

1st 1825386

2012-005877

Klamath County, Oregon

**RECORDING COVER SHEET**  
(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors in this cover sheet do not effect the Transaction(s) contained in the instrument itself



00118996201200058770170176

T

05/30/2012 11:41:00 AM

Fee: \$127.00

**After recording return to:**

T.D. Service Company  
1820 E First St Ste 210  
Santa Ana CA 92711-1988

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

Trustees Notice of Sale  
Notice to Residential Tenants  
Affidavit of Non-Military Service  
Affidavit of Publication

**2) Direct Party/Grantor(s) and address ORS 205.125(1)(b) and ORS 205.160**  
Christopher C. Dorr

**3) Indirect Party/Grantee(s) and address ORS 205.125(1)(a) and ORS 205.160**  
Jacqueline Haack

**3a) Trustee and address, if any**  
N/A

**4) True and Actual Consideration ORS 93.030**  
N/A

**5) Send Tax Statements to:**

☐ : If this box is checked, then below applies:

If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244: "Rerecorded at the request of \_\_\_\_\_ to correct \_\_\_\_\_ previously recorded in Book \_\_\_\_\_ and Page \_\_\_\_\_, or as Fee Number \_\_\_\_\_."

(Legal description if corrected is attached to included certified document of the original.)

F 132 -

RECORDING REQUESTED BY

T.D. SERVICE COMPANY

and when recorded mail to

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

\_\_\_\_\_  
Space above this line for recorder's use

## OREGON TRUSTEE'S NOTICE OF SALE



T.S. No: D534816 OR    Unit Code: D    Loan No: 115207220-1/HAACK  
Min No: 100186300000118586  
AP #1: R417016  
Title #: 6460911

Reference is made to that certain Trust Deed made by JACQUELINE HAACK as **Grantor**, to FIDELITY SERVICE CORPORATION as **Trustee**, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEM INC. AS NOMINEE FOR ACTION MORTGAGE COMPANY as **Beneficiary**.

Dated September 20, 2005, Recorded September 22, 2005 as Instr. No. --- in Book M05 Page 64896 of Official Records in the office of the Recorder of KLAMATH County; OREGON

covering the following described real property situated in said county and state, to wit:  
SEE ATTACHED EXHIBIT **A**

Both the beneficiary and the trustee have elected to sell the said real property. The property will be sold to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is Grantor's failure to pay when due, the following sums:

|  |            |
|--|------------|
| 4 PYMTS FROM 10/01/11 TO 01/01/12 @ 1,146.92 | \$4,587.68 |
| 4 L/C FROM 10/16/11 TO 01/16/12 @ 43.62      | \$174.48   |
| PROPERTY INSPECTION                          | \$27.00    |
| Sub-Total of Amounts in Arrears:             | \$4,789.16 |

Together with any default in the payment of recurring obligations as they become due.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Trust Deed, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

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T.S. No: D534816 OR    Unit Code: D    Loan No: 115207220-1/HAACK

The street or other common designation if any, of the real property described above is purported to be :  
135 JAY ST, KLAMATH FALLS, OR 97601

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

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following, to wit: Principal \$136,335.07, together with interest as provided in the note or other instrument secured from 09/01/11, and such other costs and fees are due under the note or other instrument secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned trustee will, on June 4, 2012, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS , County of KLAMATH, State of OREGON, (which is the date, time and place set for said sale) sell at public auction to the highest bidder for cash the interest in the said described real property which the Grantor had or had power to convey at the time of execution by him of the said Trust Deed, together with any interest which the Grantor or his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee.

Notice is further given that the right exists under O.R.S.86.753, at any time that is not later than five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by paying the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of in the Notice of Default, that is capable of being cured by tendering the performance required under the obligation of the Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

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T.S. No: D534816 OR Unit Code: D Loan No: 115207220-1/HAACK

It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check.

