

1st 1756790

2012-000327

Klamath County, Oregon



00112461201200003270260266

01/13/2012 11:44:55 AM

Fee: \$202.00

**RECORDING COVER SHEET**

(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording.

Any errors in this cover sheet do not effect the transaction (s) contained in the instrument itself

After recording return to:

**T.D. SERVICE COMPANY**

1820 East First Street, Suite 210

P.O. Box 11988, Santa Ana, CA 92711-1988

T.S. # D 531399

Order # 5902894

APN# R510398 & M878701

1. Title(s) of Transaction(s) ORS 205.234(a)

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

2. Direct Party/Grantor(s) and address ORS 205.125(1)(a) and ORS 205.160

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

3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160

JOANNA L. JUSTUS AND GLENN G. JUSTUS, 6707 6<sup>TH</sup> STREET, KLAMATH FALLS, OR 97603

1. Title(s) of Transaction(s) ORS 205.234(a)

**OREGON TRUSTEE'S NOTICE OF SALE**

2. Direct Party/Grantor(s) and address ORS 205.125(1)(a) and ORS 205.160

CHRISTOPHER C. DORR # 992526, 16245 MCNAMEE, PORTLAND, OR 97231

3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160

JOANNA L. JUSTUS AND GLENN G. JUSTUS, 6707 6<sup>TH</sup> STREET, KLAMATH FALLS, OR 97603

1. Title(s) of Transaction(s) ORS 205.234(a)

**DANGER NOTICE**

2. Direct Party/Grantor(s) and address ORS 205.125(1)(a) and ORS 205.160

CHRISTOPHER C. DORR # 992526, 16245 MCNAMEE, PORTLAND, OR 97231

3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160

JOANNA L. JUSTUS AND GLENN G. JUSTUS, 6707 6<sup>TH</sup> STREET, KLAMATH FALLS, OR 97603

1. Title(s) of Transaction(s) ORS 205.234(a)

**LOAN MODIFICATION REQUEST FORM**

2. Direct Party/Grantor(s) and address ORS 205.125(1)(a) and ORS 205.160

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

3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160

JOANNA L. JUSTUS AND GLENN G. JUSTUS, 6707 6<sup>TH</sup> STREET, KLAMATH FALLS, OR 97603

1. Title(s) of Transaction(s) ORS 205.234(a)

**NOTICE TO TENANTS**

2. Direct Party/Grantor(s) and address ORS 205.125(1)(a) and ORS 205.160

CHRISTOPHER C. DORR, # 992526, 16245 NW MCNAMEE, PORTLAND, OR 97231

3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160

JOANNA L. JUSTUS AND GLENN G. JUSTUS, 6707 6<sup>TH</sup> STREET, KLAMATH FALLS, OR 97603

F

1. Title(s) of Transaction(s) ORS 205.234(a)

**PROOF OF SERVICE**

2. Direct Party/Grantor(s) and address ORS 205.125(1)(a) and ORS 205.160  
JEFFERSON STATE ADJUSTERS, 1135 PINE STREET, KLAMATH FALLS, OR 97601  
3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160  
JOANNA L. JUSTUS AND GLENN G. JUSTUS, 6707 6<sup>TH</sup> STREET, KLAMATH FALLS, OR 97603

1. Title(s) of Transaction(s) ORS 205.234(a)

**AFFIDAVIT OF PUBLICATION**

2. Direct Party/Grantor(s) and address ORS 205.125(1)(a) and ORS 205.160  
HERALD AND NEWS, P.O.BOX 788, 2701 FOOTHILLS BLVD., KLAMATH FALLS, OR 97603  
3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160  
JOANNA L. JUSTUS AND GLENN G. JUSTUS, 6707 6<sup>TH</sup> STREET, KLAMATH FALLS, OR 97603

1. Title(s) of Transaction(s) ORS 205.234(a)

**AFFIDAVIT OF NON MILITARY SERVICE**

2. Direct Party/Grantor(s) and address ORS 205.125(1)(a) and ORS 205.160  
STERLING SAVINGS BANK, 111 NORTH WALL STREET, SPOKEANE, WA 99201  
3. Indirect party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160  
JOANNA L. JUSTUS AND GLENN G. JUSTUS, 6707 6<sup>TH</sup> STREET, KLAMATH FALLS, OR 97603

