots 21 and 28 in Section 3, Township 36 South, Range 7 East, Willamette Meridian, Klamath County, Oregon.

Klamath County Assessor's Account No. R-3607-A0300-00700-000,  
and Property ID No. 321477

More commonly referred to as 27745 Highway 97 North, Chiloquin, Oregon 97624

3. The book and page number of the mortgage records that record the Trust Deed are: Volume M03 at Page 16498 of the Mortgage Records of the County Clerk of Klamath County, Oregon.

4. The defaults for which the foreclosure is made are Grantors' failure to pay monthly installment payments of principal and interest of \$178.06 each, which were due and payable on the 10<sup>th</sup> day of each month commencing with the payment due August 10, 2010, and Grantors' failure to pay real property taxes assessed against the real property described above for tax years 2008-2009, 2009-2010, and 2010-2011 before they became delinquent.

5. As of the date of this Notice, the sums owing on the obligation secured by the Trust Deed are:

The principal balance of the Promissory Note of \$2,913.58, plus interest thereon at the rate of 7.5% per annum from August 23, 2010 until paid; \$409.45, plus interest thereon at the rate of 9.0% per annum from July 15, 2011 until paid for delinquent real property taxes; \$200 for the foreclosure guarantee; attorney's fees, trustee's fees, together with any other sums due or that may

TRUSTEE'S NOTICE OF SALE - Page 1

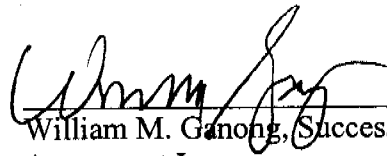
become due under the Note or by reason of this foreclosure and any further advances made by Beneficiary as allowed by the Note and Trust Deed.

6. The real property described in paragraph 2, above, will be sold to satisfy the obligations.

7. The Successor Trustee will conduct the sale at 10 a.m. on the 9<sup>th</sup> day of November 2011 at the front entrance to the office of William M. Ganong, Attorney at Law, at 514 Walnut Avenue, Klamath Falls, Oregon.

8. The right exists under ORS 86.753 to have the proceeding dismissed and the Trust Deed reinstated by paying the entire amount then due, together with costs, trustee's fees, and attorney fees, and by curing any other default complained of in the Notice of Default, at any time that is not later than five days before the date last set for the sale.

Dated this 16 day of June, 2011.



William M. Ganong, Successor Trustee  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls OR 97601  
541-882-7228

NOTICE REQUIRED BY THE FAIR DEBT COLLECTION  
PRACTICES ACT, 15 U. S. C. § 1692

This is an attempt to collect a debt and any information obtained will be used for that purpose.

1. The amount of the debt is stated in the Trustee's Notice of Sale attached hereto.
2. The beneficiary named in the attached Trustee's Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the trustee unless the debtor, within 30 days after the receipt of this notice, disputes the validity of the debt or some portion of it.
4. If the debtor notifies the trustee in writing within 30 days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within 30 days from receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to: William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601.

**NOTICE:  
YOU ARE IN DANGER OF LOSING YOUR PROPERTY  
IF YOU DO NOT TAKE ACTION IMMEDIATELY**

**This notice is about your mortgage loan on your property at:**

**Street address:**

**Bare lot at 27745 Highway 97 North, Chiloquin, Oregon 97624**

**Parcel 1 of Land Partition 36-92, said Land Partition being situated in Government Lots 21 and 28 in Section 3, Township 36 South, Range 7 East, Willamette Meridian, Klamath County, Oregon.**

**Klamath County Assessor's Account No. R-3607-A0300-00700-000,  
and Property ID No. 321477**

**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 June 15, 2011 to bring your mortgage loan current was \$2,368.11. 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 541-882-7228 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: William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601.**

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

**Date and Time: Wednesday, November 9, 2011 at 10 a.m.**

**Place: Front entrance to the office of William M. Ganong, 514 Walnut Avenue, Klamath Falls, Oregon 97601**

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

- 1. You can pay the amount past due or correct any other default, up to five days before the sale.**
- 2. You can refinance or otherwise pay off the loan in full anytime before the sale.**
- 3. You can request that your lender give you more time or change the terms of your loan.**
- 4. You can sell your real property provided the sales price is enough to pay what you owe.**

**There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at 800-SAFENET or 800-723-3638. You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at: [www.osbar.org](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.osbar.org/public/ris/LowCostLegalHelp/LegalAid.html> or <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, June Fitts, at 541.783.3573. If you cannot reach your lender, you may contact the trustee at the telephone number at the bottom of this notice. If you have already entered into a loan modification with your lender, it is possible that you will not be able to modify your loan again unless your circumstances have changed. Your lender is not obligated to modify your loan.**