The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

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

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

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: (714) 480-5690 or you may access sales information at [www.tacforeclosures.com/sales](http://www.tacforeclosures.com/sales)

DATED: JANUARY 25, 2012

CHRISTOPHER C. DORR, OSBA # 992526

By 

CHRISTOPHER C. DORR, ATTORNEY AT LAW

**DIRECT INQUIRIES TO:**  
T.D. SERVICE COMPANY  
FORECLOSURE DEPARTMENT  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988  
(800) 843-0260

T.S. No: D534816 OR

Loan#: 115207220-1/HAACK

Free legal assistance:

Oregon Law Center

Portland: (503) 473-8329

Coos Bay: 1-800-303-3638

Ontario: 1-888-250-9877

Salem: (503) 485-0696

Grants Pass: (541) 476-1058

Woodburn: 1-800-973-9003

Hillsboro: 1-877-726-4381

<http://www.oregonlawcenter.org/>

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

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

and Oregon State Bar Lawyer Referral Service

503-684-3763 or toll-free in Oregon at 800-452-7636

<http://www.osbar.org>

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

and information on federal loan modification programs at:

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

**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

Parcel 1: Lots 7 & 8, Re-Subdivision of Block 23, Industrial Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon;

Parcel 2: Being a portion of the vacated alley described as follows: Beginning at the Southeast corner of Lot 7, Re-Subdivision of Block 23, Industrial Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence North along the East line of said Lot 7, and the West line of vacated alley a distance of 108 feet to the most Westerly Southwest corner of Lot 15; thence East a distance of 8 feet to the center of the vacated alley; thence South, a distance of 108 feet to a point on the North line of Jay Street, said point being the center of the vacated alley; thence West, along the North line of Jay Street to the point of beginning.

EXCEPTING THEREFROM, The North 16 feet thereof.

RESERVING THEREFROM, an easement for walkway along the East 3 feet of the South 92 feet thereof.

Tax Parcel Number: R417016

T.S. Number: D534816 OR  
Loan No: 115207220-1/HAACK

**NOTICE: Pursuant to CH 864, 2009 Oregon Laws  
YOU ARE IN DANGER OF LOSING YOUR PROPERTY  
IF YOU DO NOT TAKE ACTION IMMEDIATELY**

**This notice is about your mortgage loan on your property at:  
135 JAY ST, KLAMATH FALLS, OR 97601**

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 **January 25, 2012** to bring your mortgage loan current was **\$5,942.65**.

The amount you must now pay to bring your loan current may have increased since that date. By law, your lender has to provide you with details about the amount you owe, if you ask. You may call **(800) 843-0260** to find out the exact amount you must pay to bring your mortgage loan current and to get other details about the amount you owe.

You may also get these details by sending a request by certified mail to: **T.D. SERVICE COMPANY 1820 E. FIRST ST., SUITE 210, P.O. BOX 11988, SANTA ANA, CA 92711-1988.**

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

**SALE DATE: June 4, 2012 AT 10:00 A.M. INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS, OREGON.**

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**THIS IS WHAT YOU CAN DO TO STOP THE SALE:**

1. You can pay the amount past due or correct any other default, up to five days before the sale.
  2. You can refinance or otherwise pay off the loan in full anytime before the sale.
  3. You can call at 509/227-0910 to find out if your lender is willing to give you more time or change the terms of your loan.
  4. You can sell your home, provided the sale price is enough to pay what you owe.
- 

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and phone number of an organization near you, please call the statewide telephone contact number at **800-SAFENET (800-723-3638)**. You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at **503-684-3763** or toll-free in Oregon at **800-452-7636** or you may visit its Web site at: **<http://www.osbar.org>**. Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to **<http://www.oregonlawhelp.org>**.

Your lender may be willing to modify your loan to reduce the interest rate, reduce the monthly payments or both. You can get information about possible loan modification programs by contacting your lender at 509/227-0910. If you can't reach your lender, you may contact the trustee at the telephone number at the bottom of this notice. If you have already entered into a loan modification with

your lender, it is possible that you will not be able to modify your loan again unless your circumstances have changed. Your lender is not obligated to modify your loan.

