

WE 89671  
AFTER RECORDING RETURN TO:

Norman F. Webb, Attorney at Law  
1114 Twelfth Street SE  
Salem, OR 97302

2011-013098

Klamath County, Oregon



00110549201100130980150155

11/23/2011 02:36:55 PM

Fee: \$107.00

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

STATE OF OREGON            )  
  ) ss.  
County of Marion            )

I, NORMAN F. WEBB, being first duly sworn, depose, say, and certify that:

At all times hereinafter mentioned, I was, and now am, a resident of the State of Oregon, a competent person over the age of eighteen (18) years and not the Beneficiary or her successor in interest named in the attached original Notice of Sale given under the terms of that certain Trust Deed described in said Notice.

I gave notice of the sale of the real property described in the attached Notice of Sale by serving a copy thereof by mailing a certified true copy, by regular and certified mail, return receipt requested, postage paid, and depositing the same at Salem, Oregon, to each of the following named persons (or their legal representative, where so indicated) at his/her respective last known addresses, to-wit:

Klamath County Treasurer  
PO Box 340  
Klamath Falls, OR 97601

Daniel Lee Horton  
32671 Magpie Drive  
Chiloquin, OR 97624

Janis L. Horton  
PO Box 1151  
Chiloquin, OR 97624

Daniel Lee Horton  
PO Box 1151  
Chiloquin, OR 97624

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.

On July 14, 2011, I mailed certified true copies of the Notice required by Oregon Law to the grantors of the Trust Deed and the occupant(s) of the premises by certified mail, return receipt

ICTAN

requested, and by first-class mail and deposited the same in the post office in Salem, Oregon, with sufficient postage attached, to the following persons at the following address:

Daniel Lee Horton  
32671 Magpie Drive  
Chiloquin, OR 97624

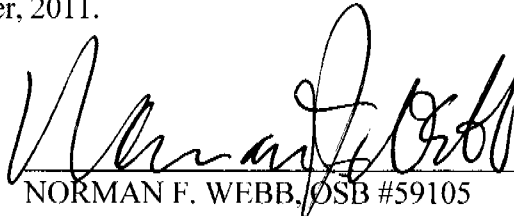
Daniel Lee Horton  
PO Box 1151  
Chiloquin, OR 97624

Janis L. Horton  
PO Box 1151  
Chiloquin, OR 97624

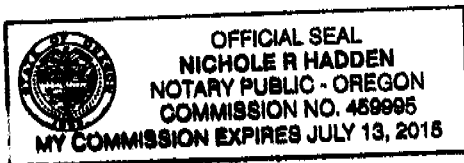
Each of the notices so mailed was certified to be a true copy of the original notice of sale by NORMAN F. WEBB, attorney for the Trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States Post Office at Salem, Oregon, on July 14, 2011. With respect to each person or entity 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 a 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.

DATED this 11<sup>th</sup> day of November, 2011.

  
NORMAN F. WEBB, OSB #59105

SUBSCRIBED AND SWORN to before me this 11<sup>th</sup> day of November, 2011.



  
Notary Public for Oregon  
My commission expires: July 13<sup>th</sup>, 2015

**AFFIDAVIT OF COMPLIANCE WITH OREGON SB 628 (2009)**

**Original Loan Amount:** \$35,000

**Borrower Names:** Daniel Lee Horton and Janis L. Horton

**Property Address:** 32671 Magpie Drive, Chiloquin, Oregon 97624

The undersigned the Trustee under the Trust Deed securing the above-referenced loan and is, for the limited purpose of this Affidavit, executing this Affidavit as the agent of the Beneficiary. The undersigned is at least eighteen (18) years of age and competent to testify in a court of law and, having personal knowledge of the matters set forth below, represents and avers, under the penalty of perjury, that the following is true and correct:

**No request for meeting or loan modification received:** No request for a meeting or loan modification was timely received from borrower.

DATED this 11<sup>th</sup> day of November, 2011.