**You may request to meet with your lender to discuss options for modifying your loan. During discussions with your lender, you may have the assistance of a lawyer, a housing counselor, or another person of your choosing. To receive a referral to a housing counselor or other assistance available in your community, call this toll-free consumer mortgage foreclosure information number: 1-800-SAFENET (723-3638) or visit the Oregon Foreclosure Help Web site at <http://www.cbs.state.or.us/dfcs/ml/foreclosure/counselors.html>. Many lenders participate in new federal loan modification programs. You can obtain more information about these programs at: 1-888-995-HOPE (4673) or by visiting <http://www.makinghomeaffordable.gov/>.**

**IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED 'LOAN MODIFICATION REQUEST FORM.' YOUR LENDER MUST RECEIVE THE FORM BY JULY 18, 2011, WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.**

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

**Trustee name (print): William M. Ganong, Attorney at Law**

**Trustee phone number: 541-882-7228**

**Trustee signature: /s/ WILLIAM M. GANONG Date: June 17, 2011**



## LOAN MODIFICATION REQUEST FORM

June 16, 2011

William M. Ganong, Trustee  
514 Walnut Avenue  
Klamath Falls OR 97601

Return by: July 18, 2011

Dear Ms. Day:

If you want to apply to modify your loan, you must fill out and mail this form, the attached Making Home Affordable Program "Request for Modification and Affidavit" ("RMA"), and IRS Form 4506T-EZ back. Lender must receive the forms by July 18, 2011, which is not less than 30 days after the date that Lender signed the Residential Foreclosure Notice. Please indicate by checking the applicable line below whether you would like to have your loan modified, whether you would like to meet with Lender, or both:

☐ I would like to have my loan modified.

☐ I would like to meet with Lender.

You must send back this form with the completed and signed RMA and IRS Form 4506T-EZ. If you return these forms to the Lender by the date specified above, the Lender or an agent of Lender will review the information you provide and, in good faith, process your request. The Lender or the Lender's agent, as soon as reasonably practicable but not later than 45 days after receiving the forms, will notify you whether the Lender approves or denies the request or requires additional information. During this period, Lender may require additional information to determine whether the loan can be modified.

\_\_\_\_\_  
Borrower's Signature

\_\_\_\_\_  
Borrower's Printed Name

\_\_\_\_\_  
Borrower's Address

\_\_\_\_\_  
City, State, and Zip Code

\_\_\_\_\_  
Borrower's Email Address

\_\_\_\_\_  
Borrower's Phone Number

# Making Home Affordable Program Request For Modification and Affidavit (RMA)


**MAKING HOME AFFORDABLE**.gov

REQUEST FOR MODIFICATION AND AFFIDAVIT (RMA) page 1

COMPLETE ALL THREE PAGES OF THIS FORM

Loan I.D. Number \_\_\_\_\_ Servicer \_\_\_\_\_

**BORROWER**

Borrower's name \_\_\_\_\_

Social Security number \_\_\_\_\_ Date of birth \_\_\_\_\_

Home phone number with area code \_\_\_\_\_

Cell or work number with area code \_\_\_\_\_

**CO-BORROWER**

Co-borrower's name \_\_\_\_\_

Social Security number \_\_\_\_\_ Date of birth \_\_\_\_\_

Home phone number with area code \_\_\_\_\_

Cell or work number with area code \_\_\_\_\_

 I want to: ☐ Keep the Property ☐ Sell the Property

 The property is my: ☐ Primary Residence ☐ Second Home ☐ Investment

 The property is: ☐ Owner Occupied ☐ Renter Occupied ☐ Vacant

Mailing address \_\_\_\_\_

Property address (if same as mailing address, just write same) \_\_\_\_\_

E-mail address \_\_\_\_\_

Is the property listed for sale? ☐ Yes ☐ NoHave you received an offer on the property? ☐ Yes ☐ No

Date of offer \_\_\_\_\_ Amount of offer \$ \_\_\_\_\_

Agent's Name: \_\_\_\_\_

Agent's Phone Number: \_\_\_\_\_

For Sale by Owner? ☐ Yes ☐ No

Who pays the real estate tax bill on your property?

