15+ 1836445

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 <u>do not</u> effect the Transaction(s) contained in the instrument itself

2012-009051 Klamath County, Oregon



Th 08/16/2012 02:29:11 PM the county Nectorality Services

Fee: \$112.00

After recording return to: Umpqua Bank Attn: Ky Fullerton 1 S W Columbia St Ste 1200 Portland OR 97258

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

Affidavit of Mailing Notice of Postponement of Trustee's Sale (4)

2) Indirect Party/Original Grantor(s) and address ORS 205.125(1)(b) and ORS 205.160

Eddie L. Wilcher

- 3) Direct Party/Original Trustee(s) and address ORS 205.125(1)(a) and ORS 205.160 Ky Fullerton
- 4) True and Actual Consideration ORS 93.030 N/A
- 5) Send Tax Statements to:

: If this box is checked, then below app	lies:	
If this instrument is being Re-Recorded, comp 205.244: "Rerecorded at the request of and Page, or as Fee Number_	_ to correct	-
(Legal description if corrected is attached to in-	cluded certifie	d document of the original.)

Document Represent 2012-003136

F132-

After recording return to:

Umpqua Bank

Attn.: Ky Fullerton

1 S.W. Columbia Street, Suite 1200

Portland, Oregon 97258

AFFIDAVIT OF MAILING

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 attached 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 July 16, 2012, and by first-class mail on July 16, 2012, to each of the following parties:

Oregon Driver and Motor Vehicle Services Division 1905 Lana Avenue, N.E. Salem, Oregon 97314 Oregon Department of Transportation 355 Capitol Street, N.E. Salem, Oregon 97301

Carter-Jones Collection Service, Inc. c/o Kent Pederson, Registered Agent 1143 Pine Street Klamath Falls, Oregon 97601

- 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.
- 4. In accordance with Section 7425 of the Internal Revenue Code and associated regulations, I mailed with postage prepaid a true and correct copy of the Amended 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, together with other information as required by the regulations, by certified mail, return receipt requested on July 27, 2012, to the following party:

District Director, Internal Revenue Service Attn.: Chief, Special Procedures Desk 915 Second Avenue, M/S W245 Seattle, Washington 98174

OFFICIAL SEAL

MY COMMISSION EXPIRES APRIL 22, 2014

DATED this 15th day of August, 2012.

Ky Fullerton

Subscribed and sworn to before me on August 15, 2012, by Ky Fullerton,

Successor Trustee.

Notary Public

14 1936445

2012-002126 Klamath County, Oregon



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 I 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 IRUSTEE 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 Irustee's sale and thereby have the proceeding dismissed and the Deed of Irust 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 County of Multnomah The foregoing instrument was acknowledged before me on February 16, 2012, by Ky Fullerton, Successor Trustee. OFFICIAL SEAL CANDICE L CHANCE NOTARY PUBLIC-OREGON **COMMISSION NO. 448177** MY COMMISSION EXPIRES APRIL 22, 2014 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

KLAMATH COUNTY SHERIFF'S OFFICE RETURN OF SERVICE

State of Oregon County of Klamath Court Case No. Sheriff's Case No. Al2001927

Received for Service 7/31/2012

I hereby certify that I received for service on PEDERSON, KENT L

the within:

470-72-0623

Notice of Postponement

PEDERSON, KENT L
was served personally, and in person, at
1143 PINE ST
KLAMATH FALLS, OR 97601
on 8/1/2012 at 15:45 hours.

All search and service was made within Klamath County, State of Oregon.

Timothy M. Evinger, Sheriff Klamath County, Oregon

By Wedgecock

Copy to: UMPQUA BANK 1 SW COLUMBIA ST Apt. 1200 PORTLAND, OR 97258

600

NOTICE OF POSTPONEMENT OF TRUSTEE'S SALE

STATE OF OREGON)
) ss.
County of Deschutes)

- I, Christopher Hatfield, being duly sworn, say as follows:
- 1. I am the registered agent for HLR Corporate Services, Inc. ("HLR"), an Oregon corporation.
- 2. HLR is the registered agent for Cascade Capital Partners, Inc. ("CCP"), an Oregon corporation.
- 3. I acknowledge receipt of the Notice of Postponement of Trustee's Sale attached hereto as Exhibit A (the "Notice") and am authorized to accept, and hereby do accept, service of the Notice on behalf of HLR and CCP pursuant to ORS 86.755(2)(b) as of the date below.

DATED this <u>23</u> day of July, 2012.

Christopher Hatfield

SUBSCRIBED AND SWORN to before me on July 23, 2012, by Christopher Hatfield.

