

NO PART OF ANY STEVENS-NESS FORM MAY BE REPT

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

**2012-003570**  
**Klamath County, Oregon**



00116292201200035700140144

04/05/2012 03:22:54 PM

Fee: \$102.00

SPACE RESERVED  
FOR  
RECORDER'S USE

Ernst Brothers, LLC  
PO Box 637  
Gilchrist, OR 97737  
Grantor's Name and Address\*  
James R. Uerlings\*  
803 Main Street, Ste 201  
Klamath Falls, OR 97601  
Trustee's Name and Address\*  
South Valley Bank & Trust  
803 Main Street  
Klamath Falls, OR 97601  
Beneficiary's Name and Address\*

After recording, return to (Name and Address):

James R. Uerlings  
803 Main Street, Ste 201  
Klamath Falls, OR 97601

\*ORS 205 requires the first page of a recorded document to show the names and addresses of all parties. Use Stevens-Ness Form No. 1256, Cover Sheet for Instrument to be Recorded, if you need additional space.

STATE OF OREGON, County of Klamath ss.

I, Julie A. Stenkamp, 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 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:

Name

Address

See Exhibit A, attached hereto and incorporated by this reference.

\*James R. Uerlings was appointed Successor Trustee on October 26, 2010, recorded October 26, 2010 in Volume No. 2010-012615, Microfilm Records of Klamath County, Oregon

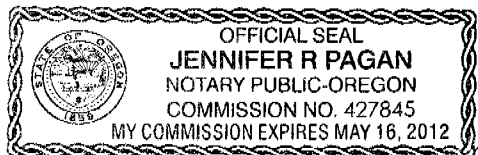
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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; (d) any person requesting notice as set forth in ORS 86.785; and (e) if the owner of the subject real property dies and the property is also subject to a transfer on death deed, the beneficiary or beneficiaries designated under the transfer on death deed.\*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by \_\_\_\_\_

James R. Uerlings

\_\_\_\_\_, attorney for the trustee named in the notice. 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 December 8, 2011. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with 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.

As used herein, 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 the trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any, "person" includes a business or other entity, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.



SIGNED AND SWORN TO before me on April 3, 2012,  
by Julie A. Stenkamp

Notary Public for Oregon - My commission expires 5-16-12

\* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date. Pursuant to ORS 86.740(2), a notice served by mail in accordance with ORS 86.740(1) is effective when the notice is mailed.  
PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

1024 ncl

## EXHIBIT A

### Service by 1<sup>st</sup> Class and Certified Mail

	<u>Name</u>	<u>Last Known Address</u>
1)	Ernst Brothers, LLC	c/o Wayne G. Ernst, Reg. Agt. PO Box 637 Gilchrist, OR 97737
2)	Dave Kornish Kornish Forest Contracting, Inc.	19372 Piute Circle Bend, OR 97702
3)	Glenda Eaton Crescent Creek Property Managment	150 Mountain View Drive Gilchrist, OR 97737
4)	State of Oregon, Employment Department	875 Union Street NE, Rm 107 Salem, OR 97311
5)	SYSCO PORTLAND, INC.	c/o Capitol Corporate Services, Inc. 325 13 <sup>th</sup> Street NE, Ste 501 Salem, OR 97301
6)	SYSCO CORPORATION	1390 Enclave Parkway Houston, TX 77077-2099
7)	SYSCO PORTLAND, INC.	c/o Donald R. Slayton Attorney at Law 143 West 8th Avenue Eugene, OR 97401
8)	State of Oregon, County of Klamath Klamath County Tax Collector	PO Box 340 305 Main Street, Rm 121 Klamath Falls, OR 97601
9)	Carter Jones Collection Services aka, Carter-Jones Collection Services, Inc.	c/o Kent Pederson, Reg Agt PO Box 145 1143 Pine Street Klamath Falls, OR 97601
10)	USA, Internal Revenue Service Small Business / Self Employed Area #6 IRS Advisory Group	915 2nd Avenue, M/S W245 Seattle, WA 98174
11)	IRS Collection Advisory Group	915 2nd Avenue, M/S W245 Seattle, WA 98174
12)	Oregon Department of Revenue	Attn: Cindy Test, Revenue Agent PO Box 14725 Salem, OR 97309-5018