Norman F. Webb, OSB #59105

Trustee

1114 Twelfth Street SE

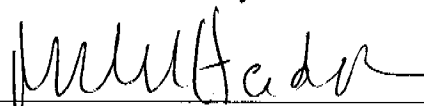
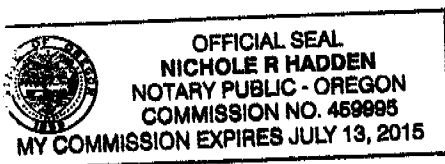
Salem, OR 97302

Telephone: (503) 363-9264

STATE OF OREGON    )  
                                  ) ss.

County of Marion    )

On this 11<sup>th</sup> day of November, 2011, personally appeared before me the above-named NORMAN F. WEBB, and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public for Oregon

My commission expires:

July 13<sup>th</sup>, 2015

*Norman F. Webb*

Attorney at Law  
1114 Twelfth Street SE  
Salem, OR 97302  
(503) 363-9264

**AFTER RECORDING RETURN TO:**

Norman F. Webb, Attorney at Law  
1114 Twelfth Street SE  
Salem, OR 97302

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made, executed and delivered by DANIEL LEE HORTON and JANIS L. HORTON, as tenants by the entirety, as Grantors, to NORMAN F. WEBB, as Successor Trustee, to secure certain obligations in favor of DALE A. DUBIA, as Beneficiary, dated August 1, 2007, and recorded on August 9, 2007, in Volume 2007-014083, Microfilm Records of Klamath County, Oregon, covering the following-described real property situated in said County and State, more commonly known as 32671 Magpie Drive, Chiloquin, Oregon, *to-wit*:

Lot 3, Block 8 of Tract No. 1023, KLAMATH COUNTRY, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Both the Beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is Grantors' failure to pay, when due, the following sums owing on said obligations, which sums are now past due, owing, and delinquent: (1) Failure to pay the principal sum of \$35,000, plus interest at 10% per annum from August 6, 2007, due in full on or before August 6, 2008 (plus interest of \$13,914.04 calculated through June 30, 2011). (2) The cost of a trustee's sale report in the amount of \$300.00. (4) Recording fees of \$84. (7) Attorney fees and costs.

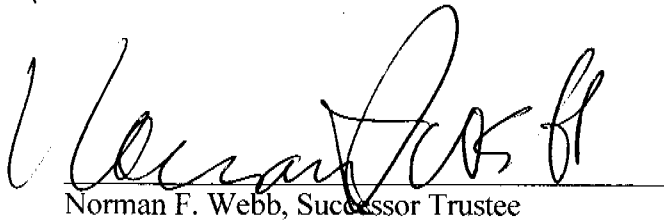
By reason of said default, the Beneficiary has declared the entire unpaid balance of all obligations secured by said Trust Deed, together with the interest thereon, immediately due, owing and payable, said sums being the following, *to-wit*: The sum of \$35,000, plus interest at ten percent (10%) *per annum* from August 6, 2007; plus the cost of a trustee's sale report in the amount of \$300.00; plus recording fees of \$84; plus attorney fees and costs.

WHEREFORE, NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 28<sup>th</sup> day of November, 2011, at the hour of 10 o'clock a.m., Pacific Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the main entrance of the Klamath County Courthouse, immediately inside the front door on the first floor, 316 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the Grantors had or had the power to convey at the time of the execution by them of the said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the Trustee. Notice is further

given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due and has no default occurred), together with costs, Trustee's and attorney fees at any time prior to five (5) days before the date set for said sale.

In construing this Notice and whenever the context hereof so requires, 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 each and all other persons owing an obligation, the performance of which is secured by said Trust Deed; the word "Trustee" includes any successor Trustee; and the word "Beneficiary" includes any successor in interest of the Beneficiary named in the Trust Deed.

DATED at Salem, Oregon, this 14<sup>th</sup> day of July, 2011.



Norman F. Webb, Successor Trustee

STATE OF OREGON    )  
                                  ) ss.  
County of Marion    )

I, the undersigned, certify that I am the attorney for the above named Successor Trustee; that I have carefully compared the foregoing copy of Trustee's Notice of Sale with the original thereof and the foregoing is a true, correct, and exact copy of the original Trustee's Notice of Sale and of the whole thereof.

DATED at Salem, Oregon, this \_\_\_\_\_ day of July, 2011.