4. True and Actual Consideration ORS 93.030

-0-

5. Send Tax Statements to: NO CHANGE

6. If this instrument is being Re-Recorded, complete the following statement, in accordance with  
ORS 205.244: "RERECORDED AT THE REQUEST OF \_\_\_\_\_

TO CORRECT \_\_\_\_\_  
PREVIOUSLY RECORDED IN BOOK \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS FEE  
NUMBER \_\_\_\_\_"

7. Document reference # Mob- 8299

**After recording Mail to**

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

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

T.S. No: D531399 OR    Unit Code: D    Loan No: 378002887-9001/JUSTUS

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, Kym Lai, 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, 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 September 19, 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: D531399 OR Unit Code: D Loan No: 378002887-9001/JUSTUS

By: [Signature]  
STATE OF CA )

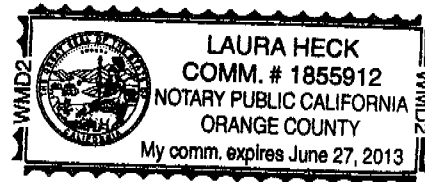
COUNTY OF Orange )SS

On 9-19-11 before me, Laura Heck, a Notary Public in and for said County and State, personally appeared Kym La, 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 531399

Date: 09/19/11

JOANNA L JUSTUS  
6707 S 6TH ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1606 0335  
RETURN RECEIPT REQUESTED

GLENN G JUSTUS  
6707 S 6TH ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1606 0342  
RETURN RECEIPT REQUESTED

OCCUPANT  
6707 S 6TH ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1606 0359  
RETURN RECEIPT REQUESTED

JUSTUS HOMES, INC.  
6707 S 6TH ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1606 0366  
RETURN RECEIPT REQUESTED

JOANNA L JUSTUS  
2040 LAKESHORE DR  
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1606 0373  
RETURN RECEIPT REQUESTED

GLENN G JUSTUS  
2040 LAKESHORE DR  
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1606 0380  
RETURN RECEIPT REQUESTED

JERRY M MOLATORE  
426 MAIN STREET  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1606 0397  
RETURN RECEIPT REQUESTED

STERLING SAVINGS BANK  
2943 S SIXTH ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1606 0403  
RETURN RECEIPT REQUESTED

STERLING SAVINGS BANK  
C/O KLAMATH FALLS-SHASTA  
2943 S SIXTH ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1606 0410  
RETURN RECEIPT REQUESTED

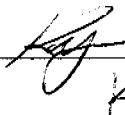
STERLING SAVINGS BANK  
C/O LOAN SUPPORT  
P.O. BOX 2131

CERTIFIED 7105 2257 2920 1606 0427  
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.

  
KHL

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# D 531399  
SPOKANE, WA 99210

Date: 09/19/11

GE COMMERCIAL DISTRIBUTION FINANCE  
CORPORATION  
5595 TRILLIUM BOULEVARD  
HOFFMAN ESTATES, IL 60192

CERTIFIED 7105 2257 2920 1606 0434  
RETURN RECEIPT REQUESTED

GE COMMERCIAL DISTRIBUTION FINANCE  
CORPORATION  
C/O HUSCH BLACK WELL SANDERS LLP  
ATTN: JAMES D. HENDERSON, ESQ.  
736 GEORGIA AVENUE, SUITE 300  
CHATTANOOGA, TN 37402

CERTIFIED 7105 2257 2920 1606 0441  
RETURN RECEIPT REQUESTED

TENANT OF THE PROPERTY  
6707 S 6TH ST.  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 1606 0458  
RETURN RECEIPT REQUESTED

JOANNA L. JUSTUS  
4803 SAYLOR RD.  
KLAMATH FALLS, OR 97603-9695

CERTIFIED 7105 2257 2920 1606 0465  
RETURN RECEIPT REQUESTED

GLENN G. JUSTUS  
4803 SAYLOR RD.  
KLAMATH FALLS, OR 97603-9695

CERTIFIED 7105 2257 2920 1606 0472  
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.