# Northwest Private Investigators

STATE OF OREGON                     )  
  )  
County of Klamath                   )                     Court Case No. \_\_\_\_\_  
  )                     Parties. \_\_\_\_\_

I hereby certify that I received on Dec 8<sup>th</sup> 2011 the within:

☐ Summons & Complaint    ☐ Summons & Petition    ☐ Summons    ☐ Notice  
☐ Order to Appearance    ☐ Waiver of Fees            ☐ Petition    ☐ Order  
☐ Show Cause Order       ☐ Affidavit                    ☐ Complaint    ☐ Motion  
☐ Writ of Garnishment    ☐ Restraining Order       ☐ Citation    ☐ Subpoena  
☐ Small Claim               ☐ Certificate of Residency

☒ Notice of Sale  
for service on the within named: CRECENT CREEK PROPERTIES (Glenda Eaton)  
☒ Served Glenda Eaton  
\_\_\_\_\_ personally and in person.

☐ Substitute Service – by leaving a true copy with \_\_\_\_\_, a person over the age of fourteen, who resides at the place of abode of the within named, at said abode: \_\_\_\_\_.

☐ Office Service – by leaving a true copy with \_\_\_\_\_, the person in charge of the office maintained for the conduct of business by \_\_\_\_\_.

☐ By leaving a true copy with \_\_\_\_\_ of said corporation.

☐ Other Method: \_\_\_\_\_.

☐ Not Found: After due and diligent search an inquiry, I hereby return that I have been unable to find the within named: \_\_\_\_\_ within Klamath County Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: 12-12-2011 1:30 PM  
150 Mountain View  
Gilchrist. OR 97737

Service Fee: \_\_\_\_\_ plus Mileage \_\_\_\_\_ = \$ \_\_\_\_\_

By: Greg Ratt

# Northwest Private Investigators

STATE OF OREGON                    )  
  )  
County of Klamath                )                   Court Case No. \_\_\_\_\_  
  )                   Parties. \_\_\_\_\_

I hereby certify that I received on Dec 8<sup>th</sup> 2011 the within:

☐ Summons & Complaint    ☐ Summons & Petition    ☐ Summons    ☐ Notice  
☐ Order to Appearance    ☐ Waiver of Fees    ☐ Petition    ☐ Order  
☐ Show Cause Order    ☐ Affidavit    ☐ Complaint    ☐ Motion  
☐ Writ of Garnishment    ☐ Restraining Order    ☐ Citation    ☐ Subpoena  
☐ Small Claim    ☐ Certificate of Residency

☒ Notice of Sale

for service on the within named: Dave Kornish

☒ Served Dave Kornish  
\_\_\_\_\_ personally and in person.

☐ Substitute Service – by leaving a true copy with \_\_\_\_\_, a person over the age of fourteen, who resides at the place of abode of the within named, at said abode: \_\_\_\_\_.

☐ Office Service – by leaving a true copy with \_\_\_\_\_, the person in charge of the office maintained for the conduct of business by \_\_\_\_\_.

☐ By leaving a true copy with \_\_\_\_\_ of said corporation.

☐ Other Method: \_\_\_\_\_.