\_\_\_\_\_  
Norman F. Webb, OSB #59105  
Attorney at Law  
1114 Twelfth Street SE  
Salem, OR 97302  
Phone: 503-363-9264  
Fax: 503-363-2250  
Email: webblaw@opusnet.com

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT  
15 USC § 1692**

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 thirty (30) days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
4. If the debtor notifies the trustee in writing within thirty (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 the thirty (30) days from the receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written request or objections should be addressed to:  
  
Norman F. Webb  
Attorney at Law  
1114 Twelfth Street SE  
Salem, OR 97302  
Telephone: (503) 363-9264
7. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose.

**ATTACHMENT:**  
Trustee's Notice of Sale

**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 32671 Magpie Drive, Chiloquin, Oregon, 97624.

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 30, 2011, to bring your trust deed loan current was \$35,000; plus interest at ten percent (10%) *per annum*; plus title company charges of \$300; plus recording fees of \$84. 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 Norman F. Webb, Attorney at Law, 1114 Twelfth Street SE, Salem, Oregon, 97302, at (503) 363-9264 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: Norman F. Webb, Attorney at Law, 1114 Twelfth Street SE, Salem, Oregon, 97302.

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

Date and time: **November 28, 2011, at 10 o'clock a.m.**

Place: At the main entrance of the Klamath County Courthouse, immediately inside the front door of the main entrance, first floor, 316 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon.

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

1. You can pay the amount past due or correct any other default, up to five days before the sale.

2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can request that your lender give you more time or change the terms of your loan.
4. You can sell your home, provided the sale price is enough to pay what you owe.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at 1-800-SAFENET (723-3638) or visit the Oregon Foreclosure Help Website at:

<http://oregon.gov/DCBS/foreclosurehelp/index.shtml>.

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>.

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: Norman F. Webb, Attorney at Law, 1114 Twelfth Street SE, Salem, Oregon, 97302; telephone number 503-363-9264. 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 our 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 website 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/>.

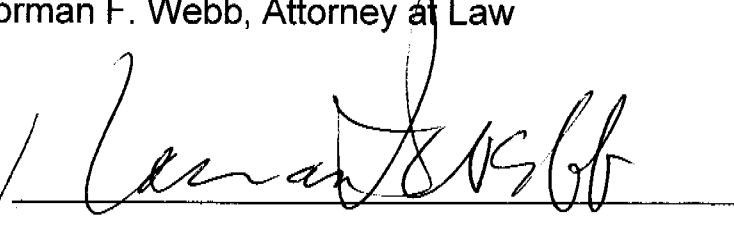
IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "MODIFICATION REQUEST FORM." YOUR LENDER MUST RECEIVE THE FORM BY JANUARY 21, 2011, WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

**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.

DATED: July 14, 2011

Trustee name: Norman F. Webb, Attorney at Law

Trustee signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Norman F. Webb", written over a horizontal line.

Trustee telephone number: (503) 363-9264

Address: 1114 Twelfth Street SE, Salem, Oregon, 97302

## MODIFICATION REQUEST FORM

July 14, 2011  
Dale A. Dubia  
c/o Norman F. Webb  
Attorney at Law  
1114 Twelfth Street SE  
Salem, OR 97302

Return by: **August 13, 2011**

Dear Mr. Daniel Lee Horton and Janis L. Horton:

If you want to apply to modify your loan, you must fill out and mail back this form. Lender must receive the form by August 13, 2011, which is 30 days after the date that Lender signed the Residential Foreclosure Notice. Please indicate by checking the applicable location 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 with this form current information about your income and expenses, your address, phone number, and electronic mail address. If you return this form 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, will process your request. The Lender or the Lender's agent, as soon as reasonably practicable but not later than 45 days after receiving the form, 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

\_\_\_\_\_  
Borrower's City, State and Zip Code

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

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

*Norman F. Webb*  
Attorney at Law  
1114 Twelfth Street SE  
Salem, OR 97302  
(503) 363-9264

**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 **32671 Magpie Dr. Chiloquin, OR 97624**

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

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to **Donnie Horton**, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: **Daniel Horton and Shirley Fipps**

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

1<sup>st</sup> Attempt: **July 19, 2011** **2:23 PM Posted**

2<sup>nd</sup> Attempt: **July 23, 2011** **1:00 PM Posted**

3<sup>rd</sup> Attempt: **July 28, 2011** **10:33 AM Served**

☐ **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 **July 29, 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 Chelsa Meek