  
KHL

AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

T.S.# D 531399

Date: 09/19/11

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years 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 First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

JOANNA L JUSTUS  
6707 S 6TH ST  
KLAMATH FALLS, OR 97603

GLENN G JUSTUS  
6707 S 6TH ST  
KLAMATH FALLS, OR 97603

OCCUPANT  
6707 S 6TH ST  
KLAMATH FALLS, OR 97603

JUSTUS HOMES, INC.  
6707 S 6TH ST  
KLAMATH FALLS, OR 97603

JOANNA L JUSTUS  
2040 LAKESHORE DR  
KLAMATH FALLS, OR 97601

GLENN G JUSTUS  
2040 LAKESHORE DR  
KLAMATH FALLS, OR 97601

JERRY M MOLATORE  
426 MAIN STREET  
KLAMATH FALLS, OR 97603

STERLING SAVINGS BANK  
2943 S SIXTH ST  
KLAMATH FALLS, OR 97603

STERLING SAVINGS BANK  
C/O KLAMATH FALLS-SHASTA  
2943 S SIXTH ST  
KLAMATH FALLS, OR 97603

STERLING SAVINGS BANK

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

  
KHL

AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

T.S.# D 531399

Date: 09/19/11

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years 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 First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

C/O LOAN SUPPORT  
P.O. BOX 2131  
SPOKANE, WA 99210

GE COMMERCIAL DISTRIBUTION FINANCE  
CORPORATION  
5595 TRILLIUM BOULEVARD  
HOFFMAN ESTATES, IL 60192

GE COMMERCIAL DISTRIBUTION FINANCE  
CORPORATION  
C/O HUSCH BLACK WELL SANDERS LLP  
ATTN: JAMES D. HENDERSON, ESQ.  
736 GEORGIA AVENUE, SUITE 300  
CHATTANOOGA, TN 37402

TENANT OF THE PROPERTY  
6707 S 6TH ST.  
KLAMATH FALLS, OR 97603

JOANNA L. JUSTUS  
4803 SAYLOR RD.  
KLAMATH FALLS, OR 97603-9695

GLENN G. JUSTUS  
4803 SAYLOR RD.  
KLAMATH FALLS, OR 97603-9695

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

  
KHL.



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: D531399      Unit Code: D      Loan No: 378002887-9001      Investor No:

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, Kym Lai, 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 Dorr, 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 10-19-11. 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.

Page 2

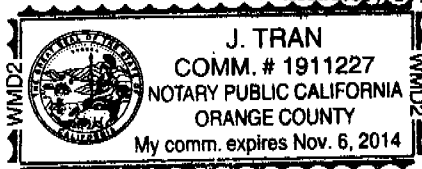
T.S. No: D531399      Unit Code: D      Loan No: 378002887-9001

By: *[Signature]*

State of California      )  
County of ORANGE      )

Subscribed and sworn to (or affirmed) before me on this 19th day of October, 2011, by

*[Signature]*  
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Area for Notary Seal)

*[Signature]*  
Notary Signature

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# D 531399

Date: 10/19/11

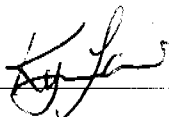
JERRY M MOLATORE  
2325 LINDA VISTA  
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 1624 6715  
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.



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AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

T.S.# D 531399

Date: 10/11/11

STATE OF CALIFORNIA

COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years 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 First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

JERRY M MOLATORE  
2325 LINDA VISTA  
KLAMATH FALLS, OR 97601

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



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: D531399 OR    Unit Code: D    Loan No: 378002887-9001/JUSTUS  
Title #: 5902894

Reference is made to that certain Trust Deed made by JOANNA L JUSTUS, GLENN G JUSTUS as **Grantor**, to AMERITITLE as **Trustee**, in favor of STERLING SAVINGS BANK as **Beneficiary**.

Dated April 25, 2006, Recorded April 27, 2006 as Instr. No. M06-08299 in Book --- Page --- of Official Records in the office of the Recorder of KLAMATH County; OREGON  
AND AN ASSIGNMENT OF RENTS DATED 04/25/11, AND A CHANGE IN TERMS AGREEMENT DATED 11/05/08, COMMERCIAL GUARANTIES DATED 4/25/06, CORP. RESOL. TO BRW/GRANT COLLATER/SUBORDINATE DEBT 4/25/06  
covering the following described real property situated in said county and state, to wit:  
PARCEL 1 OF LAND PARTITION 11-95 SITUATED IN THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDAN, 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:

|   |              |
|---|--------------|
| UNPAID PRINCIPAL BALANCE                        | \$102,401.69 |
| INTEREST @14.1400 % FROM 04/08/11 THRU 09/07/11 | \$6,033.17   |
| ACCRUED LATE CHARGES                            | \$793.13     |
| RETURN CHECK                                    | \$20.00      |
| BROKERS OPINION                                 | \$325.00     |

Sub-Total of Amounts in Arrears: \$109,572.99

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 :  
6707 S 6TH ST., 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 \$102,401.69, together with interest as provided in the note or other instrument secured from 04/08/11, 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 January 18, 2012, 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: D531399 OR Unit Code: D Loan No: 378002887-9001/JUSTUS

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.

