

2012-012330

Klamath County, Oregon



00126797201200123300140141

11/06/2012 11:25:26 AM

Fee: \$107.00

NT

**AMENDED
AFFIDAVIT OF MAILING/TRUSTEE'S
NOTICE OF SALE AND NOTICE** (ORS 86.737)

RE: Trust Deed from

Jenifer BarryP.O. Box 818Chiloquin, OR 97624

To

Grantor

Aspen Title and Escrow, Inc.Neal G. Buchanan, Successor435 Oak AvenueKlamath Falls, OR 97601

Trustee

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

Neal G. Buchanan, Attorney435 Oak AvenueKlamath Falls, OR 97601STATE OF OREGON, County of Klamath) ss:I, Neal G. Buchanan

, being first duly sworn, depose, and say that:

At all times hereinafter mentioned, I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years, and not the beneficiary or the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale; and attached NOTICE (86.737) and copy of Notice

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies thereof by of both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, Default where so indicated) at their respective last known addresses, to-wit:

NAME

ADDRESS

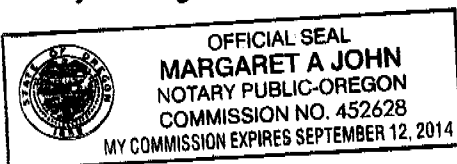
Jenifer Barry nka Jenifer Jennings
or Jenifer Barry-Jennings

P. O. Box 818
Chiloquin, OR 97624

These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed, if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest; and (d) any person requesting notice as set forth in ORS 86.785.*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Neal G. Buchanan, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on September 27, 2012. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation and any other legal or commercial entity.



Subscribed and sworn to before me on

9-27-12

Notary Public for Oregon

My commission expires

9-12-14

**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#14590 SALE BARRY

FILE NO. 09-62

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:

09/27/2012 10/04/2012 10/11/2012 10/18/2012

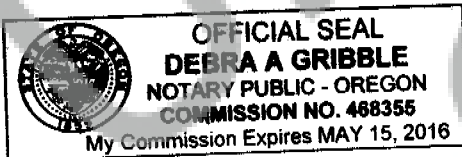
Total Cost: \$1037.00

Jeanine P. Day

Subscribed and sworn by Jeanine P Day before me on:
18th day of October in the year of 2012

Debra A Gribble

Notary Public of Oregon
My commission expires on May 15, 2016



**AMENDED
TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Jenifer Barry, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Thomas W. Williams, as beneficiary, dated September 6, 2005, recorded on September 12, 2005, in the Records of Klamath County, Oregon, in Volume No. M-05 at page 63984, covering the following described real property situated in that county and state, to-wit:

Lots 3 and 4, Block 10, Tract No. 1053 OREGON SHORES, according to the official plat thereof on file with the Clerk of Klamath County, Oregon.

The beneficial interest in said Trust Deed was assigned by instrument recorded September 17, 2009 in Vol. 2009-012343 to Thomas W. Williams as Trustee of the Thomas W. Williams Family Holding Trust uad May 1, 2009.

Neal G. Buchanan was appointed as Successor Trustee by instrument recorded August 4, 2009 at Vol. 2009-010515.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 in grantor's failure to pay when due the following sums:

- 1) Failure to pay the payment in the amount of \$489.44 plus fees due August 12, 2011 and the same day of each month thereafter; and
- 2) Failure to pay real property taxes before the same became past due or delinquent; and
- 3) Failure to maintain insurance on the premises as required by the Trust Deed.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

- 1) Unpaid balance in the sum of \$45,535.32 together with interest at the rate of six (6.0) percent per annum from August 8, 2011 until paid; and
- 2) Real property taxes; and
- 3) All costs and expenses incurred in enforcing the Trust Deed including costs of title, trustees and attorney fees.