OFFICIAL SEAL
JAN'EL C MORRIS
NOTARY PUBLIC-OREGON
COMMISSION NO. 451698
MY COMMISSION EXPIRES AUGUST 26, 2014

(Pursuant to ORS 86.755)

Reference is hereby made to 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, which was subsequently assigned to Umpqua Bank, the present Beneficiary, by virtue of an Assignment of Deed of Trust recorded in the official records of Klamath County, Oregon, on August 13, 2008, as Document No. 2008-011507 The present Beneficiary subsequently appointed Ky Fullerton, an active member of the Oregon State Bar, as Successor Trustee under the terms of the Deed of Trust

The Deed of Trust covers the following real property:

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.

A Notice of Default, Election to Sell, and Notice of Sale relating to the property was recorded on February 28, 2012, in the official records of Klamath County, Oregon, as Document No. 2012-002126.

The sale of the above real property by the Successor Trustee is hereby postponed until August 22, 2012, at 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.

DATED this 19th day of July, 2012.

Ky Fullerton

NOTICE OF POSTPONEMENT OF TRUSTEE'S SALE

STATE OF OREGON)
) ss
County of Marion)

- I, Ethan Resnick Hasenstein, being duly sworn, say as follows:
- 1. I am an attorney for the State of Oregon, acting by and through its Department of Transportation, Driver and Motor Vehicle Services Division (the "State").
- 2. I acknowledge receipt of the Notice of Postponement of Trustee's Sale attached hereto as Exhibit A (the "Notice") and am authorized to accept, and hereby do accept, service of the Notice on behalf of the State pursuant to ORS 86.755(2)(b) as of the date below.

DATED this 23rd day of July, 2012.

Ethan Resnick Hasenstein

058 #053226

SUBSCRIBED AND SWORN to before me on July 23, 2012, by Ethan Resnick Hasenstein.

Notary Public

OFFICIAL SEAL
TONIE MAY COTELL
NOTARY PUBLIC-OREGON
COMMISSION NO. 435131
MY COMMISSION EXPIRES DEC. 17, 2012

(Pursuant to ORS 86.755)

Reference is hereby made to 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, which was subsequently assigned to Umpqua Bank, the present Beneficiary, by virtue of an Assignment of Deed of Trust recorded in the official records of Klamath County, Oregon, on August 13, 2008, as Document No. 2008-011507 The present Beneficiary subsequently appointed Ky Fullerton, an active member of the Oregon State Bar, as Successor Trustee under the terms of the Deed of Trust

The Deed of Trust covers the following real property:

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DATED this 19th day of July, 2012.

Ky Fullerton

NOTICE OF POSTPONEMENT OF TRUSTEE'S SALE

STATE OF OREGON

COMMISSION NO. 441618
MY COMMISSION EXPIRES SEPTEMBER 19, 2013

County of Klamath) ss.)
Postponement of Trustee's Sa	Icher, being duly sworn, acknowledge receipt of the Notice of alle attached hereto as Exhibit A (the "Notice") and hereby accept to ORS 86.755(2)(b) as of the date below.
DATED this <u>J</u>	day of July, 2012. Eddie L. Wilcher
OFFICIAL	DRIGUEZ

(Pursuant to ORS 86.755)

Reference is hereby made to 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, which was subsequently assigned to Umpqua Bank, the present Beneficiary, by virtue of an Assignment of Deed of Trust recorded in the official records of Klamath County, Oregon, on August 13, 2008, as Document No. 2008-011507 The present Beneficiary subsequently appointed Ky Fullerton, an active member of the Oregon State Bar, as Successor Trustee under the terms of the Deed of Trust

The Deed of Trust covers the following real property:

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The sale of the above real property by the Successor Trustee is hereby postponed until August 22, 2012, at 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.

DATED this 19th day of July, 2012.

Ky Fullerton

NOTICE OF POSTPONEMENT OF TRUSTEE'S SALE

STATE OF OREGON)
) ss.
County of Klamath)
Postponement of Trustee's	L. Wilcher, being duly sworn, acknowledge receipt of the Notice of s Sale attached hereto as Exhibit A (the "Notice") and hereby accept uant to ORS 86.755(2)(b) as of the date below.
DATED th	is 3 _ day of July, 2012.
	Melanie L. Wilcher
SUBSCRIBED AN Wilcher.	ND SWORN to before me on July 3, 2012, by Melanie L.
	Notary Public
OFFICIA	

ADRIEN LOUISE FLEEK NOTARY PUBLIC - OREGON COMMISSION NO. 453315

MY COMMISSION EXPIRES DECEMBER 03, 2014

(Pursuant to ORS 86.755)

Reference is hereby made to 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, which was subsequently assigned to Umpqua Bank, the present Beneficiary, by virtue of an Assignment of Deed of Trust recorded in the official records of Klamath County, Oregon, on August 13, 2008, as Document No. 2008-011507 The present Beneficiary subsequently appointed Ky Fullerton, an active member of the Oregon State Bar, as Successor Trustee under the terms of the Deed of Trust

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DATED this 19th day of July, 2012.

Ky Fullerton