

1st 1691492

2012-003255

Klamath County, Oregon



00115934201200032550160161

03/28/2012 03:29:30 PM

Fee: \$127.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON REPRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

After Recording Return To:

**Bradford J. Aspell, Esq.
122 S. 5th Street
Klamath Falls, OR 97601**

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

**Affidavit of Compliance with ORS 86.750(5)
Affidavit of Publication
Certificate of Non-Military Service
Affidavit of Mailing Trustee's Notice of Sale**

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

**Bradford J. Aspell
122 S. 4th Street
Klamath Falls, OR 97601**

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

**Dennis James Hale
2545 Darrow Avenue
Klamath Falls, OR 97601**

4. Send Tax Statements To:

No change

5. True and Actual Consideration:

n/a

6. Deed Reference:

M06-00915

A

Grantor's Name and Address Dennis James Hale 2545 Darrow Avenue Klamath Falls, OR 97601	
Beneficiary's Name and Address Pacific Crest Federal Credit Union PO Box 1179 Klamath Falls, OR 97601	
Successor Trustee's Name and Address Bradford J. Aspell, Esq. 122 S. 5 th Street Klamath Falls, OR 97601	
After Recording Return to: Bradford J. Aspell, Esq. 122 S. 5 th Street Klamath Falls, OR 97601	

AFFIDAVIT OF COMPLIANCE WITH ORS 86.750(5)

Name of Borrower : Dennis James Hale
Street Address : 2545 Darrow Avenue
Klamath Falls, OR 97601
Loan Number :
Date, Time & Place of Sale : February 21, 2012; 10:00 a.m.; Front foyer, Klamath County Courthouse,
316 Main St., Klamath Falls, Oregon

I, Grant Laugsand, certify that I am an employee of the Beneficiary of the Trust Deed securing the above-referenced loan; that I have executed the affidavit, am competent to testify in a court of law and have personal knowledge of the matter set forth below, and that the following is true and correct.

Initial those that apply:

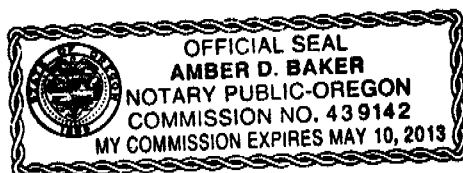
- ☒ I did not receive a modification request form within 30 days of the date of notice;
☐ I received a modification request form on _____, and within 45 days thereof
responded to grantor's request as follows:
☒ The grantor did not make a timely request for a meeting;
☐ The grantor made a timely request for a meeting but the Grantor did not respond;
☐ The grantor responded but we were unable to come to a loan modification agreement.


PACIFIC CREST FEDERAL CREDIT UNION

By: 
Grant Laugsand, Member Solutions Specialist

STATE OF OREGON)
: ss.
County of Klamath)

Before me personally appeared this 12th day of March, 2012, the above-named Grant Laugsand, who acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.




Notary Public
My Commission expires: 5-10-2013

AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF KLAMATH

I, Jeanine P. Day, Finance Director, being duly sworn,
depose and say that I am the principle clerk of the
publisher of the Herald and News, a newspaper in
general circulation, as defined by Chapter 193 ORS,
printed and published at Klamath Falls in the aforesaid
county and state; that I know from my personal
knowledge that the

Legal#13821 SALE HALE

LOAN NO: 4948 SUCCESSOR T

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

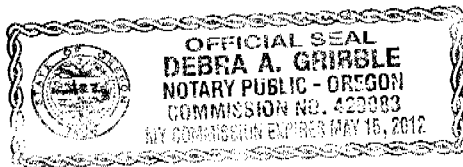
Insertion(s) in the following issues:

10/20/2011 10/27/2011 11/03/2011 11/10/2011

Total Cost: \$2490.96

Jeanine P Day
Subscribed and sworn by Jeanine P Day before me on:
10th day of November in the year of 2011

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



Loan No: 4948

Successor Trustee: Bradford J. Aspell, OSB. 74015

TRUSTEE'S NOTICE OF SALE
Pursuant to ORS 86.705 *et seq.* And ORS 79.5010, *et seq.*

