

WTC 92327

2012-004440

Klamath County, Oregon



00117338201200044400180180

04/30/2012 01:21:35 PM

Fee: \$137.00

**RECORDING COVER SHEET FOR NOTICE  
OF SALE PROOF OF COMPLIANCE PER  
O.R.S. 205.234**

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

WHEN RECORDED MAIL TO

**ASSET FORECLOSURE SERVICES, INC.**, as Trustee  
5900 Canoga Avenue, Suite 220  
Woodland Hills, CA 91367

Trustee's Sale No: OR-USB-11011734

**MARK NAME(S) OF ALL THE TRANSACTION(S)** described in the attached instrument. Fill in the Original Grantor on Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of Sale or Proof of Service will be considered a transaction.

☐ **AFFIDAVIT OF MAILING NOTICE OF SALE** (must have trustee's notice of sale attached)

☐ **AFFIDAVIT OF PUBLICATION NOTICE OF SALE**

☐ **PROOF OF SERVICE /AFFIDAVIT OF NON-OCCUPANCY**

**Original Grantor on Trust Deed**

**ROBERT H. BUCY AND KELLI L. BUCY, AS TENANTS BY THE ENTIRETY**

**Beneficiary**

**SILVER SIERRA MORTGAGE, INC.**

1327mt

ASSET FORECLOSURE SERVICES, INC.  
5900 Canoga Avenue, Suite 220  
Woodland Hills, CA 91367  
Phone: (877)237-7878 / Fax:

Trustee Sale No.: OR-USB-11011734

Affidavit of Mailing Trustee's Notice of Sale

STATE OF CALIFORNIA                     )  
  ) ss.  
COUNTY OF LOS ANGELES                )

The undersigned, being first duly sworn, states that I am now, and at all times herein mentioned was a citizen of the United States a resident of the State of California, and over the age of eighteen years, and not the beneficiary or his successor in interest named in the attached original Notice of Sale given under the terms of that certain trust deed described in said Notice.

That I gave notice of the sale of the real property described in the attached Notice of Sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

KELLI L. BUCY, 7750 BLY MOUNTAIN CUTOFF RD., BONANZA, OR, 97623  
ROBERT H. BUCY, 7750 BLY MOUNTAIN CUTOFF RD., BONANZA, OR, 97623  
  
, INTERNAL REVENUE SERVICE, 915 2ND AVE, M/S W246, LIEN DESK, SEATTLE, WA, 98174  
, INTERNAL REVENUE SERVICE, ADVISORY M/S W245, 915 2nd AVENUE, SEATTLE, WA, 98174  
, STATE OF OREGON, C/O ATTORNEY GENERAL DEPARTMENT OF JUSTICE, 1162 COURT ST.  
NE, SALEM, OR, 97301-4096  
, RIVERWALK HOLDINGS, LTD, C/O DANIEL N. GORDON, P.C., P.O. BOX 22338, EUGENE, OR,  
97402  
, RIVERWALK HOLDINGS, LTD, C/O DANIEL N. GORDON, P.C. ATTORNEYS AND COUNSELOR,  
4023 W 1ST AVE, EUGENE, OR, 97402  
, RIVERWALK HOLDINGS, LTD, C/O DANIEL N. GORDON, P.C. ATTORNEYS AND COUNSELOR,  
4023 W 1ST AVE / P.O. BOX 22338, EUGENE, OR, 97402  
, RIVERWALK HOLDINGS, LTD, C/O DANIEL N. GORDON, P.C. ATTORNEYS AND COUNSELOR,  
P.O. BOX 22338, EUGENE, OR, 97402  
, RIVERWALK HOLDINGS, LTD, C/O LINDSAY K. WOSTMANN, 4023 W 1ST AVE, EUGENE, OR,  
97402  
, RIVERWALK HOLDINGS, LTD, C/O P.O. BOX 22338, EUGENE, OR, 97402  
, DEPARTMENT OF JUSTICE, CHILD SUPPORT SERVICES, P.O. BOX 14506, SALEM, OR, 97309  
SUSAN A. ANSON, 24985 HWY. 140 E., BONANZA, OR, 00000  
SUSAN A. ANSON, C/O MELINDA M. BROWN, ATTORNEY AT LAW, 501 MAIN ST., SUITE 400,  
KLAMATH FALLS, OR, 97601  
Tenant, 7750 BLY MTN CUTOFF, BONANZA, OR, 97623

Said persons include (a) the grantor in the trust deed, (b) 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 required b ORS 86.785.

