

2012-007563

Klamath County, Oregon



00120997201200075630090092

07/10/2012 02:48:45 PM

Fee: \$87.00

1st
1836445

After recording return to:
Umpqua Bank
Attn.: Ky Fullerton
1 S.W. Columbia Street, Suite 1200
Portland, Oregon 97258

AFFIDAVIT OF MAILING

Grantor: Eddie L. Wilcher
Post Office Box 240
Keno, Oregon 97627

Grantee: West Coast Title & Escrow
250 N.W. Franklin Avenue, Suite 201
Bend, Oregon 97701

STATE OF OREGON)
) ss.
County of Multnomah)

I, Ky Fullerton, being first duly sworn, depose and say:

1. I am the Successor Trustee under the terms of the Deed of Trust dated October 12, 2007, given by Eddie L. Wilcher as Grantor to West Coast Title & Escrow as Trustee for the benefit of Cascade Capital Partners, Inc., and recorded in the official records of Klamath County, Oregon, on October 12, 2007, as Document No. 2007-017752.

2. Pursuant to ORS 86.740, I mailed with postage prepaid a true and correct copy of the Notice of Default, Election to Sell, and Notice of Sale recorded in the official records of Klamath County, Oregon, on February 28, 2012, as Document No. 2012-002126 by certified mail, return receipt requested on March 16, 2012, and by first-class mail on March 16, 2012, to each of the following parties:

Eddie L. Wilcher
11771 Whispering Pines
Keno, Oregon 97627

Eddie L. Wilcher
Post Office Box 240
Keno, Oregon 97627

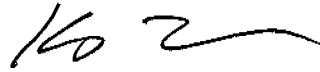
Melanie L. Wilcher
2458 Patterson Street
Klamath Falls, Oregon 97603

Cascade Capital Partners, Inc.
HLR Corp. Services, Inc., Reg. Agent
747 S.W. Mill View Way
Bend, Oregon 97702

F.
92.00

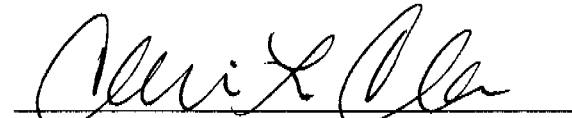
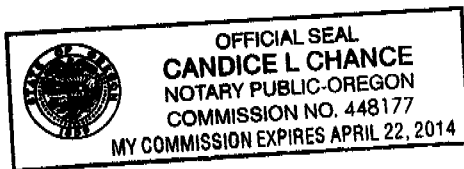
3. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below each party's name, which, to the best of my knowledge, were the parties' last known addresses as of the date of mailing.

DATED this 3rd day of July, 2012.



Ky Fullerton

Subscribed and sworn to before me on July 3, 2012, by Ky Fullerton, Successor
Trustee.


Notary Public

1st 1836445

2012-002126

Klamath County, Oregon



00114573201200021260040044

02/28/2012 11:33:32 AM

Fee: \$52.00

RECORDING COVER SHEET

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

After Recording Return To:

Umpqua Bank
Attn: Ky Fullerton
MC 030-12-LEGL
1 S.W. Columbia St., Suite 1200
Portland, OR 97258

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

Notice of Default and Election to Sell

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

Ky Fullerton, Trustee
MC 030-12-LEGL
1 S.W. Columbia St., Suite 1200
Portland, OR 97258

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

Eddie L. Wilcher
PO Box 240
Keno, OR 97627

4. Send Tax Statements To:

n/a

5. True and Actual Consideration:

n/a

6. Deed Reference:

2007-017752

✓

After recording return to:
Ky Fullerton
Umpqua Bank
MC 030-12-LEGL
1 S.W. Columbia Street, Suite 1200
Portland, Oregon 97258

NOTICE OF DEFAULT, ELECTION TO SELL, AND NOTICE OF SALE

Grantor: Eddie L. Wilcher
Post Office Box 240
Keno, Oregon 97627

Grantee: West Coast Title & Escrow
250 N.W. Franklin Avenue, Suite 201
Bend, Oregon 97701