The Beneficiary may be attempting to collect a debt and any information obtained may be used for that purpose.

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](http://www.tacforeclosures.com/sales)

DATED: SEPTEMBER 07, 2011

CHRISTOPHER C. DORR, 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: D531399 OR

Loan#: 378002887-9001/JUSTUS

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/>



T.S. Number: D531399 OR  
Loan No: 378002887-9001/JUSTUS

**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:  
6707 S 6TH ST., 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 **September 7, 2011** to bring your mortgage loan current was **\$110,779.06**.

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: January 18, 2012 AT 10:00 A.M. INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS, OREGON.**

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**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 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: 1-800-723-3638. 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 October 17, 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 C. DORR, OSBA # 992526**  
Trustee phone number: **(971) 208-3346**

Trustee signature  Date: SEPTEMBER 07, 2011

**STERLING SAVINGS BANK MODIFICATION REQUEST FORM**

Date: September 7, 2011

TS Number: D531399

Unit Code: D

Loan No: 378002887-9001/JUSTUS

Property: 6707 S 6<sup>th</sup> Street, 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 October 17, 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 <sup>st</sup> Mortgage       | \$ | Food                     | \$ |
| 2 <sup>nd</sup> 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: D531399 OR**

**Property Address: 6707 S 6TH ST., 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 12/19/11. 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 January 18, 2012. 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 12/19/11 (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, 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>.

**AFFIDAVIT OF NON-MILITARY SERVICE**

Date:

T.S. Number: DS31399

Unit Code: D

Loan No: 378002887

STATE OF WASHINGTON  
COUNTY OF SPOKANE

)  
)ss,

MARY WRIGHT, BEING DULY SWORN, DEPOSES AND SAYS:

TO THE BEST OF OUR KNOWLEDGE: JOANNA L JUSTUS AND GLENN G. JUSTUS

ARE NOT, AND NEITHER IS, IN THE MILITARY SERVICE OF THE UNITED STATES, WITHIN THE MEANING OF THE SOLIDERS' AND SAILORS' CIVIL RELIEF ACT, AS AMENDED; THAT NEITHER PERSON IS A MEMBER OF THE UNITED STATES MARINE CORPS, WOMEN'S RESERVE, OR WOMEN'S ARMY AUXILIARY CORPS OR WOMEN'S ARMY CORPS (WACS), OR WOMEN'S COAST GUARD RESERVE UNDER ORDERS TO REPORT FOR INDUCTION UNDER THE SELECTIVE TRAINING AND SERVICE ACT OF 1940, AS AMENDED, OR AS A MEMBER OF THE ENLISTED RESERVE CORPS UNDER ORDERS TO REPORT FOR MILITARY SERVICE OR AN AMERICAN CITIZEN SERVING WITH THE FORCES OF ANY NATION ALLIED WITH THE UNITED STATES IN THE PROSECUTION OF A WAR, OR IN THE FEDERAL SERVICE OR ACTIVE DUTY AS A MEMBER OF THE ARMY OF THE UNITED STATES, OR THE UNITED STATES NAVY, OR THE MARINE CORPS, OR THE COAST GUARD, OR AS AN OFFICER OF THE PUBLIC HEALTH SERVICE WITHIN THE PURVIEW OF THE SERVICE MEMBERS CIVIL RELIEF ACT OF 2003.

THAT THIS AFFIDAVIT IS MADE FOR THE PURPOSE OF INDUCING CHRISTOPHER C. DORR, LLC, OSBA #992526, AS TRUSTEE WITHOUT LEAVE OF COURT FIRST OBTAINED, TO CAUSE CERTAIN PROPERTY TO BE SOLD UNDER THE TERMS OF A DEED OF TRUST PURSUANT TO THE POWER OF SALE CONTAINED THEREIN.

DATED: 8-30-11

BY: Mary Wright

SUBSCRIBED AND SWORN BEFORE ME THIS 30th DAY OF August 2011.

