

2012-010576

Klamath County, Oregon



00124743201200105760050050

09/25/2012 11:10:06 AM

Fee: \$57.00

**RECORDING COVER SHEET (Please Print or Type)**

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

**AFTER RECORDING RETURN TO:**

PATRICK J. KELLY  
ATTORNEY AT LAW  
717 N.W. 5th STREET  
GRANTS PASS, OR 97526

- 1) **TITLE(S) OF THE TRANSACTION(S)** ORS 205.234(a)  
Affidavit and Proof of Service

- 2) **DIRECT PARTY / GRANTOR(S)** ORS 205.125(1)(b) and 205.160  
DWH Development LLC

1125 Avenue "C", Suite A  
White City, OR 97503

- 3) **INDIRECT PARTY / GRANTEE(S)** ORS 205.125(1)(a) and 205.160  
Robert B. and Doris Allsup

PO Box 2053

Harbor, OR 97415

- 4) **TRUE AND ACTUAL CONSIDERATION**  
ORS 93.030(5) – Amount in dollars or other

\$ -0- ☐ Other

- 5) **SEND TAX STATEMENTS TO:**  
Same of Record

- 6) **SATISFACTION of ORDER or WARRANT**  
ORS 205.125(1)(e)

CHECK ONE: ☐ FULL  
(If applicable) ☐ PARTIAL

- 7) **The amount of the monetary obligation imposed by the order or warrant.** ORS 205.125(1)(c)

\$

- 8) **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 \_\_\_\_\_."

**AFFIDAVIT OF SERVICE AND  
PROOF OF SERVICE**

I declare that I am a resident of or employed in the County of Klamath,  
State of Oregon. I am over the age of 18 years and not a party to the within entitled  
cause. The name and address of my residence or business is 422 N. 6th Street, Klamath  
Falls, Oregon - Basin Proserve

On See Below, I served the Notice of New Time, Date and Place of Sale  
(Date) (describe document(s))

41734 Timber Circle, Klamath Falls, Oregon 97601 to Occupants

on the parties listed below (include name, address and, where applicable, fax number) by (check  
the applicable method or methods):

☐ placing a true copy thereof enclosed in a sealed envelope for collection and delivery  
by the United States Postal Service or private delivery service following ordinary business  
practices with postage or other costs prepaid;

☒ ~~personal delivery~~; Posting on the front door, pursuant to ORS 86.750(1)(b)(C)

☐ facsimile transmission in accordance with the requirements of PERB Regulations

32090 and 32135(d).

September 6, 2012 @ 5:45 pm  
September 10, 2012 @ 10:25am  
September 13, 2012 @ 1:25 pm

**Property was found to be vacant**

I declare under penalty of perjury that the foregoing is true and correct and that this  
declaration was executed on September 25, 2012, at 422 N. 6th St., Klamath Falls, OR

Basin Proserve

(Type or print name)



(Signature)

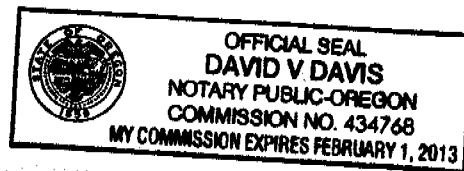
SUBSCRIBED AND SWORN to before me on the 25<sup>th</sup> day of September, 2012, by

David Hartman

David V. Davis

NOTARY PUBLIC FOR OREGON

My commission expires: 01 FEB 2013



NOTICE OF NEW TIME, DATE  
AND PLACE OF SALE FOR  
POSTPONED TRUSTEE  
SALE

RE: Trust Deed from

DWH Development LLC  
1125 Avenue "C" Suite A  
White City, OR 97503

To

Grantor

Patrick J. Kelly, Attorney  
717 NW 5<sup>th</sup> Street  
Grants Pass, OR 97526

Trustee

After recording, return to (Name, Address, Zip):

PATRICK J. KELLY, Attorney at Law  
717 NW Fifth Street  
Grants Pass, OR 97526

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON)

County of \_\_\_\_\_) ss.

I certify that the within instrument was received for  
recording on \_\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in  
book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_  
and/or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_,  
Records of said County.

Witness my hand and seal of County affixed.

Name

Title

By \_\_\_\_\_, Deputy.

Reference is made to that certain Trust Deed in which **DWH Development LLC, or assigns**, was grantor, **Curry County Title Inc.** was trustee and **Robert B and Doris Allsup, husband and wife**, were, beneficiary. The Trust Deed was dated **August 9, 2007**, and recorded on **August 17, 2007**, as **Document No. 2007-014562**, records of **Klamath County**, Oregon, and conveyed to the trustee the following real property situated in that county:

**Lot 35, Block 1, LAKEWOODS SUBDIVISION UNIT NO. 3, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**  
**More commonly known as: 7900 Dead Indian Memorial Road, and 41734 Timber Circle, Klamath Falls, Oregon.**

The Beneficiary's interest in said Trust Deed was assigned to: **NONE**

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on **August 21, 2012**, at the hour of **1:30 o'clock PM.**, in accord with the standard of time established by **ORS 187.110**, at the **front entrance of the Klamath County Courthouse, 316 East Main Street**, in the City of **Klamath Falls**, County of **Klamath**, State of Oregon; however, pursuant to **ORS 86.755 2(a)** the Trustee or Agent of the trustee postponed the time, date and place of sale by public proclamation one or more times to a new time, date and place as set forth below.

WHEREFORE, notice hereby is given that the undersigned trustee will on **September 25, 2012, at the hour of 1:30 o'clock, PM.**, in accord with the standard to time established by **ORS 187.110** at the **front entrance of the Klamath County Courthouse, 316 East Main Street**, in the City of **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 the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's 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.

(See Next Page)

IN WITNESS WHEREOF, the undersigned trustee has executed this document. If the undersigned is a corporation, it has caused its name to be signed and seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

DATED: August 30, 2012

  
\_\_\_\_\_  
PATRICK KELLY, Trustee

State of Oregon, County of Josephine) ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original's Notice of New Time, Date and Place of Sale for Postponed Trustee Sale.

  
\_\_\_\_\_  
PATRICK KELLY, Trustee