**32671 Magpie Dr. Chiloquin, OR 97624**

**ADDRESS OF SERVICE**

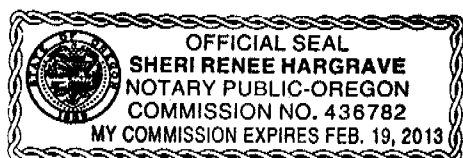
I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served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

July 19, 2011 2:23 PM  
**DATE OF SERVICE** **TIME OF SERVICE**

☐ or non occupancy

By: Robert W. Bolenbaugh  
ROBERT W. BOLENBAUGH

Subscribed and sworn to before on this 29<sup>th</sup> day of July, 2011.



Sheri Renee Hargrave  
Notary Public for Oregon

Norman F. Webb  
1114 Twelfth Street SE  
Salem, OR 97302

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

I, Norman F. Webb, being first duly sworn, depose and say:

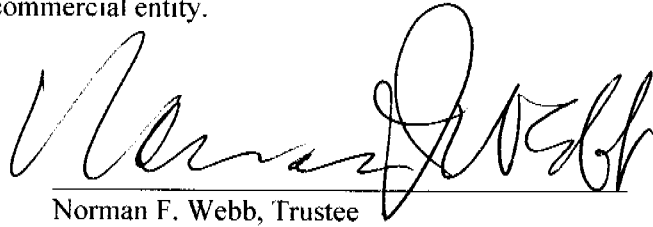
You are hereby directed to serve the Trustee's Notice of Sale and Notice required by House Bill 3630 entitled "Notice: You are in Danger ..." in the manner in which a summons is served pursuant to ORCP 7D(2) and 7D(3), upon the occupant of the property described in said Notice of Sale.

Daniel Lee Horton  
32671 Magpie Drive  
Chiloquin, Oregon

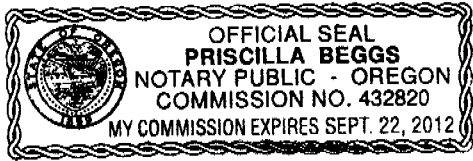
If the occupant is indicated as "unknown", or if you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

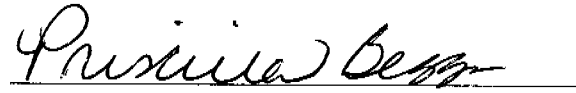
Service should be made by ***July 19, 2011***, which is 130 days before the date fixed for sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in making service until it has been accomplished.

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

  
Norman F. Webb, Trustee

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of July, 2011.



  
Notary Public for Oregon  
My commission expires: 9-22-2012

**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#13801 SALE HORTON

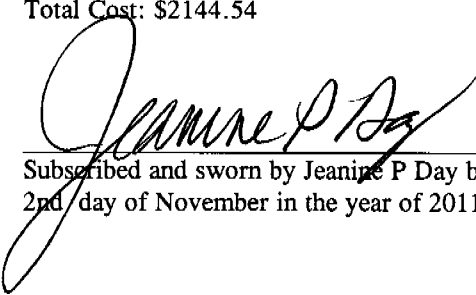
**TRUSTEE'S NOTICE OF SALE**


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

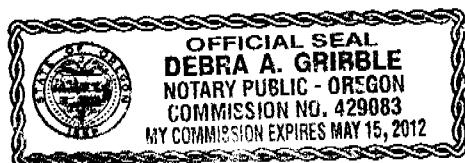
Insertion(s) in the following issues:

10/12/2011 10/19/2011 10/26/2011 11/02/2011

Total Cost: \$2144.54

  
Subscribed and sworn by Jeanine P Day before me on:  
2nd day of November in the year of 2011

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



**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made, executed and delivered by DANIEL LEE HORTON and JANIS L. HORTON, as tenants by the entirety, as Grantors, to NORMAN F. WEBB, as Successor Trustee, to secure certain obligations in favor of DALE A. DUBIA, as Beneficiary, dated August 1, 2007, and recorded on August 9, 2007, in Volume 2007-014083, Microfilm Records of Klamath County, Oregon, covering the following-described real property situated in said County and State, more commonly known as 32671 Magpie Drive, Chiloquin, Oregon, to-wit: Lot 3, Block 8 of Tract No. 1023, KLAMATH COUNTRY, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Both the Beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is Grantors' failure to pay, when due, the following sums owing on said obligations, which sums are now past due, owing and delinquent: (1) Failure to pay the principal sum of \$35,000, plus interest at 10% per annum from August 6, 2007, due in full on or before August 6, 2008 (plus interest of \$13,914.04 calculated through June 30, 2011). (2) The cost of a trustee's sale report in the amount of \$300.00. (4) Recording fees of \$84. (7) Attorney fees and costs.