☐ I do ☐ Lender does ☐ Paid by condo or HOAAre the taxes current? ☐ Yes ☐ NoCondominium or HOA Fees ☐ Yes ☐ No \$ \_\_\_\_\_

Paid to: \_\_\_\_\_

Have you contacted a credit-counseling agency for help? ☐ Yes ☐ No

If yes, please complete the following:

Counselor's Name: \_\_\_\_\_

Agency Name: \_\_\_\_\_

Counselor's Phone Number: \_\_\_\_\_

Counselor's E-mail: \_\_\_\_\_

Who pays the hazard insurance premium for your property?

☐ I do ☐ Lender does ☐ Paid by Condo or HOAIs the policy current? ☐ Yes ☐ No

Name of Insurance Co.: \_\_\_\_\_

Insurance Co. Tel #: \_\_\_\_\_

Have you filed for bankruptcy? ☐ Yes ☐ No If yes: ☐ Chapter 7 ☐ Chapter 13 Filing Date: \_\_\_\_\_Has your bankruptcy been discharged? ☐ Yes ☐ No Bankruptcy case number \_\_\_\_\_

Additional Liens/Mortgages or Judgments on this property:

Lien Holder's Name/Servicer

Balance

Contact Number

Loan Number

**HARDSHIP AFFIDAVIT**

I (We) am/are requesting review under the Making Home Affordable program.

I am having difficulty making my monthly payment because of financial difficulties created by (check all that apply):

☐ My household income has been reduced. For example: unemployment, underemployment, reduced pay or hours, decline in business earnings, death, disability or divorce of a borrower or co-borrower.

☐ My monthly debt payments are excessive and I am overextended with my creditors. Debt includes credit cards, home equity or other debt.

☐ My expenses have increased. For example: monthly mortgage payment reset, high medical or health care costs, uninsured losses, increased utilities or property taxes.

☐ My cash reserves, including all liquid assets, are insufficient to maintain my current mortgage payment and cover basic living expenses at the same time.
☐ Other: \_\_\_\_\_

Explanation (continue on back of page 3 if necessary): \_\_\_\_\_

## INCOME/EXPENSES FOR HOUSEHOLD

Number of People in Household:

Monthly Household Income		Monthly Household Expenses/Debt		Household Assets	
Monthly Gross Wages	\$	First Mortgage Payment	\$	Checking Account(s)	\$
Overtime	\$	Second Mortgage Payment	\$	Checking Account(s)	\$
Child Support / Alimony / Separation <sup>2</sup>	\$	Insurance	\$	Savings/ Money Market	\$
Social Security/SSDI	\$	Property Taxes	\$	CDs	\$
Other monthly income from pensions, annuities or retirement plans	\$	Credit Cards / Installment Loan(s) (total minimum payment per month)	\$	Stocks / Bonds	\$
Tips, commissions, bonus and self-employed income	\$	Alimony, child support payments	\$	Other Cash on Hand	\$
Rents Received	\$	Net Rental Expenses	\$	Other Real Estate (estimated value)	\$
Unemployment Income	\$	HOA/Condo Fees/Property Maintenance	\$	Other _____	\$
Food Stamps/Welfare	\$	Car Payments	\$	Other _____	\$
Other (investment income, royalties, interest, dividends etc.)	\$	Other _____	\$	Do not include the value of life insurance or retirement plans when calculating assets (401k, pension funds, annuities, IRAs, Keogh plans, etc.)	
<b>Total (Gross Income)</b>	<b>\$</b>	<b>Total Debt/Expenses</b>	<b>\$</b>	<b>Total Assets</b>	<b>\$</b>

## INCOME MUST BE DOCUMENTED

<sup>1</sup>Include combined income and expenses from the borrower and co-borrower (if any). If you include income and expenses from a household member who is not a borrower, please specify using the back of this form if necessary.

<sup>2</sup>You are not required to disclose Child Support, Alimony or Separation Maintenance Income, unless you choose to have it considered by your servicer.

## INFORMATION FOR GOVERNMENT MONITORING PURPOSES

The following information is requested by the federal government in order to monitor compliance with federal statutes that prohibit discrimination in housing. **You are not required to furnish this information, but are encouraged to do so. The law provides that a lender or servicer may not discriminate either on the basis of this information, or on whether you choose to furnish it.** If you furnish the information, please provide both ethnicity and race. For race, you may check more than one designation. If you do not furnish ethnicity, race, or sex, the lender or servicer is required to note the information on the basis of visual observation or surname if you have made this request for a loan modification in person. **If you do not wish to furnish the information, please check the box below.**

