

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

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

**2012-003652**  
**Klamath County, Oregon**



04/09/2012 11:35:25 AM

Fee: \$82.00

SPACE RESERVED  
FOR  
RECORDER'S USE

Big Springs Martket, Inc.  
31880 Hwy 70  
Bonanza, OR 97623  
Grantor's Name and Address\*

James R. Uerlings\*  
803 Main Street, Ste 201  
Klamath Falls, OR 97601  
Trustee's Name and Address\*

Lori M. Haury  
1690 Hampden Lane NE  
Salem, OR 97317  
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:

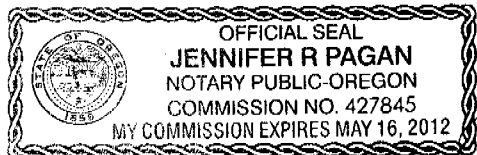
Name	Address
See Exhibit A, attached hereto and incorporated by this reference.	

\*James R. Uerlings was appointed Successor Trustee on March 23, 2010, recorded on March 29, 2010 in the Records of Klamath County, Oregon, Instrument No. 2010-003810.

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 16, 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 5, 2012,  
 by Julie A. Stenkamp

Jennifer R. Pagan  
 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.

8 TAMT

**EXHIBIT A**

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

	<u>Name</u>	<u>Last Known Address</u>
1)	Mike Laidet	PO Box 27 Bonanza, OR 97623
	Mike Laidet	PO Box 301 Bonanza, OR 97623
2)	Kathy Laidet	PO Box 27 Bonanza, OR 97623
	Kathy Laidet	PO Box 301 Bonanza, OR 97623
3)	Central Point Masonic Lodge #135	PO Box 3761 Central Point, OR 97502
4)	Central Point Masonic Lodge #135 c/o Leland Stickney, Reg. Agt.	2418 Thorn Oak Drive Medford, OR 97501
5)	Medford Lodge #103 Attn: Roland Kari	975 N Phoenix Road Medford, OR 97504
6)	City of Bonanza	PO Box 297 Bonanza, OR 97623
7)	USA, Internal Revenue Service Small Business / Self Employed Area #6 IRS Advisory Group	915 2nd Avenue, M/S W245 Seattle, WA 98174
8)	IRS Collection Advisory Group	915 2nd Avenue, M/S W245 Seattle, WA 98174

Northwest Private  
Investigators

STATE OF OREGON )  
 )  
County of Klamath )

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

I hereby certify that I received on 12/22/11 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

Trustee Notice of Sale

for service on the within named: \_\_\_\_\_

Served MIKE LAIDET: Registered agent and tenant for Big Springs Market INC. 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: 12/22/2011 2:25 PM.

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

By: [Signature]

[Signature]

Northwest Private  
Investigators

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

I hereby certify that I received on 1-25-2012 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

X. Trustee Notice of Sale

for service on the within named: Vicki Beck - Big Springs MKT

Served Vicki Beck 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: 1-25-2012 12:20PM  
930 EMGIN ST

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

By: Greg Rote





## NOTICE TO RESIDENTIAL TENANTS\*

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for (date) May 1, 2012. The date of this sale may be postponed. Unless the lender that is foreclosing on this property is paid before the sale date, the foreclosure will go through and someone new will own this property. After the sale, the new owner is required to provide you with contact information and notice that the sale took place.

The following information applies to you only if you are a bona fide tenant occupying and renting 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 bona fide residential tenant.

If the foreclosure sale goes through, the new owner will have the right to require you to move out. Before the new owner can require you to move, the new owner must provide you with written notice that specifies the date by which you must move out. If you do not leave before the move-out date, the new owner can have the sheriff remove you from the property after a court hearing. You will receive notice of the court hearing.

### PROTECTION FROM EVICTION

IF YOU ARE A BONA FIDE TENANT OCCUPYING AND RENTING THIS PROPERTY AS A RESIDENTIAL DWELLING, YOU HAVE THE RIGHT TO CONTINUE LIVING IN THIS PROPERTY AFTER THE FORECLOSURE SALE FOR:

- THE REMAINDER OF YOUR FIXED TERM LEASE, IF YOU HAVE A FIXED TERM LEASE; OR
- AT LEAST 90 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE.

If the new owner wants to move in and use this property as a primary residence, the new owner can give you written notice and require you to move out after 90 days, even though you have a fixed term lease with more than 90 days left.

You must be provided with at least 90 days' written notice after the foreclosure sale before you can be required to move.

A bona fide tenant is a residential tenant who is not the borrower (property owner) or a child, spouse or parent of the borrower, and whose rental agreement:

- Is the result of an arm's-length transaction;
- Requires the payment of rent that is not substantially less than fair market rent for the property, unless the rent is reduced or subsidized due to a federal, state or local subsidy; and
- Was entered into prior to the date of the foreclosure sale.