☐ Not Found: After due and diligent search an inquiry, I hereby return that I have been unable to find the within named: \_\_\_\_\_ within Klamath County Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: 12-12-2011 3:00pm.  
(CONCERNING 150 Mountain View Gilchrist OR)

Service Fee: \_\_\_\_\_ plus Mileage \_\_\_\_\_ = \$ \_\_\_\_\_

By: Greg Rata

# Northwest Private Investigators

STATE OF OREGON                    )  
  )  
County of Klamath                )                   Court Case No. \_\_\_\_\_  
  )                   Parties. \_\_\_\_\_

I hereby certify that I received on Dec 8<sup>th</sup> 2011 the within:

☐ Summons & Complaint    ☐ Summons & Petition    ☐ Summons    ☒ Notice  
☐ Order to Appearance    ☐ Waiver of Fees    ☐ Petition    ☐ Order  
☐ Show Cause Order    ☐ Affidavit    ☐ Complaint    ☐ Motion  
☐ Writ of Garnishment    ☐ Restraining Order    ☐ Citation    ☐ Subpoena  
☐ Small Claim    ☐ Certificate of Residency

☒ Notice of Sale

for service on the within named: Dave Kornish

☒ Served Dave Kornish personally and in person.

☐ Substitute Service – by leaving a true copy with \_\_\_\_\_, a person over the age of fourteen, who resides at the place of abode of the within named, at said abode: \_\_\_\_\_.

☐ Office Service – by leaving a true copy with \_\_\_\_\_, the person in charge of the office maintained for the conduct of business by \_\_\_\_\_.

☐ By leaving a true copy with \_\_\_\_\_ of said corporation.

☐ Other Method: \_\_\_\_\_.

☐ Not Found: After due and diligent search an inquiry, I hereby return that I have been unable to find the within named: \_\_\_\_\_ within Klamath County Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: 12-12-2011 2:30pm

Service Fee: \_\_\_\_\_ plus Mileage \_\_\_\_\_ = \$ \_\_\_\_\_  
19745 Baker Road  
Bend. OR

By: Meg Rott

# Northwest Private Investigators

STATE OF OREGON

)

Court Case No. \_\_\_\_\_

)

County of Klamath

)

Parties. \_\_\_\_\_

I hereby certify that I received on 12-8-2011 the within:

☐ Summons & Complaint    ☐ Summons & Petition    ☐ Summons    ☐ Notice  
☐ Order to Appearance    ☐ Waiver of Fees    ☐ Petition    ☐ Order  
☐ Show Cause Order    ☐ Affidavit    ☐ Complaint    ☐ Motion  
☐ Writ of Garnishment    ☐ Restraining Order    ☐ Citation    ☐ Subpoena  
☐ Small Claim    ☐ Certificate of Residency

☒ Notice of Sale

for service on the within named: Wayne Gill Ernst

☒ Served Wayne Gill Ernst  
\_\_\_\_\_ personally and in person.

☐ Substitute Service – by leaving a true copy with \_\_\_\_\_, a person over the age of fourteen, who resides at the place of abode of the within named, at said abode: \_\_\_\_\_.

☐ Office Service – by leaving a true copy with \_\_\_\_\_, the person in charge of the office maintained for the conduct of business by \_\_\_\_\_.

☐ By leaving a true copy with \_\_\_\_\_ of said corporation.

☐ Other Method: \_\_\_\_\_.

☐ Not Found: After due and diligent search an inquiry, I hereby return that I have been unable to find the within named: \_\_\_\_\_ within Klamath County Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: 12-12-2011 4:30 PM

Service Fee: \_\_\_\_\_ plus Mileage \_\_\_\_\_ = \$ \_\_\_\_\_

22350 Crescent Lake Hwy.  
Crescent Lake, Oregon

Served: 150 Mountain View, Gilchrist OR

By: Greg Rata

Tract 1318 Gilchrist Township  
Lot 85 - Lot 84

Tract Parcel 1 & Parcel 2 Lot 4 Crescent OR

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Ernst Brothers, LLC

to EARNCO\*, as grantor,  
 in favor of South Valley Bank & Trust, as trustee,  
 dated December 30, 2002, recorded on January 15, 2003, in the Records of  
Klamath County, Oregon, in ☒ book ☒ deed ☐ volume No. M03 at page 2790,  
~~and as a ☒ fee ☒ file ☒ instrument ☒ microfilm ☒ reproduction No. xxxxxxxxxxxxxxxxx (indicate which)~~, covering the following  
 described real property situated in that county and state, to-wit:

See Exhibit A, attached hereto and incorporated by this reference.