Joanna L. Justus  
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

MY COMMISSION EXPIRES ON 6-17-2013



**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 **6707 S 6<sup>th</sup> St. 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.

1<sup>st</sup> Attempt: **September 14, 2011**

**3:59 PM Posted locked gate**

2<sup>nd</sup> Attempt: **September 19, 2011**

**8:04 AM Posted locked gate**

3<sup>rd</sup> Attempt: **September 21, 2011**

**2:31 PM Posted locked gate**

☐ **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 **September 23 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

*Chelsea Chambers*

**6707 S 6<sup>th</sup> St. 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.

September 14, 2011  
**DATE OF SERVICE**

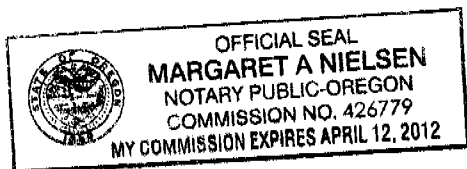
3:59 PM  
**TIME OF SERVICE**

☐ or non occupancy

By: 

**ROBERT W. BOLENBAUGH**

Subscribed and sworn to before on this 23 day of September, 2011.



*Margaret A. Nielsen*  
Notary Public for Oregon



**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

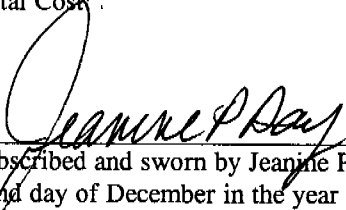
Legal#13902 SALE JUSTICE  
#950257

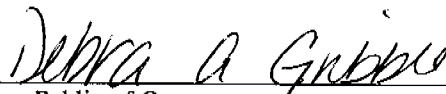
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues:

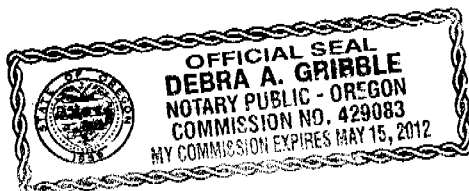
12/01/2011 12/08/2011 12/15/2011 12/22/2011

Total Cost:

  
Subscribed and sworn by Jeanine P Day before me on:  
22nd day of December in the year of 2011

  
Notary Public of Oregon

My commission expires on May 15, 2012



**OREGON TRUSTEE'S NOTICE OF SALE**

T.S. No: D531399 OR Unit Code: D

Loan No: 378002887-9001/JUSTUS AP #1: R510389

AP #2: M878701 Title #: 5902894

Reference is made to that certain Trust Deed made by JOANNA L JUSTUS, GLENN G JUSTUS as Grantor, to AMERITITLE as Trustee, in favor of STERLING SAVINGS BANK as Beneficiary. Dated April 25, 2006, Recorded April 27, 2006 as Instr. No. M06-08299 in Book --- Page --- of Official Records in the office of the Recorder of KLAMATH County, OREGON AND AN ASSIGNMENT OF RENTS DATED 04/25/11, AND A CHANGE IN TERMS AGREEMENT DATED 11/05/08, COMMERCIAL GUARANTIES DATED 4/25/06, CORP. RESOL TO BRW/GRANT COL-LATER/SUBORDINATE DEBT 4/25/06 covering the following real property situated in said county and state to wit: PARCEL 1 OF LAND PARTITION 11-95 SITUATED IN THE SW1/4 OF THE SE1/4 OF SECTION 1, TOWNSHIP 39 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, 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 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: UNPAID PRINCIPAL BALANCE \$102,401.69 INTEREST @14.1400 % FROM 04/08/11 THRU 09/07/11 \$6,033.17 ACCRUED LATE CHARGES \$793.13 RETURN CHECK \$20.00 BROKERS OPINION \$325.00 Sub-Total of Amounts in Arrears: \$109,572.99 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: 6707 S 6TH ST., 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 \$102,401.69, together with interest as provided in the note or other instrument secured from 04/08/11; 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 January 18, 2012, 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 secured and the costs and expenses of sale, including a reasonable 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 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 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. 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. The Beneficiary may be attempting to collect a debt and any information obtained may be used for that purpose. 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](http://www.tacforeclosures.com/sales) DATED: 09/07/11  
CHRISTOPHER C. DORR, 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 TAC# 950257 PUB: 12/01/11, 12/08/11, 12/15/11, 12/22/11.  
#13902 December 01, 08, 15, 22, 2011.