Reference is made to that certain trust deed made, executed and delivered by DENNIS HALE, as Grantor, to ASPEN TITLE, as Trustee, the Trustee's duties of which were assigned to Bradford J. Aspell, attorney at law, OSB. 74015, ASPELL, DELLA-ROSE & RICHARD, 122 South 5th Street, Klamath Falls, Oregon 97601, to secure certain obligations in favor of PACIFIC CREST FEDERAL CREDIT UNION, as Beneficiary, dated JANUARY 11, 2006, and recorded on JANUARY 11, 2006, in the mortgage records of Klamath County, Oregon, at Volume M06, Page 00915, Klamath County Deed Records. Said Trust Deed encumbers the following described real property situated in said county and state, to wit:

• LOT 535, BLOCK 127, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

The street address or other common designation, if any, of the real property described above is purported to be:

• 2545 DARROW AVENUE, KLAMATH FALLS, OREGON 97601

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

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: monthly payments of \$412.49 beginning October 1, 2010; plus late charges of \$20.63 each month beginning October 1, 2010; plus advances of \$835.00; together with the expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$65,282.58 with interest thereon at the rate of six percent (6%) per annum beginning OCTOBER 1, 2010, plus late charges of \$20.63 each month beginning OCTOBER 1, 2010 until paid; plus advances for taxes, insurance or other obligations of \$835.00; together with the expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will, on **FEBRUARY 21, 2012**, at the hour of 10:00 o'clock a.m., in accord with the standard of time established by ORS 187.110, in the front entry foyer of the Klamath Falls County Circuit Court, 316 Main St., 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 grantor had or had power to convey at the time of the 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 ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or 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. Notice is also given that any person named in ORS 86.753 has the right to bring a court action to assert the non-existence of a default or any other defense to acceleration and sale.

A request for payoff or reinstatement must be communicated in a written request which complies with ORS 86.745, addressed to "Urgent Request - Member Solution Specialist," Pacific Crest Federal Credit Union, and either mailed to P.O. Box 1179, Klamath Falls, OR 97601, by first class U.S. Mail, certified, return receipt requested or physically delivered to Pacific Crest Federal Credit Union at 2972 Washburn Way, Klamath Falls, Oregon 97603, and received by Pacific Crest Federal Credit Union not less than 5 days before the scheduled sale date.

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 deed, of trust, 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 home owners association premiums. The requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

NOTICE TO TENANTS

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 a 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 **JANUARY 22, 2012**. 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.

Pursuant to the "Protecting Tenants at Foreclosure Act of 2000, Public Law 111-22, Section 701-704 of Article 7, provided you are and remain a bona fide tenant, you are given 90 day notice that your lease or rental agreement shall terminate on the last of 90 days following date of this notice to you or on the date of sale which ever is later date as subsequently provided to you.

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.

For Legal Assistance: Oregon State Bar Referral Service, Hours: 9am-5pm Monday-Friday, Phone 503-684-3763 or toll-free in Oregon at 800-452-7636. Submit On-line Referral - <http://www.osbar.org/public/rs/rsform.html>.

For Free Legal Assistance: Legal Aid Services of Oregon, LASO Hotline for Klamath & Lake Counties: (541) 882-6992 or 1-800-480-9160.

Trustee: Bradford J. Aspell, Esq., ASPELL, DELLA-ROSE & RICHARD, 122 South 5th Street, Klamath Falls, OR 97601, Phone: 541-883-7754, Facsimile: 541-883-1756, Email: baspell@admlaw.com

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.

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION WILL BE USED FOR THAT PURPOSE. UNLESS YOU NOTIFY US WITHIN 30 DAYS AFTER RECEIVING THIS LETTER THAT YOU DISPUTE THE VALIDITY OF THE DEBT, OR ANY PORTION OF IT, WE WILL ASSUME THE DEBT IS VALID. IF YOU NOTIFY US, IN WRITING, WITHIN 30 DAYS AFTER RECEIPT OF THIS LETTER THAT YOU DO DISPUTE THE DEBT OR ANY PORTION OF IT, WE WILL PROVIDE VERIFICATION BY MAILING YOU A COPY OF THE RECORDS. IF YOU SO REQUEST, IN WRITING, WITHIN 30 DAYS AFTER RECEIPT OF THIS NOTICE, WE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR IF DIFFERENT FROM THE CURRENT CREDITOR.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

DATED this 4th day of October, 2011.