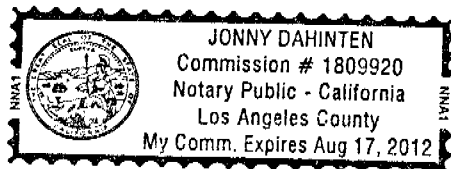
Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by an authorized representative of the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Woodland Hills, CALIFORNIA, on Dec. 27, 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 and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the Notice of Default and Election to Sell described in said Notice of Sale was recorded.

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

Angelab. Anada Barsamyan  
On behalf of ASSET FORECLOSURE SERVICES, INC.

SUBSCRIBED AND SWORN TO before me on

December 27, 2011



NOTARY PUBLIC for CALIFORNIA  
My commission expires: 8/17/2012

**NOTICE TO BORROWER:** YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

**TRUSTEE'S NOTICE OF SALE**

*Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.*

Trustee's Sale No. OR-USB-11011734

Reference is made to that certain Deed of Trust made by, ROBERT H. BUCY AND KELLI L. BUCY, AS TENANTS BY THE ENTIRETY, as grantor, to ASPEN TITLE, as Trustee, in favor of SILVER SIERRA MORTGAGE, INC., as beneficiary, dated 1/28/2008, recorded 2/5/2008, under Instrument No. 2008-001550, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by U.S. BANK NATIONAL ASSOCIATION. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

LOT 3, BLOCK 68, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 3, 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:

7750 BLY MOUNTAIN CUTOFF RD.  
BONANZA, OR 97623

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:

	Amount due as of December 27, 2011 -----
Delinquent Payments from May 01, 2011	
8 payments at \$ 1,075.62 each	\$ 8,604.96
(05-01-11 through 12-27-11)	
Late Charges:	\$ 301.14
Foreclosure Fees and Costs	\$ 1,049.00
	=====
TOTAL:	\$ 9,955.10

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.

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:

UNPAID PRINCIPAL BALANCE OF \$173,355.81, PLUS interest thereon at 4.250% per annum from 4/1/2011, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on April 27, 2012, at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the 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.

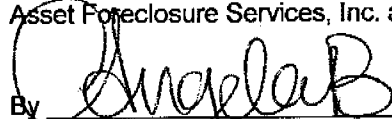
Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion 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 not exceeding the amounts provided by said ORS 86.753.

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.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

DATED: 12/27/2011

Michael J. Long, As Trustee By,  
Asset Foreclosure Services, Inc. as agent for the Trustee

By   
Angela Barsamyan Foreclosure Assistant  
5900 Canoga Avenue, Suite 220, Woodland Hills, CA 91367  
Phone: (877)237-7878

STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF LOS ANGELES            )

I certify that I am an authorized representative of trustee, and the foregoing is a complete and exact copy of the original trustee's notice of sale.

  
Authorized Representative of Trustee

OR-USB-

11011734

12/27/2011

**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 7750 BLY MOUNTAIN CUTOFF RD. , BONANZA, OR 97623.

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 12/27/2011, to bring your mortgage loan current was \$2,682.00. 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 (877)237-7878 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: ASSET FORECLOSURE SERVICES, INC., 5900 Canoga Avenue, Suite 220, Woodland Hills, CA 91367.

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

**April 27, 2012, 10:00 AM  
ON THE FRONT STEPS OF THE CIRCUIT COURT**

THIS IS WHAT YOU CAN DO  
TO STOP THE SALE:

1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call ASSET FORECLOSURE SERVICES, INC. at (877)237-7878 to find out if your lender is willing to give you more time or change the terms of the 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 800-723-3638. 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: [www.osbar.org](http://www.osbar.org). Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs go to the Oregon State Bar Legal Aid at 503-684-3763 or toll free in Oregon at 800-452-7636 or on the web at [www.oregonlawhelp.org](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 . 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 assistance of a lawyer, a housing counselor or another person of your choosing. To receive a referral to a housing counselor or other assistance available in your community, call this toll-free consumer mortgage foreclosure information number: 800-723-3638. Many lenders participate in new federal loan

modification programs. You can obtain more information about these programs at [www.makinghomeaffordable.gov/](http://www.makinghomeaffordable.gov/).

IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "MODIFICATION REQUEST FORM." YOUR LENDER MUST RECEIVE THE FORM BY 1/26/2012 WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

WARNING: You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

DATED 12/27/2011

ASSET FORECLOSURE SERVICES, INC.