\*James R. Uerlings was appointed Successor Trustee on October 26, 2010 and recorded  
 October 26, 2010 in Volume No. 2010-012615 in the Microfilm Records of Klamath County,  
 Oregon.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 in grantor's failure to pay when due the following sums:

See Exhibit B, attached hereto and incorporated by this reference.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust  
 deed immediately due and payable, those sums being the following, to-wit:

See Exhibit C, attached hereto and incorporated by this reference.

WHEREFORE, notice is hereby given that the undersigned trustee will on April 24, 2012, at the hour  
 of 11 o'clock, AM., in accord with the standard of time established by ORS 187.110, at 803 Main Street, Ste 201

in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public  
 auction to the highest bidder for cash the interest in the real property described above which the grantor had or had power to convey  
 at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest  
 acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of  
 the 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 rein-  
 stated 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 per-  
 formance required under the obligation or trust deed, and in addition to paying those 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  
 and attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, 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 the trust deed, and the words "trustee" and  
 "beneficiary" include their respective successors in interest, if any.

DATED November 30, 2011

James R. Uerlings, Successor Trustee

, Trustee

803 Main Street, Ste 201

ADDRESS

Klamath Falls

OR

97601

541-884-8101

CITY

STATE

ZIP

PHONE

I certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and  
 exact copy of the original trustee's notice of sale.

(CONTINUED)

Attorney for Trustee



## NOTICE TO RESIDENTIAL TENANTS\*

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for \_\_\_\_\_  
Unless the lender who is foreclosing on this property is paid, 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 not a residential 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, 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 \_\_\_\_\_ (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. Otherwise, the buyer is not your landlord and is not responsible for maintaining the property on your behalf and you must move out by the date the buyer specifies in a notice to you.

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. AS EXPLAINED ABOVE, YOU MAY BE ABLE TO APPLY A DEPOSIT YOU MADE OR PREPAID RENT YOU PAID AGAINST YOUR CURRENT RENT OBLIGATION. BE SURE TO KEEP PROOF OF ANY PAYMENTS YOU MAKE AND OF ANY NOTICE YOU GIVE OR RECEIVE CONCERNING THE APPLICATION OF YOUR DEPOSIT OR YOUR PREPAID RENT.

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 with this matter, you may contact the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at [www.osbar.org](http://www.osbar.org). If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance. For more information and a directory of legal aid programs, go to [www.oregonlawhelp.org](http://www.oregonlawhelp.org).

SERVE:\*\* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*ORS 86.750(2)(b) states, in relevant part: "The copy of the notice of sale required to be published \*\*\* does not need to include the notice to tenants required under ORS 86.745(9)."

\*\*If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in the name and address of party to be served. Pursuant to ORS 86.740(2), a notice served by mail in accordance with ORS 86.740(1) is effective when the notice is mailed. The effective date of a notice served on an occupant of the premises in accordance with ORS 86.750 is the date of personal service pursuant to ORS 86.750(1)(a) or the date of first posting pursuant to ORS 86.750(1)(b)(A).