<b>BORROWER</b>	<input type="checkbox"/> I do not wish to furnish this information	<b>CO-BORROWER</b>	<input type="checkbox"/> I do not wish to furnish this information
<b>Ethnicity:</b>	<input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino	<b>Ethnicity:</b>	<input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino
<b>Race:</b>	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White	<b>Race:</b>	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White
<b>Sex:</b>	<input type="checkbox"/> Female <input type="checkbox"/> Male	<b>Sex:</b>	<input type="checkbox"/> Female <input type="checkbox"/> Male

## To be completed by interviewer

<b>This request was taken by:</b> <input type="checkbox"/> Face-to-face interview <input type="checkbox"/> Mail <input type="checkbox"/> Telephone <input type="checkbox"/> Internet	<b>Interviewer's Name (print or type) &amp; ID Number</b>	<b>Name/Address of Interviewer's Employer</b>
	<b>Interviewer's Signature</b> <b>Date</b>	
	<b>Interviewer's Phone Number (include area code)</b>	

**ACKNOWLEDGEMENT AND AGREEMENT**

*In making this request for consideration under the Making Home Affordable Program, I certify under penalty of perjury:*

1. That all of the information in this document is truthful and the event(s) identified on page 1 is/are the reason that I need to request a modification of the terms of my mortgage loan, short sale or deed-in-lieu of foreclosure.
2. I understand that the Servicer, the U.S. Department of the Treasury, or their agents may investigate the accuracy of my statements and may require me to provide supporting documentation. I also understand that knowingly submitting false information may violate Federal law.
3. I understand the Servicer will pull a current credit report on all borrowers obligated on the Note.
4. I understand that if I have intentionally defaulted on my existing mortgage, engaged in fraud or misrepresented any fact(s) in connection with this document, the Servicer may cancel any Agreement under Making Home Affordable and may pursue foreclosure on my home.
5. That: my property is owner-occupied; I intend to reside in this property for the next twelve months; I have not received a condemnation notice; and there has been no change in the ownership of the Property since I signed the documents for the mortgage that I want to modify.
6. I am willing to provide all requested documents and to respond to all Servicer questions in a timely manner.
7. I understand that the Servicer will use the information in this document to evaluate my eligibility for a loan modification or short sale or deed-in-lieu of foreclosure, but the Servicer is not obligated to offer me assistance based solely on the statements in this document.
8. I am willing to commit to credit counseling if it is determined that my financial hardship is related to excessive debt.
9. I understand that the Servicer will collect and record personal information, including, but not limited to, my name, address, telephone number, social security number, credit score, income, payment history, government monitoring information, and information about account balances and activity. I understand and consent to the disclosure of my personal information and the terms of any Making Home Affordable Agreement by Servicer to (a) the U.S. Department of the Treasury, (b) Fannie Mae and Freddie Mac in connection with their responsibilities under the Homeowner Affordability and Stability Plan; (c) any investor, insurer, guarantor or servicer that owns, insures, guarantees or services my first lien or subordinate lien (if applicable) mortgage loan(s); (d) companies that perform support services in conjunction with Making Home Affordable; and (e) any HUD-certified housing counselor.

\_\_\_\_\_  
Borrower Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Borrower Signature

\_\_\_\_\_  
Date

**HOMEOWNER'S HOTLINE**

*If you have questions about this document or the modification process, please call your servicer.*

*If you have questions about the program that your servicer cannot answer or need further counseling, you can call the Homeowner's HOPE™ Hotline at 1-888-995-HOPE (4673). The Hotline can help with questions about the program and offers free HUD-certified counseling services in English and Spanish.*

**888-995-HOPE**  
Homeowner's HOPE™ Hotline

**NOTICE TO BORROWERS**

Be advised that by signing this document you understand that any documents and information you submit to your servicer in connection with the Making Home Affordable Program are under penalty of perjury. Any misstatement of material fact made in the completion of these documents including but not limited to misstatement regarding your occupancy in your home, hardship circumstances, and/or income, expenses, or assets will subject you to potential criminal investigation and prosecution for the following crimes: perjury, false statements, mail fraud, and wire fraud. The information contained in these documents is subject to examination and verification. Any potential misrepresentation will be referred to the appropriate law enforcement authority for investigation and prosecution. By signing this document you certify, represent and agree that: "Under penalty of perjury, all documents and information I have provided to Lender in connection with the Making Home Affordable Program, including the documents and information regarding my eligibility for the program, are true and correct."