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



Trustee telephone number: (877)237-7878



**NOTICE REQUIRED BY THE  
FAIR DEBT COLLECTION PRACTICE ACT  
15 U.S.C. Section 1692**

TS# OR-USB-11011734

12/27/2011

**ATTENTION TRUSTORS:**

1. You are hereby notified that ASSET FORECLOSURE SERVICES, INC. is attempting to collect a debt.
2. As of the date of this letter, you owe \$186,486.05. Because of interest, late charges, and other charges that may vary from day to day, or may apply only upon payoff, the amount due on the day you pay may be greater. Hence if you pay the amount shown above, an adjustment may be necessary after we receive your check, in which event we will inform you before depositing the check for collection.
3. The original creditor to whom the debt is/was owed is SILVER SIERRA MORTGAGE, INC.. The current creditor is U.S. BANK NATIONAL ASSOCIATION.
4. The debt will be assumed to be valid by ASSET FORECLOSURE SERVICES, INC. unless WITHIN THIRTY DAYS AFTER THE RECEIPT OF THIS NOTICE, you dispute the validity of the debt or some portion thereof.
5. If you notify ASSET FORECLOSURE SERVICES, INC. in writing within thirty days after the receipt of this Notice that the debt or any portion thereof is disputed, ASSET FORECLOSURE SERVICES, INC. will provide a verification of the debt, and a copy of the verification will be mailed to you by ASSET FORECLOSURE SERVICES, INC.. In attempting to collect the debt, any information obtained will be used for that purpose.
6. If the current creditor is not the original creditor, and if you make a written request to ASSET FORECLOSURE SERVICES, INC. within thirty days after the receipt of this Notice, the name and address of the original creditor will be mailed to you by ASSET FORECLOSURE SERVICES, INC..
7. Written request should be addressed to and further information can be obtained from:

ASSET FORECLOSURE SERVICES, INC.  
5900 Canoga Avenue, Suite 220  
Woodland Hills, CA 91367  
(877)237-7878 (818)591-9599

## **NOTICE TO RESIDENTIAL TENANTS**

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for April 27, 2012. The date of this sale may be postponed. Unless the lender who 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 a 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 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.

Trustee: LSI Title Agency  
c/o Asset Foreclosure Services, Inc.  
5900 Canoga Avenue, #220  
Woodland Hills, CA 91367

Free legal assistance: Oregon Law Center

Portland: (503) 473-8329

Coos Bay: (800) 303-3638

Ontario: (888) 250-9877

Salem: (503) 485-0696

<http://www.oregonlawcenter.org>

Grants Pass: (541) 476-1058

Woodburn: (800) 973-9003

Hillsboro: (877) 726-4281

and Oregon Law Help Site (providing additional information with a directory of legal aid programs)

<http://oregonlawhelp.org/OR/index.cfm>

and Oregon State Bar Lawyer Referral Service: (503) 684-3763 or toll free in Oregon at: (800) 452-7636

<http://www.osbar.org> / <http://www.osbar.org/public/ris/ris.html#referral>

and information on federal loan modification programs at:

<http://www.makinghomeaffordable.gov/>

Contact for free legal assistance through Safenet:

800-SAFENE

## **SOLDIERS' AND SAILORS' RELIEF ACT NOTIFICATION**

If you are on active duty in the armed services, or the dependent of a such a person, and you believe that you are entitled to protections afforded under the Soldiers' and Sailors' Relief Act, please contact the undersigned immediately. Failure to do so may result in loss of your rights, if any, under the Act. To facilitate follow-up to any response to this notice, please make any response in writing and describe the circumstances which you believe cause you to be entitled to protection under the Act.

If you have any questions about the applicability of the Soldiers' and Sailors' Relief Act, you should contact a lawyer immediately. The undersigned is not a lawyer and cannot provide you legal advice.

**ASSET FORECLOSURE SERVICES, INC.**  
5900 Canoga Avenue, Suite 220  
Woodland Hills, CA 91367  
(877)237-7878 (818)591-9599

After recording return to:

Asset Foreclosure Services, Inc.  
5900 Canoga Avenue, #220  
Woodland Hills, California 91367

Loan# 6850059595  
AFS# OR-USB-110-11734

**AFFIDAVIT OF COMPLIANCE WITH CH. 864 (2209 Oregon Laws)**

STATE OF Kentucky, County of Daviess ) ss:

I, Cathy Beckhart, being first duly sworn, depose, and say that  
am employed by U.S. Bank National Association

(hereinafter "beneficiary") and I am familiar with the records and files kept by beneficiary with respect to the above  
mentioned loan where the grantor(s) name(s) is/are

(New Owner(s) else Trustor(s))

\_\_\_\_ Beneficiary did not receive a Modification Request Form from the grantor(s) within the time  
specified in Chapter 864 (2009 Oregon Laws); or

X Beneficiary received a Timely Modification Request Form from the grantor(s) on 7/21/10

If the beneficiary received a timely Modification Request Form, within 45 days receipt of the Modification Request  
form (check all that apply):

\_\_\_\_ Beneficiary or beneficiary's agent reviewed the information submitted by grantor(s) that the  
beneficiary denied the request for modification of the loan.