SUCCESSOR TRUSTEE: /s/ Bradford J. Aspell, OSB. 74015, ASPELL, DELLA-ROSE & RICHARD, 122 South 5th Street, Klamath Falls, OR 97601, Telephone: (541) 883-7754

#13921 October 20, 27, November 03, 10, 2011.

Recordation Requested by:

ASPELL, DELLA-ROSE & RICHARD
122 South 5th St.
Klamath Falls, OR 97601

After Recording Return to:

ASPELL, DELLA-ROSE & RICHARD
122 South 5th St.
Klamath Falls, OR 97601

Send Tax Statements to:

PACIFIC CREST FEDERAL CREDIT UNION
P.O. Box 1179
Klamath Falls, OR 97601

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON)
 : ss.
COUNTY OF KLAMATH)

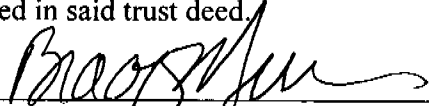
THIS IS TO CERTIFY that I am the Successor Trustee of that certain trust deed of which Dennis James Hale is the grantor, Pacific Crest Federal Credit Union is the beneficiary of a certain trust deed dated the 11th day of January, 2006, recorded the 11th day of January, 2006, at Vol. M06, Page 00915, Klamath County Deed Records, as secured upon the real property described in Exhibit A attached hereto.

WHEREAS, pursuant to a Notice of Sale duly recorded in the mortgage records; and,

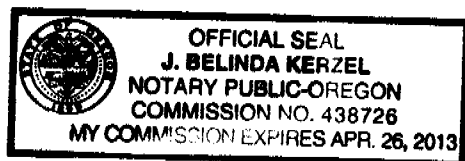
WHEREAS, the trust deed was duly foreclosed by advertisement and sale and the real property was sold by the Successor Trustee on February 21, 2012, to the highest and best bidder for cash.


To the best of my knowledge and belief I reasonably believe that at no time during the period of three months and one day immediately preceding the date of said sale and including the date thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in the Service Members' Civil Relief Act (50 USC App. Section: 501, *et seq.*, as amended) (SCRA). I have used the Defense Manpower Data Center (DMDC) Military Verification Website and obtained certificates that Dennis James Hale was not on active duty status within the preceding 367 days.

In construing this certificate the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.


Bradford J. Aspell, Successor Trustee

This instrument was acknowledged before me on this 21 day of February, 2012, by Bradford J. Aspell.




NOTARY PUBLIC FOR OREGON
My Commission Expires: 4-26-13

Department of Defense Manpower Data Center

Feb-21-2012 11:07:27

Military Status Report
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
HALE	DENNIS JAMES	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID:USHQQNV15

Grantor's Name and Address Dennis Hale 2545 Darrow Avenue Klamath Falls, OR 97601	
Beneficiary's Name and Address Pacific Crest Federal Credit Union PO Box 1179 Klamath Falls, OR 97601	
Trustee's Name and Address Bradford J. Aspell, <i>Esq.</i> 122 S. 5 th Street Klamath Falls, OR 97601	
After Recording Return to: Bradford J. Aspell, <i>Esq.</i> 122 S. 5 th Street Klamath Falls, OR 97601	

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

I, WAYNE S. HARGER, being first duly sworn, depose and say:

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 years, and not the beneficiary or the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies 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 addresses, to wit:

Dennis James Hale
52733 Ammon Rd..
La Pine, OR 97739

David A. Kubat, Trustee
1020 E. First St., Suite 300
Santa Ana, CA 92705

David A. Kubat, Trustee
2608 2nd Avenue, #339
Seattle, WA 98121

Home Loan Center, Inc.
dba Lending Tree Loans
163 Technology Drive
Irvine, CA 92618

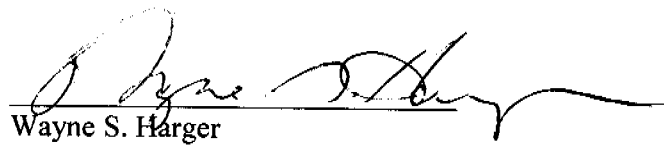
Mortgage Electronic Registration Systems
P.O. Box 2026
Flint, MI 48501-2026