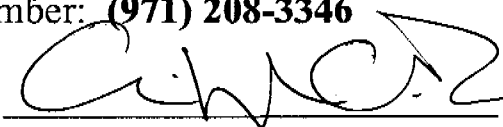
You may request to meet with your lender to discuss options for modifying your loan. During discussions with your lender, you may have the assistance of a lawyer, a housing counselor or another person of your choosing. To receive a referral to a housing counselor or other assistance available in your community, call this toll-free consumer mortgage foreclosure information number: 1-800-723-3638. Many lenders participate in new federal loan modification programs. You can obtain more information about these programs at:  
<http://www.makinghomeaffordable.gov/> or 1-888-995-Hope.

IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "MODIFICATION REQUEST FORM." YOUR LENDER MUST RECEIVE THE FORM BY March 5, 2012 WHICH IS AT LEAST 30 DAYS AFTER THE DATE SHOWN BELOW.

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

Trustee name (print): **CHRISTOPHER C. DORR, OSBA # 992526**

Trustee phone number: **(971) 208-3346**

Trustee signature  Date: JANUARY 25, 2012



**T.S. Number: D534816 OR**

**Property Address: 135 JAY ST, KLAMATH FALLS, OR 97601**

*The Trustee is required to give you the following "Notice to Residential Tenants," which was written by the Oregon Legislature. The Trustee cannot give you legal advice regarding these matters. If you have questions, you should consult with your own legal advisor.*

### **NOTICE TO RESIDENTIAL TENANTS:**

The property in which you are now living is in foreclosure. A foreclosure sale is scheduled for June 4, 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 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.

Trustee: **CHRISTOPHER C. DORR, OSBA # 992526**  
c/o T.D. SERVICE COMPANY  
Foreclosure Department  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988  
(800) 843-0260

Free legal assistance: Oregon Law Center

Portland: (503) 473-8329

Coos Bay: 1-800-303-3638

Ontario: 1-888-250-9877

Salem: (503) 485-0696

Grants Pass: (541) 476-1058

Woodburn: 1-800-973-9003

Hillsboro: 1-877-726-4381

<http://www.oregonlawcenter.org/>

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

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

and Oregon State Bar Lawyer Referral Service

503-684-3763 or toll-free in Oregon at 800-452-7636 <http://www.osbar.org>

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

and information on federal loan modification programs at:

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

## **LOAN MODIFICATION REQUEST FORM**

**Your home is at risk of foreclosure.** There may be options available to help you keep your home. If you want to request a loan modification, you must return this form to the address below by March 5, 2012.

Please deliver the documents as requested below to T.D.Service Company

**T.D.Service Company  
1820 E. First St., Suite 210  
Santa Ana, CA 92705**

**Fax: 714/541-6300**

**Email #1: jdevelasco@tdsf.com**

**Email #2: prandall@tdsf.com**

There may be options 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 on your lender and the type of loan.

In order to discuss your loan options, they will need a complete understanding of your current financial situation. You should gather and provide the following documents:

- 1) Last year's filed tax returns with all schedules
- 2) Pay stubs for the last 2 months
- 3) Bank statements for the last 3 months
- 4) Other documents showing your financial hardship status
- 5) List of monthly expenditures
- 6) Your lender may request that you complete additional forms or provide additional information

**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.

If you are interested in attempting to save your home from foreclosure, T.D.Service Company may be able to assist you. Please contact 800/843-0260 for more information.

**REQUEST A MEETING.** Before the lender responds to your request for a loan modification, you may request **IN WRITING** or **FAX** to 714/541-6300 a request to meet 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.

File No.: D534816 OR  
Loan No.: 115207220-1/HAACK  
Borrower Name: JACQUELINE HAACK  
Property Address: 135 JAY ST, KLAMATH FALLS, OR 97601

I wish to apply for a loan modification.