If you are aware of fraud, waste, abuse, mismanagement or misrepresentations affiliated with the Troubled Asset Relief Program, please contact the SIGTARP Hotline by calling 1-877-SIG-2009 (toll-free), 202-622-4559 (fax), or [www.sig tarp.gov](http://www.sig tarp.gov). Mail can be sent to Hotline Office of the Special Inspector General for Troubled Asset Relief Program, 1801 L St. NW, Washington, DC 20220.



**Short Form Request for Individual Tax Return Transcript**

OMB No. 1545-2154

► Request may not be processed if the form is incomplete or illegible.

Tip. Use Form 4506T-EZ to order a 1040 series tax return transcript free of charge.

<b>1a</b> Name shown on tax return. If a joint return, enter the name shown first.	<b>1b</b> First social security number on tax return
<b>2a</b> If a joint return, enter spouse's name shown on tax return.	<b>2b</b> Second social security number if joint tax return
<b>3</b> Current name, address (including apt., room, or suite no.), city, state, and ZIP code	
<b>4</b> Previous address shown on the last return filed if different from line 3	
<b>5</b> If the transcript is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number. The IRS has no control over what the third party does with the tax information.	
Third party name	Telephone number
Address (including apt., room, or suite no.), city, state, and ZIP code	
<b>6</b> <b>Year(s) requested.</b> Enter the year(s) of the return transcript you are requesting (for example, "2008"). Most requests will be processed within 10 business days.	

**Caution.** If the transcript is being mailed to a third party, ensure that you have filled in line 6 before signing. Sign and date the form once you have filled in line 6. Completing these steps helps to protect your privacy.

**Note.** If the IRS is unable to locate a return that matches the taxpayer identity information provided above, or if IRS records indicate that the return has not been filed, the IRS may notify you or the third party that it was unable to locate a return, or that a return was not filed, whichever is applicable.

**Signature of taxpayer(s).** I declare that I am the taxpayer whose name is shown on either line 1a or 2a. If the request applies to a joint return, either husband or wife must sign. **Note.** For transcripts being sent to a third party, this form must be received within 120 days of signature date.

<b>Sign Here</b>	Signature (see instructions)	Date	Telephone number of taxpayer on line 1a or 2a
	Spouse's signature	Date	

**Purpose of form.** Individuals can use Form 4506T-EZ to request a tax return transcript that includes most lines of the original tax return. The tax return transcript will not show payments, penalty assessments, or adjustments made to the originally filed return. You can also designate a third party (such as a mortgage company) to receive a transcript on line 5. Form 4506T-EZ cannot be used by taxpayers who file Form 1040 based on a fiscal tax year (that is, a tax year beginning in one calendar year and ending in the following year). Taxpayers using a fiscal tax year must file Form 4506-T, Request for Transcript of Tax Return, to request a return transcript.

Use Form 4506-T to request the following.

- A transcript of a business return (including estate and trust returns).
  - An account transcript (contains information on the financial status of the account, such as payments made on the account, penalty assessments, and adjustments made by you or the IRS after the return was filed).
  - A record of account, which is a combination of line item information and later adjustments to the account.
  - A verification of nonfiling, which is proof from the IRS that you did not file a return for the year.
  - A Form W-2, Form 1099 series, Form 1098 series, or Form 5498 series transcript.
- Form 4506-T can also be used for requesting tax return transcripts.

**Automated transcript request.** You can call 1-800-829-1040 to order a tax return transcript through the automated self-help system. You cannot have a transcript sent to a third party through the automated system.

**Where to file.** Mail or fax Form 4506T-EZ to the address below for the state you lived in when that return was filed.

If you are requesting more than one transcript or other product and the chart below shows two different RAILS teams, send your request to the team based on the address of your most recent return.

**If you filed an individual return and lived in:**

Florida, Georgia,  
North Carolina,  
South Carolina

Alabama, Kentucky,  
Louisiana,  
Mississippi,  
Tennessee, Texas, a  
foreign country, or  
A.P.O. or F.P.O.  
address

Alaska, Arizona,  
California, Colorado,  
Hawaii, Idaho, Illinois,  
Indiana, Iowa,  
Kansas, Michigan,  
Minnesota, Montana,  
Nebraska, Nevada,  
New Mexico, North  
Dakota, Oklahoma,  
Oregon, South  
Dakota, Utah,  
Washington,  
Wisconsin, Wyoming

Arkansas,  
Connecticut,  
Delaware, District of  
Columbia, Maine,  
Maryland,  
Massachusetts,  
Missouri, New  
Hampshire, New  
Jersey, New York,  
Ohio, Pennsylvania,  
Rhode Island,  
Vermont, Virginia,  
West Virginia