PLEASE TAKE NOTICE that the undersigned Trustee elects to foreclose the following Deed of Trust by advertisement and sale proceedings and to sell the property covered by the Deed of Trust to satisfy the obligations secured thereby:

Deed of Trust dated October 12, 2007, given by Eddie L. Wilcher as Grantor to West Coast Title & Escrow as Trustee for the benefit of Cascade Capital Partners, Inc., and recorded in the official records of Klamath County, Oregon, on October 12, 2007, as Document No. 2007-017752

Said Deed of Trust was assigned to Umpqua Bank, the present Beneficiary, by virtue of an Assignment of Deed of Trust dated September 21, 2007, and recorded in the official records of Deschutes County, Oregon, on August 12, 2008, as Document No. 2008-33604.

The Beneficiary has appointed Ky Fullerton, an active member of the Oregon State Bar, as successor Trustee. The successor Trustee's address is: MC 030-12-LEGL, 1 S.W. Columbia Street, Suite 1200, Portland, Oregon 97258.

The following property is covered by the Deed of Trust: See Exhibit "A" attached, which is incorporated herein by reference.

The Beneficiary has directed the Trustee to foreclose the Deed of Trust as a result of the following default(s): Grantor's failure to comply with the terms of the various agreements relating to Grantor's loan(s) now owing to Umpqua Bank, including but not limited to Grantor's failure to pay all sums due Umpqua Bank in connection with said loan(s).

The Beneficiary has declared the entire unpaid balance of all obligations secured by the Deed of Trust immediately due, owing, and payable, in the sum of \$441,672.94 with interest at the applicable rate until paid, together with all costs, fees, future advances by the Beneficiary to protect its security interest, and other expenses allowed by law.

THE TRUSTEE WILL SELL THE DESCRIBED PROPERTY on July 19, 2012, at the hour of 12:00 p.m. based on the standard of time established by ORS 187.110, at the main entrance to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, at public auction to the highest bidder for cash. The Grantor, the Grantor's successor in interest to all or any part of the trust property, any Beneficiary under a subordinate trust deed, or any person having a subordinate lien or encumbrance of record on the property may cure the default or defaults at any time prior to five days before the date last set for the Trustee's sale and thereby have the proceeding dismissed and the Deed of Trust reinstated pursuant to ORS 86.753. If the default consists of a failure to pay, when due, sums secured by the Deed of Trust, the default may be cured by paying the entire amount due at the time of cure under the terms of the obligations, other than such portion as would not then be due had no default occurred. Any other default of the Deed of Trust obligation that is capable of being cured may be cured by tendering the performance required under the obligation or Deed of Trust. In any case, and in addition to paying the sums or tendering the performance

necessary to cure the default(s), the person effecting the cure shall pay the Beneficiary all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and attorney fees as allowed by law.

The undersigned Trustee certifies that, upon recording of this Notice, no assignments of the Deed of Trust have been made by the Trustee or by the Beneficiary except as indicated herein; no appointments of a successor Trustee have been made except as recorded in the official records of the county or counties in which the above-described real property is situated; the Beneficiary is the owner and holder of the obligations secured by said Deed of Trust; and no action has been instituted to recover the debt, or any part thereof, now remaining secured by said Deed of Trust, or if such action has been instituted, the action has been dismissed.

Whenever the context of this Notice so requires, the word "Grantor" includes any successor in interest to the Grantor as well as each and every person owing an obligation secured by the Deed of Trust; the word "Trustee" includes any successor Trustee; and the word "Beneficiary" includes any successor in interest of the original Beneficiary named above.