\_\_\_\_ Beneficiary or beneficiary's agent notified the grantor(s) that the beneficiary has denied the request  
for modification of the loan and the beneficiary or the beneficiary's agent has provided the grantor  
with the information described in Section (1) (b) or (c) of this subsection.

\_\_\_\_ Beneficiary or beneficiary's agent requested grantor(s) provide additional information needed to  
determine whether the loan could be modified.

X If timely requested by the grantor(s), the beneficiary or beneficiary's agent met with the grantor(s) i  
person or spoke to the grantor(s) by telephone before the beneficiary or beneficiary's agent respond  
to the grantor(s) request to modify the loan. The person representing the beneficiary or the  
beneficiary's agent who met or spoke with grantor(s) had or was able to obtain authority to modify  
the loan.

\_\_\_\_ The grantor(s) did not respond to the beneficiary within seven business days of the date the  
beneficiary or the beneficiary's agent attempted to contact the grantor(s) to schedule a meeting in  
person or by telephone.

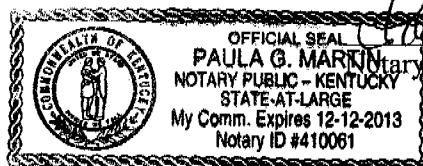
\_\_\_\_ The beneficiary had previously considered the current financial information provided by the  
grantor(s), and has in good faith determined that the grantor(s) is not eligible to a modification of th  
loan. The beneficiary has informed the grantor(s) that the grantor(s) is not eligible to a modification  
of this loan.

X Other action taken: The mortgagor has completed the loan modification and has come back to  
foreclosure they are eight payments behind.

By: \_\_\_\_\_

Cathy Beckhart (Officer)

Subscribed and sworn to before me on 11/12/12 by Cathy Beckhart



**AFFIDAVIT OF POSTING**

STATE OF OREGON

County of Klamath

ss.

I, Erick Kaber, hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original Trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached **Trustee's Notice of Sale** upon the individuals and other legal entities to be served, named below, by delivering a copy of the aforementioned documents, upon an **OCCUPANT** at the following "**Property Address**":

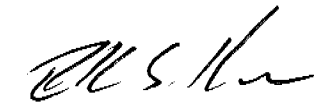
**7750 Bly Mountain Cutoff Road, Bonanza, OR 97623**, as follows:

On 01/02/2012 at 8:00 a.m., I attempted personal service at the Property Address. A locked gate is situated at the main entrance to the Property Address effectively preventing access to the front door of the structure situated on the premises. At that time, I POSTED such true copy conspicuously on the main entrance gate, pursuant to ORS 86.750 (1)(b)(A).

On 01/09/2012 at 4:05 p.m., I returned to the Property Address. Again, the gate situated at the main entrance to the Property Address was locked and I was prevented from gaining access to the structure existing on the premises. At that time, I POSTED another such copy conspicuously on the main entrance gate, pursuant to ORS 86.750 (1)(b)(B).

On 01/18/2012 at 12:00 p.m., I returned to the Property Address. Again, the gate situated at the main entrance to the Property Address was locked and I was prevented from gaining access to the structure existing on the premises. This attempt in person at the Property Address satisfies the third attempt requirement under ORS 86.750(1)(b)(C).

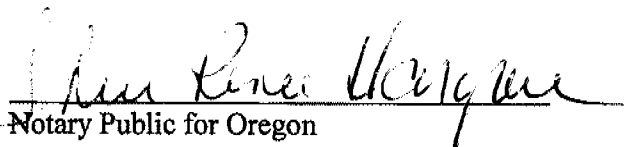
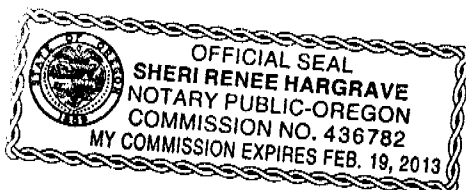
I declare under the penalty of perjury that the above statement is true and correct.