These 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 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 set forth in ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original of sale by me. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on October 7, 2011. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such

was mailed with a proper form to request and obtain a return receipt, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

By:

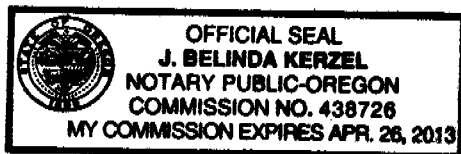

Wayne S. Harger

STATE OF OREGON)

: ss.

COUNTY OF KLAMATH)

SUBSCRIBED AND SWORN TO before me this 12th day of March, 2012, by Wayne S. Harger.




NOTARY PUBLIC FOR OREGON

My Commission Expires: 4-26-13

Loan No: 4948

Successor Trustee:

Bradford J. Aspell, OSB. 74015

TRUSTEE'S NOTICE OF SALE

**Pursuant to ORS 86.705 *et seq.*
and ORS 79.5010, *et seq.***

Reference is made to that certain trust deed made, executed and delivered by **DENNIS HALE**, as Grantor, to **ASPEN TITLE**, as Trustee, the Trustee's duties of which were assigned to Bradford J. Aspell, attorney at law, OSB. 74015, **ASPELL, DELLA-ROSE & RICHARD**, 122 South 5th Street, Klamath Falls, Oregon 97601, to secure certain obligations in favor of **PACIFIC CREST FEDERAL CREDIT UNION**, as Beneficiary, dated **JANUARY 11, 2006**, and recorded on **JANUARY 11, 2006**, in the mortgage records of Klamath County, Oregon, at Volume M06, Page 00915, Klamath County Deed Records. Said Trust Deed encumbers the following described real property situated in said county and state, to wit:

- **LOT 535, BLOCK 127, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.**

The street address or other common designation, if any, of the real property described above is purported to be:

- **2545 DARROW AVENUE, KLAMATH FALLS, OREGON 97601**

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

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: monthly payments of **\$412.49** beginning October 1, 2010; plus late charges of **\$20.63** each month beginning October 1, 2010; plus advances of **\$835.00**; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: **\$65,282.58** with interest thereon at the rate of **six percent (6%)** per annum beginning **OCTOBER 1, 2010**, plus late charges of **\$20.63** each month beginning **OCTOBER 1, 2010** until paid; plus advances for taxes, insurance or other obligations of **835.00**; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will, on **FEBRUARY 21, 2012**, at the hour of **10:00 o'clock a.m.**, in accord with the standard of time established by ORS 187.110, **in the front entry foyer of the Klamath Falls County Circuit Court, 316 Main St., 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 grantor had or had power to convey at the time of the 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 ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or 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. Notice is also given that any person named in ORS 86.753 has the right to bring a court action to assert the non-existence of a default or any other defense to acceleration and sale.

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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 deed of trust, 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.

NOTICE TO TENANTS

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 a 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 JANUARY 22, 2012.** 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.

Pursuant to the "Protecting Tenants at Foreclosure Act of 2000, Public Law 111-22, Section 701 - 704 of Article 7, provided you are and remain a *bona fide* tenant, you are given 90 day notice that your lease or rental agreement shall terminate on the later of 90 days following date of this notice to you or on the date of sale which ever is later date as subsequently provided to you

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.

For Legal Assistance: Oregon State Bar Referral Service
Hours: 8 am to 5 pm Monday-Friday
Phone: 503-684-3763 or toll-free in Oregon at 800-452-7636.
Submit On-line Referral - <http://www.osbar.org/public/ris/lrsform.html>

For Free Legal Assistance: Legal Aid Services of Oregon
LASO Hotline for Klamath & Lake Counties:
(541) 882-6982 or 1-800-480-9160.