### ABOUT YOUR TENANCY BETWEEN NOW AND THE FORECLOSURE SALE:

#### RENT

YOU SHOULD CONTINUE TO PAY RENT TO YOUR LANDLORD UNTIL THE PROPERTY IS SOLD OR UNTIL A COURT TELLS YOU OTHERWISE. IF YOU DO NOT PAY RENT, YOU CAN BE EVICTED. BE SURE TO KEEP PROOF OF ANY PAYMENTS YOU MAKE.

#### SECURITY DEPOSIT

You may apply your security deposit and any rent you paid in advance against the current rent you owe your landlord as provided in ORS 90.367. 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 new owner that 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 after 90 days or at the end of your fixed term lease. After the sale, you should receive a written notice informing you that the sale took place and giving you the new owner's name and contact information. You should contact the new owner if you would like to stay. If the new owner 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 new owner becomes your new landlord and must maintain the property. Otherwise:

- You do not owe rent;
- The new owner is not your landlord and is not responsible for maintaining the property on your behalf; and
- You must move out by the date the new owner specifies in a notice to you.

The new owner may offer to pay your moving expenses and any other costs or amounts you and the new owner agree on in exchange for your agreement to leave the premises in less than 90 days or before your fixed term lease expires. You should speak with a lawyer to fully understand your rights before making any decisions regarding your tenancy.

IT IS UNLAWFUL FOR ANY PERSON TO TRY TO FORCE YOU TO LEAVE YOUR DWELLING UNIT WITHOUT FIRST GIVING YOU WRITTEN NOTICE AND GOING TO COURT TO EVICT YOU. FOR MORE INFORMATION ABOUT YOUR RIGHTS, YOU SHOULD 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.

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).

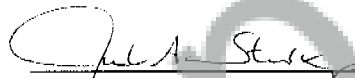
**AFFIDAVIT OF MAILING NOTICE OF  
PURCHASER'S POTENTIAL INTENT TO REMOVE  
OCCUPANTS FOLLOWING FORECLOSURE**

STATE OF OREGON            )  
  ) ss.  
County of Klamath         )

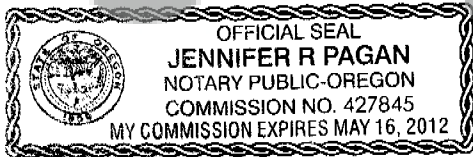
I, Julie A. Stenkamp, being first duly sworn, depose and say:


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

2. On March 30, 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 5<sup>th</sup> day of April, 2012, by Julie A. Stenkamp, a legal assistant for the law firm of Boivin, Uerlings & DiIaconi, 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

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

March 30, 2012

Vicki Beck  
930 E. Main Street  
Klamath Falls, OR 97601

Re: Lori Haury / Big Springs Market, Inc. Trust Deed Foreclosure

Dear Ms. Beck:

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 January 25, 2012.

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 May 1, 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

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.75

Postmark  
3/30/12

Sent To: Vicki Beck  
Street, Apt. No.,  
or PO Box No. 930 East Main St.  
City, State, ZIP+4 Klamath Falls, OR 97601

**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

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BARBARA M. DIACONI

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

March 30, 2012

Mike Laidet  
Big Springs Market, Inc.  
PO Box 301  
Bonanza, OR 97623

Re: Lori Haury / Big Springs Market, Inc. Trust Deed Foreclosure

Dear Mr. Laidet:

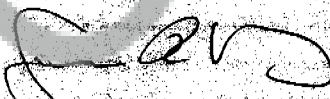
Our law firm has initiated foreclosure of a trust deed against the property in which you now occupy. You were served with a copy of the Trustee's Notice of Sale on or about December 20, 2011.

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 May 1, 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

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.75</b>

Postmark  
Here  
3/30/12

Sent To Mike Laidet / Big Springs Market Inc  
Street, Apt. No.,  
or PO Box No. P.O. Box 301  
City, State, ZIP+4 Bonanza, OR 97623

**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

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

March 30, 2012

Kathy Laidet  
Big Springs Market, Inc.  
PO Box 301  
Bonanza, OR 97623

Re: Lori Haury / Big Springs Market, Inc. Trust Deed Foreclosure

Dear Mrs. Laidet:

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 20, 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 May 1, 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

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ 45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.75

Postmark  
3/30/12

Sent To  
Kathy Laidet / Big Springs Market, Inc.  
Street, Apt. No.,  
or PO Box No. PO Box 301  
City, State, ZIP+4  
Bonanza OR 97623