Erick Kaber

280610

SUBSCRIBED AND SWORN to before me this 20 day of January, 2012 by Erick Kaber.

  
Notary Public for Oregon

ORUSB1011734 / BUCY  
ASAP# 4165986

AFSINC

**AFFIDAVIT OF MAILING**

STATE OF OREGON  
County of Multnomah

ss.

I, Sarah-Ruth Tasko, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On January 19, 2012, I mailed a copy of the Trustee's Notice of Sale, by First Class Mail, postage pre-paid, to occupant, pursuant to ORS 86.750(1)(b)(C).


The envelope was addressed as follows:

**OCCUPANT**  
**7750 Bly Mountain Cutoff Rd.**  
**Bonanza, OR 97623**

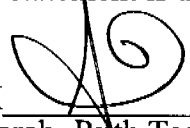
This mailing completes service upon an occupant at the above address with an effective date of **01/02/2012** as calculated pursuant to ORS 86.750 (1)(c).

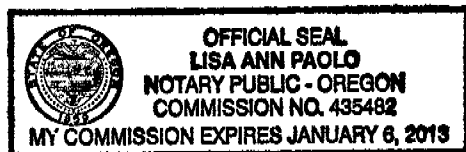
I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 19th day of January, 2012 by  
Sarah-Ruth Tasko.

  
\_\_\_\_\_  
Notary Public for Oregon

X

  
\_\_\_\_\_  
Sarah-Ruth Tasko  
Nationwide Process Service, Inc.  
300 Century Tower  
1201 SW 12th Avenue  
Portland, OR 97205  
(503) 241-0636



\*280618\*



**AFFIDAVIT OF PUBLICATION  
STATE OF OREGON,  
COUNTY OF KLAMATH**

OR-USB-11011734

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 2701 Foothills Blvd, Klamath Falls, OR 97603 in the aforesaid county and state; that I know from my personal knowledge that the Legal#13961 SALE BUCY

#4165986

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:

01/10/2012 01/17/2012 01/24/2012 01/31/2012

Total Cost: \$1196.30

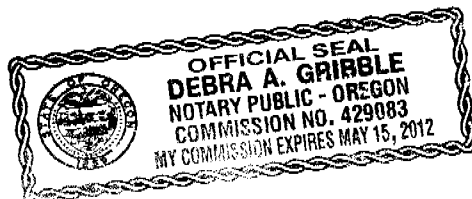
*Jeanine P Day*

Subscribed and sworn by Jeanine P Day before me on:  
31st day of January in the year of 2012

*Debra A Gribble*

Notary Public of Oregon

My commission expires on May 15, 2012



**TRUSTEE'S NOTICE OF SALE**

Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq. Trustee's Sale No. OR-USB-11011734

NOTICE TO BORROWER: YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Reference is made to that certain Deed of Trust made by, ROBERT H. BUCY AND KELLI L. BUCY, AS TENANTS BY THE ENTIRETY, as grantor, to ASPEN TITLE, as Trustee, in favor of SILVER SIERRA MORTGAGE, INC., as beneficiary, dated 1/28/2008, recorded 2/5/2008, under Instrument No. 2008-001550, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by U.S. BANK NATIONAL ASSOCIATION. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: LOT 3, BLOCK 68, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 3, 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: 7750 BLY MOUNTAIN CUTOFF RD. BONANZA, OR 97623 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: Amount due as of December 27, 2011 Delinquent Payments from May 01, 2011 8 payments at \$ 1,075.62 each \$ 8,604.96 (05-01-11 through 12-27-11) Late Charges: \$ 301.14 Foreclosure Fees and Costs \$ 1,049.00 TOTAL: \$ 9,955.10 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.

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: UNPAID PRINCIPAL BALANCE OF \$173,355.81, PLUS interest thereon at 4.250% per annum from 4/1/2011, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on April 27, 2012, at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the 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 not exceeding the amounts provided by said ORS 86.753.

APSing

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. Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same. DATED: 12/27/2011 Michael J. Long, As Trustee By: Asset Foreclosure Services, Inc. as agent for the Trustee By: Angela Barsamyan Foreclosure Assistant 5900 Canoga Avenue, Suite 220, Woodland Hills, CA 91367 Phone: (877)237-7878 ASAP# 4165986 01/10/2012, 01/17/2012, 01/24/2012, 01/31/2012.  
#13961 January 10, 17, 24, 31, 2012.