

WTC 93419

2012-009059

Klamath County, Oregon

After recording return to:

Paul S. Cosgrove, Esq., Trustee
220 NW Skyline Blvd.
Portland, OR 97210



00122853201200090590040044

08/16/2012 03:22:20 PM

Fee: \$52.00

**AFFIDAVIT OF MAILING
FORECLOSURE AVOIDANCE MEASURE NOTICE
pursuant to Oregon Laws 2012, Ch. 112, Sec. 4a**

Grantor(s): John Wade Turner and Kelly Reeves Turner
Beneficiary: Budget Funding I, LLC
Trustee: Paul S. Cosgrove, Esq.
TS #66025-306

STATE OF OREGON, County of Multnomah) ss:

I, Molly M. Luoto, being duly sworn, hereby depose and say that:

1. On the date shown, I caused to be mailed first class and certified, return receipt requested the Foreclosure Avoidance Measure Notice attached hereto to the grantor(s) at:

John Wade Turner
5540 Shasta Way
Klamath Falls, OR 97603

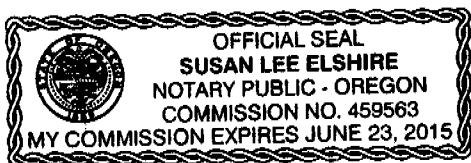
Kelley Reeves Turner
5540 Shasta Way
Klamath Falls, OR 97603

2. On the same date, I caused the same Foreclosure Avoidance Measure Notice to either be mailed to the Oregon Department of Justice or sent by email to Oregon Department of Justice at its designated email address of foreclosureavoidance@doj.state.or.us.

Dated August 7, 2012.

Molly M. Luoto
Molly M. Luoto

Subscribed and sworn to before me on August 8, 2012 by Molly M. Luoto.



Susan L Elshire
Notary Public for Oregon
My commission expires 6/23/2015

52bmf

2007-020737

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

STATE OF OREGON
COUNTY OF Klamath

COURT CASE NO. _____

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivery or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- | | | | |
|---|--|-----------------------------------|---|
| <input type="checkbox"/> Small Claim | <input type="checkbox"/> Order | <input type="checkbox"/> Subpoena | <input type="checkbox"/> Order to Show Cause |
| <input type="checkbox"/> Summons | <input type="checkbox"/> Motion | <input type="checkbox"/> Notice | <input type="checkbox"/> Trustee's Notice of Sale |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Letter | <input type="checkbox"/> Writ of Continuing Garnishment |
| <input checked="" type="checkbox"/> Foreclosure Avoidance Measure Letter | | | |

For the within named: John Wade Turner and Kelly Reeves Turner

☒ **PERSONAL SERVED:** Original or True Copy to within named, personally and in person to: Kelly Reeves Turner
_____ at the address below.

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Kelly Reeves Turner,
a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:
John Wade Turner

☐ **OFFICE SERVICE:** At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such True Copy or Original with _____, the person who is apparently in charge.

☐ **SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.**

Upon (Corporation, Limited Partnership, etc.), by (a) delivering such True Copy personally and in person, to: _____ who is a/the _____ thereof, or
(b) leaving such True Copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ thereof.

☒ **OTHER METHOD:** Mailed Notice to John Wade Turner on 8/8/12

☐ **NOT FOUND:** I certify that I received the within document for service on _____ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, _____ within Klamath County.

<u>5540</u>	<u>Shasta Way</u>	
ADDRESS OF SERVICE	STREET	UNIT / APT. / SPC#
<u>Klamath Falls</u>	<u>Oregon</u>	<u>97603</u>
CITY	STATE	ZIP

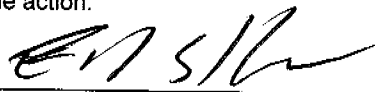
I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served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

August 6, 2012

DATE OF SERVICE

6:50 a.m. ☐ p.m. ☒

TIME OF SERVICE



SIGNATURE

FORECLOSURE AVOIDANCE MEASURE NOTICE

YOU MAY LOSE YOUR PROPERTY IF YOU DO NOT TAKE ACTION IMMEDIATELY

Homeowner/Grantor:	John Wade Turner and Kelly Reeves Turner
Lender/Beneficiary:	Budget Funding I, LLC
Property Address:	5540 Shasta Way, Klamath Falls OR 97603

Your Lender has determined that:

- ☐ You are not eligible for any of the following: a forbearance agreement, a temporary or permanent loan modification, a short sale, a deed-in-lieu of foreclosure, or any other foreclosure avoidance measure. The following foreclosure avoidance measures were considered but are not available. The basis for the Lender's determination is (must be described with specificity in plain language):

- ☒ You are not in compliance with the terms of an agreement with your Lender for forbearance, a temporary or permanent loan modification, a short sale, a deed-in-lieu of foreclosure, or another foreclosure avoidance measure. The basis for the Lender's determination is (must be described with specificity in plain language):

LENDER AND GRANTOR ENTERED INTO A TEMPORARY
LOAN MODIFICATION APRIL 27, 2012. GRANTOR
HAS FAILED TO MAKE THE MODIFIED MONTHLY
PAYMENTS AS SPECIFIED IN SAID AGREEMENT

APPENDIX TO
OAR 137-120-0020

Has the lender been able to make contact with the grantor or receive adequate response from the grantor?

☐ Yes

☒ No

If no, and the grantor is ineligible for a foreclosure avoidance measure because the lender has been unable to make contact with, or receive adequate response from the grantor, what efforts were made to contact the grantor and what was the nature of the grantor's response (must be described with specificity in plain language):

LENDOR HAS MADE MANY ATTEMPTS TO CONTACT
GRANTOR BY TELEPHONE AND MAIL WITH NO
RESPONSE.

Your property is currently set for sale on Sept. 10, 2012 at 11 a.m. (time/date) at
lobby of Klamath County Courthouse * (location). If you disagree with your Lender's
determination, you should seek legal advice immediately. *316 Main Street, Klamath Falls, OR

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 211 or visit www.ohcs.oregon.gov. If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service online at www.oregonstatebar.org or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636. Free legal assistance may be available if you are very low income. For more information and a directory of legal aid programs, go to www.oregonlawhelp.org.

[Beneficiary/~~Beneficiary's agent~~]

By: _____

Noah Furie
Budget Funding I, LLC

Date: 8/6/12