**Mail or fax to the "Internal Revenue Service" at:**

RAIVS Team  
P.O. Box 47-421  
Stop 91  
Doraville, GA 30362  
770-455-2335

RAIVS Team  
Stop 6716 AUSC  
Austin, TX 73301  
512-460-2272

RAIVS Team  
Stop 37106  
Fresno, CA 93888  
559-456-5876

RAIVS Team  
Stop 6705 P-6  
Kansas City, MO  
64999  
816-292-6102

**Signature and date.** Form 4506T-EZ must be signed and dated by the taxpayer listed on line 1a or 2a. If you completed line 5 requesting the information be sent to a third party, the IRS must receive Form 4506T-EZ within 120 days of the date signed by the taxpayer or it will be rejected.

Transcripts of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506T-EZ exactly as your name appeared on the original return. If you changed your name, also sign your current name.

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to establish your right to gain access to the requested tax information under the Internal Revenue Code. We need this information to properly identify the tax information and respond to your request. Sections 6103 and 6109 require you to provide this information, including your SSN. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, and the District of Columbia for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506T-EZ will vary depending on individual circumstances. The estimated average time is: **Learning about the law or the form, 9 min.; Preparing the form, 18 min.; and Copying, assembling, and sending the form to the IRS, 20 min.**

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506T-EZ simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAR:MP:T:T:SP, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send the form to this address. Instead, see *Where to file* on this page.

AFTER RECORDING, RETURN TO:

William M. Ganong  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls OR 97601

**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#13725 SALE PHELPS

**TRUSTEE'S NOTICE OF SALE**

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:

09/11/2011 09/18/2011 09/25/2011 10/02/2011

Total Cost: \$774.86

*Jeanine P. Day*

Subscribed and sworn by Jeanine P Day before me on:  
3rd day of October in the year of 2011

*Debra A. Grizzle*

Notary Public of Oregon

My commission expires on May 15, 2012



**TRUSTEE'S NOTICE OF SALE**

The Beneficiaries have elected to foreclose the Trust Deed described below pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.

1. The Trust Deed is described as follows:

A. Names of Grantors: Daniel I. Phelps and Sandy Lee A. Phelps

B. Name of Trustee: AmeriTitle, an Oregon Corporation

C. Name of Successor Trustee: William M. Ganong, Attorney at Law

D. Mailing Address of Successor Trustee: 514 Walnut Avenue, Klamath Falls, OR 97601.

E. Names of Beneficiary: June Fitts

2. The legal description of the property covered by the subject Trust Deed is described as follows:

Parcel 1 of Land Partition 36-92, said Land Partition being situated in Government Lots 21 and 28 in Section 3, Township 36 South, Range 7 East, Willamette Meridian, Klamath County, Oregon. Klamath County Assessor's Account No. R-3607-A0300-00700-000, and Property ID No. 321477. More commonly referred to as 27745 Highway 97 North, Chiloquin, Oregon 97624.

3. The book and page number of the mortgage records that record the Trust Deed are: Volume M03 at Page 16498 of the Mortgage Records of the County Clerk of Klamath County, Oregon.

4. The defaults for which the foreclosure is made are Grantors' failure to pay monthly installment payments of principal and interest of \$178.06 each, which were due and payable on the 10<sup>th</sup> day of each month commencing with the payment due August 10, 2010, and Grantors' failure to pay real property taxes assessed against the real property described above for tax years 2008-2009, 2009-2010, and 2010-2011 before they became delinquent.

5. As of the date of this Notice, the sums owing on the obligation secured by the Trust Deed are: The principal balance of the Promissory Note of \$2,913.58, plus interest thereon at the rate of 7.5% per annum from August 23, 2010 until paid; \$409.45, plus interest thereon at the rate of 9.0% per annum from July 15, 2011 until paid for delinquent real property taxes; \$200 for the foreclosure guarantee; attorney's fees, trustee's fees, together with any other sums due or that may become due under the Note or by reason of this foreclosure and any further advances made by Beneficiary as allowed by the Note and Trust Deed.

6. The real property described in paragraph 2, above, will be sold to satisfy the obligations.

7. The Successor Trustee will conduct the sale at 10 a.m. on the 9<sup>th</sup> day of November 2011 at the front entrance to the office of William M. Ganong, Attorney at Law, at 514 Walnut Avenue, Klamath Falls, Oregon.