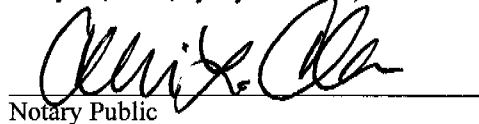
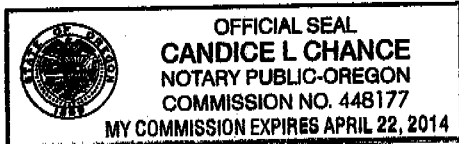
DATED this 16th day of February, 2012.



Ky Fullerton
Successor Trustee

STATE OF OREGON)
) ss.
County of Multnomah)

The foregoing instrument was acknowledged before me on February 16, 2012, by Ky Fullerton, Successor Trustee.


Notary Public

This Notice of Default, Election to Sell, and Notice of Sale was duly recorded on February ____, 2012, in the official records of Klamath County, Oregon, as Document No. 2012-_____. I hereby certify that this document is a true, correct, and complete copy of the original.

DATED this ____ day of March, 2012.

Ky Fullerton
Successor Trustee

Exhibit "A"

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

PARCEL 1:

THAT PART OF THE SOUTH 10 ACRES OF THE NW 1/4 NE 1/4 OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, LYING WESTERLY OF THE WESTERLY LINE OF THE KLAMATH FALLS-WEED HIGHWAY.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION, AS EVIDENCED BY WARRANTY DEED, RECORDED MARCH 10, 1992 IN VOLUME M92 PAGE 5035, DEED RECORDS OF KLAMATH COUNTY, OREGON.

PARCEL 2:

LOTS 7, 8 AND 9 BLOCK 66, BUENA VISTA ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, TOGETHER WITH THAT PORTION OF VACATED MODOC STREET WHICH INURES THERETO BY ORDINANCE NO. 01-07 AND RECORDED JULY 6, 2001 IN VOLUME M01 PAGE 32808, RECORDS OF KLAMATH COUNTY, OREGON.

Tax Parcel Number: R580614 and R212031

**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#14254 SALE WILCHER

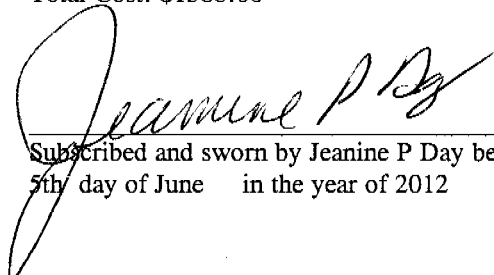
NOTICE OF DEFAULT,

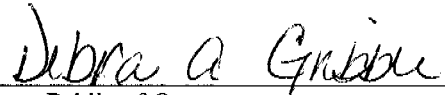
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues:

05/12/2012 05/19/2012 05/26/2012 06/02/2012

Total Cost: \$1388.00


Subscribed and sworn by Jeanine P Day before me on:
5th day of June in the year of 2012


Notary Public of Oregon

My commission expires on May 15, 2016



**NOTICE OF DEFAULT, ELECTION TO SELL,
AND NOTICE OF SALE**

PLEASE TAKE NOTICE that the undersigned Trustee elects to foreclose the following Deed of Trust by advertisement and sale proceedings and to sell the property covered by the Deed of Trust to satisfy the obligations secured thereby:

Deed of Trust dated October 12, 2007, given by Eddie L. Wilcher as Grantor to West Coast Title & Escrow as Trustee for the benefit of Cascade Capital Partners, Inc., and recorded in the official records of Klamath County, Oregon, on October 12, 2007, as Document No. 2007-017752

Said Deed of Trust was assigned to Umpqua Bank, the present Beneficiary, by virtue of an Assignment of Deed of Trust dated September 21, 2007, and recorded in the official records of Deschutes County, Oregon, on August 12, 2008, as Document No. 2008-08004.

The Beneficiary has appointed Ky Fullerton, an active member of the Oregon State Bar, as successor Trustee. The successor Trustee's address is: MC 030-12-LEGL, 1 S.W. Columbia Street, Suite 1200, Portland, Oregon 97258.