EXHIBIT A

**Property Address:**

150 MOUNTAIN VIEW DRIVE  
GILCHRIST, OREGON 97737

**Legal Description:**

Lot 3 of TRACT 1318 - GILCHRIST TOWNSITE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM: Beginning at a 5/8 inch iron rod marking the Southeast corner of Lot 4 TRACT 1318 - GILCHRIST TOWNSITE as shown on the original plat thereof, thence North 75°15'28" West, 169.29 feet to a 5/8 inch iron rod; thence North 14°49'53" East, 84.00 feet to a 5/8 inch iron rod marking the adjusted Northwest Lot Corner of Lot 4, of said Tract 1318 - Gilchrist Townsite, from which a 5/8 inch iron rod marking the original Northwest corner of Lot 4, Tract 1318 - Gilchrist Townsite as shown on the original plat thereof bears South 14°49'53" West, 20.00 feet; thence South 75°15'28" East, 170.34 feet to a 5/8 inch iron rod marking the Westerly right-of-way of Manzanita Street from which a 5/8 inch iron rod marking the original Northeast corner of Lot 4, Tract 1318 - Gilchrist Townsite as shown on the original plat thereof bears South 15°32'50" West, 20.00 feet; thence South 15°32'50" West, 84.01 feet along the said Westerly right-of-way of Manzanita Street to the point of beginning.

## **EXHIBIT B**

- 1) Failure to make payments due:
    - Principal past due: \$26,764.24
    - Interest past due: \$11,805.33
    - Late charges past due: \$ 300.00
    - Plus principal, interest and late charges due after 08/15/2011
  - 2) Failure to pay property taxes and provide proof of payment to beneficiary.
  - 3) Failure to pay liens filed against collateral.
  - 4) Failure to pay advances made by beneficiary to protect collateral.
  - 5) Failure to remediate probability of hazardous substance and/or environmental contamination of property and provide proof of such to beneficiary.
  - 6) Failure to provide proof of insurance on collateral to beneficiary.
  - 7) Failure to provide current financial information on Grantor from 2008 to present.
- 

## **EXHIBIT C**

- 1) Principal \$602,093.65
- 2) Accrued interest to 07/26/2011 \$ 23,022.28
- 3) Late charges to 07/26/2011 \$ 300.00
- 4) Expenses advanced by beneficiary to protect collateral \$120,897.68
- 5) Attorney fees, as incurred
- 6) Trustee fees, as incurred
- 7) Plus interest, late fees, foreclosure costs and other advances after 07/26/2011

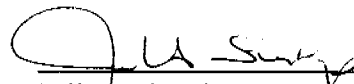
**AFFIDAVIT OF MAILING NOTICE OF  
PURCHASER'S POTENTIAL INTENT TO REMOVE  
OCCUPANTS FOLLOWING FORECLOSURE**

STATE OF OREGON            )  
                                      ) ss.  
County of Klamath         )

I, Julie A. Stenkamp, being first duly sworn, depose and say:

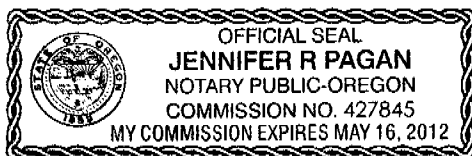
1. I am a legal assistant in the law firm of Boivin, Uerlings & Dilaconi, P.C. and make this affidavit of my own personal knowledge.

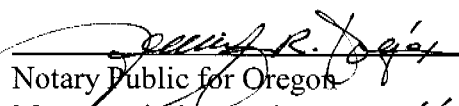
2. On March 21, 2012, I prepared and caused to be mailed the attached letters noticing the occupants of the purchaser's potential intent to remove occupants from property then being foreclosed, pursuant to ORS 86.705 *et seq.* The letters were mailed on the date shown thereon by first class and certified mail (return receipt requested) to the addresses.



Julie A. Stenkamp, Legal Assistant

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of March, 2012, by Julie A. Stenkamp, a legal assistant for the law firm of Boivin, Uerlings & Dilaconi, P.C.