8. The right exists under ORS 86.753 to have the proceeding dismissed and the Trust Deed reinstated by paying the principal and interest, together with any other sums due or that may become due under the Note or by reason of this foreclosure and attorney fees, and by curing any other default complained of in the Notice of Default, at any time that is not later than five days before the date last set for the sale.

Dated this 16<sup>th</sup> day of June, 2011.

/s/William M. Ganong, Successor Trustee

Attorney at Law

514 Walnut Avenue, Klamath Falls, OR 97601

541-882-7228

#13725 September 11, 18, 25, October 02, 2011.

AFTER RECORDING, RETURN TO:

William M. Ganong  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls OR 97601

AFFIDAVIT OF SERVICE  
OF TRUSTEE'S NOTICE OF SALE  
(NON-OCCUPANCY)

STATE OF OREGON, County of Klamath) ss.

I, William M. Ganong, being first duly sworn, depose, say, and certify that:

I am the successor trustee in that certain trust deed executed and delivered by Daniel I. Phelps and Sandy Lee A. Phelps, as Grantors, to AmeriTitle, an Oregon Corporation, trustee, in favor of June Fitts as beneficiary, dated February 19, 2003, recorded on March 19, 2003 in the records of Klamath County, Oregon in Volume M03 at Page 16498, covering the following-described real property situated in the above-mentioned county and state, to-wit:

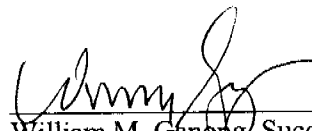
Parcel 1 of Land Partition 36-92, said Land Partition being situated in Government Lots 21 and 28 in Section 3, Township 36 South, Range 7 East, Willamette Meridian, Klamath County, Oregon.

Klamath County Assessor's Account No. R-3607-A0300-00700-000,  
and Property ID No. 321477


More commonly referred to as 27745 Highway 97 North, Chiloquin, Oregon 97624

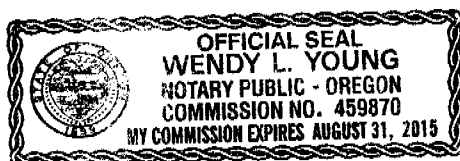
I hereby certify that the above-described real property has not been occupied during the pendency of this foreclosure proceeding and is not currently occupied.

Dated this 31 day of October 2011.

  
William M. Ganong, Successor Trustee

SIGNED AND SWORN to before me this 31 day of October 2011 by William M. Ganong,  
Successor Trustee.

  
Notary Public for Oregon  
My Commission Expires 8.31.2015





After recording return to:

William M. Ganong  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls, OR 97601

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**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE  
OF NONJUDICIAL SALE**

STATE OF OREGON, County of Klamath, ss:

I, Wendy Young, secretary to William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601, being first duly sworn, depose, say and certify that:

I am an employee of William M. Ganong, Successor Trustee for the Trust Deed more particularly described in the Notice of Default and Election to Sell and Trustee's Notice of Sale recorded in Book 2011-007362 on June 17, 2011 in the records of the Clerk of Klamath County, Oregon.

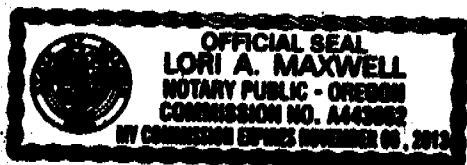
On June 21, 2011, I deposited with the United States Postal Service at Klamath Falls, Oregon, two sealed envelopes each containing a Trustee's Notice of Sale executed by William M. Ganong; the informational letter, a copy of which is attached hereto; and a copy of the Trustee's Sale Guarantee. One envelope was mailed by First Class Mail and one envelope was mailed by Certified Mail with Return Receipt Requested, postage prepaid, from Klamath Falls, Oregon to the following named party at the following address:

District Director, Internal Revenue Service  
ATTN: Chief, Special Procedures Desk  
915 Second Avenue, M/S W245  
Seattle WA 98174

Dated this 31<sup>st</sup> day of October, 2011.

Wendy Young  
Wendy Young, Secretary to  
William M. Ganong, Successor Trustee

This instrument was acknowledged before me on the 31<sup>st</sup> day of October 2011 by Wendy Young.