Trustee: Bradford J. Aspell, *Esq.*
ASPELL, DELLA-ROSE & RICHARD
122 South 5th Street
Klamath Falls, OR 97601
Phone: 541-883-7754
Facsimile: 541-883-1756
Email: baspell@adrrlaw.com

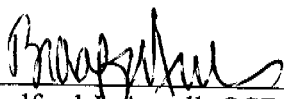
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION WILL BE USED FOR THAT PURPOSE. UNLESS YOU NOTIFY US WITHIN 30 DAYS AFTER RECEIVING THIS LETTER THAT YOU DISPUTE THE VALIDITY OF THE DEBT, OR ANY PORTION OF IT, WE WILL ASSUME THE DEBT IS VALID. IF YOU NOTIFY US, IN WRITING WITHIN 30 DAYS AFTER RECEIPT OF THIS LETTER THAT YOU DO DISPUTE THE DEBT OR ANY PORTION OF IT, WE WILL PROVIDE VERIFICATION BY MAILING YOU A COPY OF THE RECORDS. IF YOU SO REQUEST, IN WRITING, WITHIN 30 DAYS AFTER RECEIPT OF THIS NOTICE, WE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR IF DIFFERENT FROM THE CURRENT CREDITOR.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

DATED this 4 day of October, 2011.

SUCCESSOR TRUSTEE:



Bradford A. Aspell, OSB. 74015
ASPELL, DELLA-ROSE & RICHARD
122 South 5th Street
Klamath Falls, OR 97601
Telephone: (541) 883-7754

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 2545 Darrow Avenue, Klamath Falls, Oregon 97601 (address).

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 30, 2011** (date) to bring your mortgage loan current was **\$5,519.32**. 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) 850-7754, (541) 884-1376 or toll-free 1(800) 570-0285 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: Pacific Crest Federal Credit Union, *Attn: Grant Laugsand, Member Solutions Specialist*, P.O. Box 1179, Klamath Falls, OR 97601.

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

Date and time: **FEBRUARY 21, 2012**, at 10:00 o'clock a.m. at

Place: Front Entry Foyer, Klamath County Courthouse, 316 Main St., Klamath Falls, Oregon

THIS IS WHAT YOU CAN DO TO STOP THE SALE:

1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can 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: 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 website 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 (541) 850-7754, (541) 884-1376 or toll-free 1(800) 570-0285. 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 other 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: 800-SAFENET (800-723-3638). Many lenders participate in new federal loan modification programs. You can obtain more information about these programs at: www.makinghomesaffordable.gov or by contacting Grant Laugsand, Member Solutions Specialist, Pacific Crest Federal Credit Union, 2972 Washburn Way, Klamath Falls, Oregon, telephone (541) 850-7754, (541) 884-1376 or toll-free 1(800) 570-0285.

The following options may be available to you, including: (1) modifying your loan terms; (2) temporarily lowering payments; (3) scheduling payments to cure the arrears; (4) temporary suspension of payments; (5) other options based upon your lender and the type of loan.

IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "REQUEST FOR MODIFICATION AND AFFIDAVIT." YOUR LENDER MUST RECEIVE THE FORM BY NOVEMBER 6, 2011, WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

The following options may be available to you, including: (1) modifying your loan terms; (2) temporarily lowering payments; (3) scheduling payments to cure the arrears; (4) temporary suspension of payments; (5) other options based upon your lender and the type of loan.


RETURNING THIS REQUEST DOES NOT MODIFY YOUR LOAN. Your lender is required to contact you within 45 days after you return this form to discuss a possible loan modification. The foreclosure sale will not occur until your lender has contacted you about your request. **YOUR LENDER IS NOT REQUIRED TO MODIFY YOUR LOAN.** The foreclosure sale may proceed if your loan is not modified.

REQUEST A MEETING. Before the lender responds to your request for a loan modification, you may request **IN WRITING** a meeting with the lender. Upon receipt of your written request for a meeting, the lender will attempt to contact you by mail, telephone or e-mail to schedule a meeting in person or by telephone at the lender's option. Note: It is important that you respond immediately to any contact from your lender to schedule a meeting that you have requested. If you do not respond within 7 days from the date your lender attempts to contact you to schedule a meeting, your lender may refuse to meet, deny your request for consideration of a loan modification and resume foreclosure activities.

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 October 7, 2012.

Trustee's Name: Bradford J. Aspell, OSB. 740159

Trustee Signature: 

Trustee Telephone Number: (541) 883-7754