The following property is covered by the Deed of Trust:

Exhibit "A"
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EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION, AS EVIDENCED BY WARRANTY DEED, RECORDED MARCH 10, 1992 IN VOLUME M92 PAGE 5035, DEED RECORDS OF KLAMATH COUNTY, OREGON.

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LOTS 7, 8 AND 9 BLOCK 66, BUENA VISTA ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, TOGETHER WITH THAT PORTION OF VACATED MODOC STREET WHICH INURES THERE TO BY ORDINANCE NO. 01-07 AND RECORDED JULY 6, 2001 IN VOLUME M01 PAGE 32808, RECORDS OF KLAMATH COUNTY, OREGON.

Tax Parcel Number: R580614 and R212031

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THE TRUSTEE WILL SELL THE DESCRIBED PROPERTY on July 19, 2012, at the hour of 12:00 p.m. based on the standard of time established by ORS 187.110, at the main entrance to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, at public auction to the highest bidder for cash. The Grantor, the Grantor's successor in interest to all or any part of the trust property, any Beneficiary under a subordinate trust deed, or any person having a subordinate lien or encumbrance of record on the property may cure the default or defaults at any time prior to five days before the date last set for the Trustee's sale and thereby have the proceeding dismissed and the Deed of Trust reinstated pursuant to ORS 86.753. If the default consists of a failure to pay, when due, sums secured by the Deed of Trust, the default may be cured by paying the entire amount due at the time of cure under the terms of the obligations, other than such portion as would not then be due had no default occurred. Any other default of the Deed of Trust obligation that is capable of being cured may be cured by tendering the performance required under the obligation or Deed of Trust. In any case, and in addition to paying the sums or tendering the performance necessary to cure the default(s), the person effecting the cure shall pay the Beneficiary all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and attorney fees as allowed by law.

The undersigned Trustee certifies that, upon recording of this Notice, no assignments of the Deed of Trust have been made by the Trustee or by the Beneficiary except as indicated herein; no appointments of a successor Trustee have been made except as recorded in the official records of the county or counties in which the above-described real property is situated; the Beneficiary is the owner and holder of the obligations secured by said Deed of Trust; and no action has been instituted to recover the debt, or any part thereof, now remaining secured by said Deed of Trust, or if such action has been instituted, the action has been dismissed.

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DATED this 16th day of February, 2012.

/s/Ky Fullerton

Successor Trustee

#14254 May 12, 19, 26, June 02, 2012.

NONMILITARY AFFIDAVIT

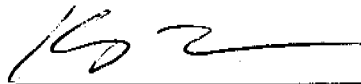
STATE OF OREGON)
) ss.
County of Multnomah)

I, Ky Fullerton, being first duly sworn, depose and say:

1. I am the Successor Trustee under the terms of the Deed of Trust dated October 12, 2007, given by Eddie L. Wilcher as Grantor to West Coast Title & Escrow as Trustee for the benefit of Cascade Capital Partners, Inc., and recorded in the official records of Klamath County, Oregon, on October 12, 2007, as Document No. 2007-017752.

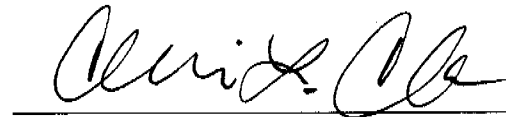
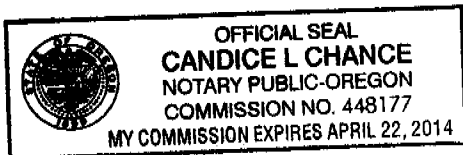
2. To the best of my knowledge and belief, the above Grantor was not a person in military service as defined in the Servicemembers Civil Relief Act of 2003 at the time of foreclosure, and the Grantor's last-known address is not part of any military installation.

DATED this 3rd day of July, 2012.



Ky Fullerton

Subscribed and sworn to before me on July 3, 2012, by Ky Fullerton, Successor Trustee.



Notary Public