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Please indicate where your lender may contact you:

Mailing Address:

\_\_\_\_\_  
\_\_\_\_\_

Home Telephone Number: \_\_\_\_\_

Work Telephone Number: \_\_\_\_\_

Email: \_\_\_\_\_ providing your e-mail address authorizes the lender or its agent to communicate with you by e-mail concerning your request for loan modification consideration and for the purpose of scheduling and confirming a meeting.

**AFFIDAVIT OF NON-MILITARY SERVICE**

Date: 2/3/2012  
T.S. Number: D534816OR  
Unit Code: D  
Loan No: 115207220-1/Haack

STATE OF Washington )  
COUNTY OF Spokane )ss,

Amanda Schwartz, BEING DULY SWORN, DEPOSES AND SAYS:

TO THE BEST OF OUR KNOWLEDGE:

JACQUELINE HAACK

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

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

DATED: 2.8.12  
BY: [Signature]

SUBSCRIBED AND SWORN BEFORE ME THIS 8<sup>th</sup> DAY OF February, 2012

[Signature]  
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

MY COMMISSION EXPIRES ON May 15 2012



**PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS**

STATE OF: Oregon  
COUNTY OF: Klamath

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: Occupants of **135 Jay St. Klamath Falls, OR 97601**

☐ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to \_\_ at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to \_\_, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☒ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

1<sup>st</sup> Attempt: January 31, 2012 9:50 AM POSTED

2<sup>nd</sup> Attempt: February 2, 2012 11:15 AM POSTED

3<sup>rd</sup> Attempt: February 6, 2012 10:26 AM POSTED

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on \_\_ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the day of **February 7, 2012**, I mailed a copy of the Trustee's Notice of Sale addressed to **All Known Occupants** at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed

*Chelsea Chambers*

**135 Jay St. Klamath Falls, OR 97601  
ADDRESS OF SERVICE**

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

January 31, 2012 9:50 AM  
**DATE OF SERVICE TIME OF SERVICE**

☐ or non occupancy

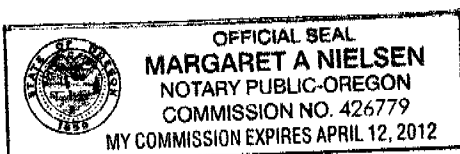
By:

*Robert W. Bolenbaugh*

ROBERT W. BOLENBAUGH

Subscribed and sworn to before on this 7 day of February, 2012.

*Margaret A. Nielsen*  
Notary Public for Oregon



**PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS**

STATE OF: Oregon  
COUNTY OF: Klamath

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: Occupants of **135 Jay St. Klamath Falls, OR 97601**

☐ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to \_\_ at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to \_\_, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☒ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

1<sup>st</sup> Attempt: February 24, 2012 8:35 AM POSTED

2<sup>nd</sup> Attempt: February 27, 2012 10:34 AM POSTED

3<sup>rd</sup> Attempt: February 29, 2012 4:31 PM POSTED

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on \_\_ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the day of March 2, 2012, I mailed a copy of the Trustee's Notice of Sale addressed to **All Known Occupants** at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed Chelsey Chambers

**135 Jay St. Klamath Falls, OR 97601  
ADDRESS OF SERVICE**

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

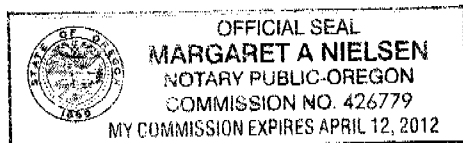
February 24, 2012 8:35 AM  
**DATE OF SERVICE TIME OF SERVICE**

☐ or non occupancy

By [Signature]  
**ROBERT W. BOLENBAUGH**

Subscribed and sworn to before on this 2 day of March, 2012.