By reason of said default, the Beneficiary has declared the entire unpaid balance of all obligations secured by said Trust Deed, together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit: The sum of \$35,000, plus interest at ten percent (10%) per annum from August 6, 2007; plus the cost of a trustee's sale report in the amount of \$300.00; plus recording fees of \$84; plus attorney fees and costs.

WHEREFORE, NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 28th day of November, 2011, at the hour of 10 o'clock a.m., Pacific Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the main entrance of the Klamath County Courthouse, immediately inside the front door on the first floor, 316 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the Grantors had or had the power to convey at the time of the execution by them of the said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the Trustee. Notice is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due and has no default occurred), together with costs, Trustee's and attorney fees at any time prior to five (5) days before the date set for said sale.

In construing this Notice and whenever the context hereof so requires, 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 each and all other persons owing an obligation, the performance of which is secured by said Trust Deed; the word "Trustee" includes any successor Trustee; and the word "Beneficiary" includes any successor in interest of the Beneficiary named in the Trust Deed.

DATED at Salem, Oregon, this 14th day of July, 2011.

/s/ Norman F. Webb, Norman F. Webb, Successor Trustee

**STATE OF OREGON**

ss.

County of Marion

I, the undersigned, certify that I am the attorney for the above named Successor Trustee; that I have carefully compared the foregoing copy of Trustee's Notice of Sale with the original thereof and the foregoing is a true, correct, and exact copy of the original Trustee's Notice of Sale and of the whole thereof.

DATED at Salem, Oregon, this 14th day of July, 2011.

/s/ Norman F. Webb, OSB #59105, Attorney at Law

1114 Twelfth Street SE, Salem, OR 97302

Phone: 503-363-9264, Fax: 503-363-2250

Email: [webblaw@opusnet.com](mailto:webblaw@opusnet.com)

**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 32671 Magpie Drive, Chiloquin, Oregon, 97624.

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 30, 2011, to bring your trust deed loan current was \$35,000; plus interest at ten percent (10%) per annum; plus title company charges of \$300; plus recording fees of \$84. 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 Norman F. Webb, Attorney at Law, 1114 Twelfth Street SE, Salem, Oregon, 97302, at (503) 363-9264 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: Norman F. Webb, Attorney at Law, 1114 Twelfth Street SE, Salem, Oregon, 97302.

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

Date and time: November 26, 2011, at 10 o'clock a.m.

Place: At the main entrance of the Klamath County Courthouse, immediately inside the front door of the main entrance, first floor, 316 Main Street in the City of Klamath Falls, County of Klamath, State of 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 any time before the sale.
3. You can request that your lender give you more time or change the terms of your loan.
4. You can sell your home, provided the sale price is enough to pay what you owe.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at 1-800-SAFENET (723-3638) or visit the Oregon Foreclosure Help Website at:

<http://oregon.gov/DCBS/foreclosurehelp/index.shtml>.

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>.

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: Norman F. Webb, Attorney at Law, 1114 Twelfth Street SE, Salem, Oregon, 97302; telephone number 503-363-9264. 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 our 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 website at <http://www.cb-s.state.or.us/dfo/m/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 MODIFICATION REQUEST FORM. YOUR LENDER MUST RECEIVE THE FORM BY JANUARY 21, 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.

**DATED:** July 14, 2011

**Trustee name:** Norman F. Webb, Attorney at Law

**Trustee signature:** /s/Norman F. Webb

**Trustee telephone number:** (503) 363-9264

**Address:** 1114 Twelfth Street SE, Salem, Oregon, 97302

**#13801 October 12, 19, 26, November 02, 2011.**