Lori A. Maxwell  
Notary Public for Oregon  
My commission expires: 11-10-2013

Oregon State Bar  
Number 78213

**WILLIAM M. GANONG**  
ATTORNEY AT LAW  
514 WALNUT AVENUE  
KLAMATH FALLS, OREGON 97601

(541) 882-7228  
Fax: (541) 883-1923

June 21, 2011

District Director, Internal Revenue Service  
ATTN: Chief, Special Procedures Desk  
915 Second Avenue, M/S W245  
Seattle, WA 98174

Re: Federal Tax Lien Filed Against Daniel I. Phelps and Sandylee A. Phelps

Dear Chief:

In accordance with §7425 of the Internal Revenue Code and the regulations promulgated under it, you are hereby notified of a nonjudicial sale of certain real property hereinafter described. This sale is for the purpose of foreclosing, pursuant to Oregon law, a trust deed executed by Daniel I. Phelps and Sandy Lee A. Phelps. A copy of the Trustee's Notice of Sale and Trustee's Sale Guarantee is enclosed.

Pursuant to the regulations, we supply the following information:

(1) The name and address of the person submitting the Notice of Sale are:

William M. Ganong, Successor Trustee  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls OR 97601

(2) A. The following information is shown on Notice of Federal Tax Lien Federal Serial No. 450942108

(a) The Internal Revenue District named thereon is Portland, Oregon.

(b) The name and address of the taxpayer are: Daniel I. Phelps  
Post Office Box 340  
Klamath Falls OR 97624

(c) The Notice was filed on June 24, 2008 in Klamath County, Oregon.

(d) The taxpayer identification number is xxx-xx-5245.

B. The following information is shown on Notice of Federal Tax Lien Federal Serial No. 450942308

District Director, Internal Revenue Service  
ATTN: Chief, Special Procedures Desk  
June 21, 2011  
Page 2

(a) The Internal Revenue District named thereon is Portland, Oregon.

(b) The names and addresses of the taxpayers are: Daniel I. Phelps  
Sandylee A. Phelps  
Post Office Box 340  
Chiloquin OR 97624

(c) The Notice was filed on June 24, 2008 in Klamath County, Oregon.

(d) The taxpayer identification number is xxx-xx-5245.

C. The following information is shown on Notice of Federal Tax Lien Federal Serial No. 538989109

(a) The Internal Revenue District named thereon is Portland, Oregon.

(b) The names and addresses of the taxpayer are: Daniel I. Phelps  
Sandylee Phelps  
4118 Washburn Way  
Klamath Falls OR 97603-0000

(c) The Notice was filed on May 1, 2009 in Klamath County, Oregon.

(d) The taxpayer identification number is xxx-xx-5245.

(3) The following information describes the property to be sold:

(a) The property is located at 277454 Highway 97 North, Chiloquin, Oregon 97624.

(b) The real property is legally described in the Trust Deed as:

Parcel 1 of Land Partition 36-92, said Land Partition being situated in Government Lots 21 and 28 in Section 3, Township 36 South, Range 7 East, Willamette Meridian, Klamath County, Oregon.

Klamath County Assessor's Account No. R-3607-A0300-00700-000,  
and Property ID No. 321477

(4) The date, time, place, and terms of the proposed sale of the property are as follows:

(a) Date of sale: November 9, 2011.

District Director, Internal Revenue Service  
ATTN: Chief, Special Procedures Desk  
June 21, 2011  
Page 3

(b) Time of sale: 10 a.m. Pacific standard time.

(c) Place of sale: front entrance to the office of William M. Ganong, 514 Walnut Avenue, Klamath Falls, Oregon.

(d) Terms of sale: The interest in the above-described real property that Daniel I. Phelps and Sandylee A. Phelpss had or had power to convey at the time of their execution of the trust deed will be sold at public auction to the highest bidder for cash.

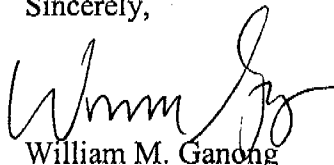
(5) The approximate amount of the principal obligation, including interest, secured by the lien sought to be enforced and a description of other expenses that may be charged against the sale proceeds are as follows:

(a) The amount of the indebtedness on August 23, 2010 was \$2,913.58 with interest thereon at the rate of 7.5% per annum until paid.

b) Other expenses that may be charged against the sale proceeds include recording fees, postage costs, photocopy costs, late charges, property taxes, telephone calls, fees for service of the Notice of Sale, publication costs, foreclosure report fees, trustee's fees, and attorney fees.

A duplicate copy of this letter is enclosed and we request that you acknowledge the receipt of the Notice of Sale on the enclosed copy and return it to the undersigned.

Sincerely,



William M. Ganong  
Successor Trustee

Enclosures

CERTIFIED MAIL, RETURN RECEIPT REQUESTED AND REGULAR MAIL