Margaret A. Nielsen  
**Notary Public for Oregon**



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

I, Jeanine P. Day, Finance Director, being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News, a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97603 in the aforesaid county and state; that I know from my personal knowledge that the Legal#14174 SALE HAACK #955698

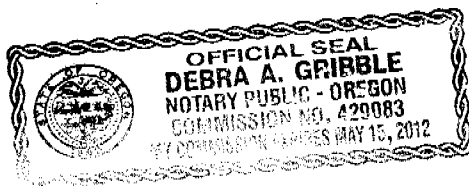
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues:

04/18/2012 04/25/2012 05/02/2012 05/09/2012

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day before me on:  
9th day of May in the year of 2012

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



**OREGON TRUSTEE'S NOTICE OF SALE**

T.S. No: D534816 OR Unit Code: D Loan No: 115207220-1/HAACK Min No: 100186300000118586 AP #1: R417016 Title #: 6460911

Reference is made to that certain Trust Deed made by JACQUELINE HAACK as Grantor, to FIDELITY SERVICE CORPORATION as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEM INC. AS NOMINEE FOR ACTION MORTGAGE COMPANY as Beneficiary. Dated September 20, 2005, Recorded September 22, 2005 as Instr. No. -- in Book M05 Page 64896 of Official Records in the office of the Recorder of Klamath County, OREGON covering the following described real property situated in said county and state, to wit: Exhibit "A" Real property in the County of Klamath, State of Oregon, described as follows: Parcel 1: Lots 7 & 8, Re-Subdivision of Block 23, Industrial Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; Parcel 2: Being a portion of the vacated alley described as follows: Beginning at the Southeast corner of Lot 7, Re-Subdivision of Block 23, Industrial Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence North along the East line of said Lot 7, and the West line of vacated alley a distance of 108 feet to the most Westerly Southwest corner of Lot 15; thence East a distance of 8 feet to the center of the vacated alley; thence South, a distance of 108 feet to a point on the North line of Jay Street, said point being the center of the vacated alley; thence West, along the North line of Jay Street to the point of beginning. EXCEPTING THEREFROM, The North 16 feet thereof. RESERVING THEREFROM, an easement for walkway along the East 3 feet of the South 92 feet thereof.

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: 4 PYMTS FROM 10/01/11 TO 01/01/12 @ 1,146.92 \$4,587.68 4 L/C FROM 10/16/11 TO 01/16/12 @ 43.62 \$174.48 PROPERTY INSPECTION \$27.00 Sub-Total of Amounts in Arrears: \$4,789.16 Together with any default in the payment of recurring obligations as they become due. ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Trust Deed, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee. The street or other common designation if any, of the real property described above is purported to be: 135 JAY ST, KLAMATH FALLS, OR 97601 The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following, to wit: Principal \$136,335.07, together with interest as provided in the note or other instrument secured from 09/01/11, and such other costs and fees are due under the note or other instrument secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned trustee will, on June 4, 2012, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS, County of KLAMATH, State of OREGON, (which is the new date, time and place set for said sale) sell at public auction to the highest bidder for cash the interest in the said described real property which the Grantor had or had power to convey at the time of execution by him of the said Trust Deed, together with any interest which the Grantor or his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in O.R.S.86.753 has the right, at any time prior to five days before the date 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



amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained herein that is capable of being cured by tendering the performance required under the obligation of the Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753. It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check. The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. The Beneficiary may be attempting to collect a debt and any information obtained may be used for that purpose. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: (714) 480-5690 or you may access sales information at [www.tacforeclosures.com/sales](http://www.tacforeclosures.com/sales) DATED: 01/25/12  
CHRISTOPHER C. DORR, OSBA # 992526 By CHRISTOPHER C. DORR, ATTORNEY AT LAW DIRECT IN-  
QUIRIES TO: T.D. SERVICE COMPANY FORECLOSURE DEPARTMENT 4000 W. Metropolitan Drive Suite 400 Orange, CA 92868 (800) 843-0260 TAC# 955698  
PUB: 04/18/12, 04/25/12, 05/02/12, 05/09/12.  
#14174 April 18, 25, May 02, 09, 2012.