  
Notary Public for Oregon

My commission expires: 5-16-12

**BOIVIN, UERLINGS & DIACONI, P. C.**

ATTORNEYS AT LAW

803 MAIN STREET, SUITE 201

KLAMATH FALLS, OREGON 97601-6070

TELEPHONE: (541) 884-8101

FAX: (541) 884-8498

JAMES R. UERLINGS  
BARBARA M. DIACONI

March 21, 2012

FOUNDED IN 1915  
HARRY D. BOIVIN  
(1904-1999)  
ROBERT D. BOIVIN  
(1937-1999)

Glenda Eaton  
Crescent Creek Property Management  
150 Mountain View Drive  
Gilchrist, OR 97737

Re: South Valley Bank & Trust / Ernst Brothers, LLC, Trust Deed Foreclosure

To Whom It May Concern:

Our law firm has initiated foreclosure of a trust deed against the property in which you now occupy. You were served with a copy of the Trustee's Notice of Sale on or about December 12, 2011.

This letter is notice to you pursuant to Oregon law that the party who purchases the property at the Trustee's Sale, now set to occur on April 24, 2012, may remove you from possession of the property under the procedures set in ORS 105.105 to 105.165 no earlier than ten days after that date, or the date the sale actually occurs, if later.

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

If you have any questions regarding this notice, you should consult with legal counsel.

Very truly yours,  
BOIVIN, UERLINGS & DIACONI, P.C.

*James R. Uerlings*  
James R. Uerlings

U.S. Postal Service	
<b>CERTIFIED MAIL<sup>TM</sup> RECEIPT</b>	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
GILCHRIST OR 97737	
Postage	\$ 10.45
Certified Fee	252.55
Return Receipt Fee (Endorsement Required)	242.35
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 545.35
03/21/2012	
Sent To: Glenda Eaton/Crescent Creek Prop Mgmt	
Street, Apt. No., or PO Box No. 150 Mountain View Dr.	
City, State, ZIP+4 Gilchrist, OR 97737	

**BOIVIN, UERLINGS & DIACONI, P. C.**

ATTORNEYS AT LAW

803 MAIN STREET, SUITE 201

KLAMATH FALLS, OREGON 97601-6070

TELEPHONE: (541) 884-8101

FAX: (541) 884-8498

JAMES R. UERLINGS  
BARBARA M. DIACONI

March 21, 2012

FOUNDED IN 1915  
HARRY D. BOIVIN  
(1904-1999)  
ROBERT D. BOIVIN  
(1937-1999)

Dave Kornish  
Kornish Forest Contracting, Inc.  
19372 Piute Circle  
Bend, OR 97702

Re: South Valley Bank & Trust / Ernst Brothers, LLC, Trust Deed Foreclosure

To Whom It May Concern:

Our law firm has initiated foreclosure of a trust deed against the property in which you now occupy. You were served with a copy of the Trustee's Notice of Sale on or about December 12, 2011.

This letter is notice to you pursuant to Oregon law that the party who purchases the property at the Trustee's Sale, now set to occur on April 24, 2012, may remove you from possession of the property under the procedures set in ORS 105.105 to 105.165 no earlier than ten days after that date, or the date the sale actually occurs, if later.

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

If you have any questions regarding this notice, you should consult with legal counsel.

Very truly yours,  
BOIVIN, UERLINGS & DIACONI, P.C.

*James R. Uerlings*  
James R. Uerlings

<b>U.S. Postal Service</b>	
<b>CERTIFIED MAIL RECEIPT</b>	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$ 6.45
Certified Fee	2.25
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 11.05
03/21/2012	
Sent To: Dave Kornish / Kornish Forest Contracting	
Street, Apt. No., or PO Box No. 19372 Piute Circle	
City, State, Zip+4 Bend, OR 97702	

PS Form 3800, August 2006 See Reverse for Instructions

**BOIVIN, UERLINGS & DIACONI, P. C.**

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*James R. Uerlings*  
James R. Uerlings

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(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> .	
GILCHRIST OR 97737	
Postage	\$ 0.75
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.05
03/21/2012	
Sent To: Dave Kornish / Kornish Forest Contracting, Inc.	
Street, Apt. No.: 150 Mountain View Dr.	
City, State, ZIP: Gilchrist OR 97737	