WHEREFORE, notice is hereby given that the undersigned trustee will on November 09, 2012, at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at 435 Oak Avenue in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the real property described above which the grantor had or had power to convey at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 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 as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying those 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 and attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED May 17, 2012

/s/Neal G. Buchanan, Attorney at Law
Successor Trustee

435 Oak Avenue, Klamath Falls, Oregon 97601
#14590 September 27, October 04, 11, 18, 2012.

EN

NO FEE

ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



AMENDED
TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Jenifer Barry

_____ as grantor,
to Aspen Title & Escrow, Inc. _____ as trustee,
in favor of Thomas W. Williams _____ as beneficiary,
dated September 6, 2005 _____, recorded on September 12, 2005 _____, in the Records of
Klamath _____ County, Oregon, in ☐ book ☐ reel ☒ volume No. M-05 _____ at page 63984 _____,
or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which), covering the following
described real property situated in that county and state, to-wit:

Lots 3 and 4, Block 10, Tract No. 1053 OREGON SHORES, according to the
official plat thereof on file with the Clerk of Klamath County, Oregon.

The beneficial interest in said Trust Deed was assigned by instrument recorded September
17, 2009 in Vol. 2009-012343 to Thomas W. Williams as Trustee of the Thomas W. Williams
Family Holding Trust uad May 1, 2009.

Neal G. Buchanan was appointed as Successor Trustee by instrument recorded August 4, 2009
at Vol. 2009-010515.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 in grantor's failure to pay when due the following sums:

- 1) Failure to pay the payment in the amount of \$489.44 plus fees due August 12, 2011
and the same day of each month thereafter; and
- 2) Failure to pay real property taxes before the same became past due or delinquent; and
- 3) Failure to maintain insurance on the premises as required by the Trust Deed.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust
deed immediately due and payable, those sums being the following, to-wit:

- 1) Unpaid balance in the sum of \$45,535.32 together with interest at the rate of
six (6.0) percent per annum from August 8, 2011 until paid; and
- 2) Real property taxes; and
- 3) All costs and expenses incurred in enforcing the Trust Deed including costs of title,
trustees and attorney fees.

WHEREFORE, notice is hereby given that the undersigned trustee will on November 9, 2012 _____, at the hour
of 1:00 _____ o'clock, P. M., in accord with the standard of time established by ORS 187.110, at 435 Oak Avenue

in the City of Klamath Falls _____, County of Klamath _____, State of Oregon, sell at public
auction to the highest bidder for cash the interest in the real property described above which the grantor had or had power to convey
at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest
acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of
the sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 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 rein-
stated by payment to the beneficiary of 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 herein that is capable of being cured by tendering the per-
formance required under the obligation or trust deed, and in addition to paying those 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
and attorney fees not exceeding the amounts provided by ORS 86.753.

(CONTINUED)



In construing this notice, 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED

9-27-12

Neal G. Buchanan
Neal G. Buchanan, Attorney at Law
Successor Trustee

Trustee

435 Oak Avenue

ADDRESS

Klamath Falls, Oregon 97601

CITY

STATE

ZIP

PHONE

I 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 trustee's notice of sale.

Attorney for Trustee

NOTICE TO TENANTS

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease, you must give the trustee a copy of the rental agreement. If you do not have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is August 27, 2012. The name of the trustee and the trustee's mailing address are listed on this notice.

Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law.

You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so.

If you believe you need legal assistance with this matter, you may contact 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 website at www.osbar.org. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance. For more information and a directory of legal aid programs, go to www.oregonlawhelp.org.

SERVE: * Jenifer Barry nka Jenifer Jennings aka
Jenifer Barry-Jennings

P.O. Box 818 37945 Aspenwood

Chiloquin, Oregon 97624

BL

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



NOTICE: 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 (street address, city, state, zip):
37945 Aspenwood, Chiloquin, Oregon 97624

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 (date) May 17, 2012
to bring your mortgage loan current was \$ 5,925.05. 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 (phone) 541-882-6607 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: Neal G. Buchanan, Attorney
435 Oak Avenue, Klamath Falls, Oregon 97601

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

Date: November 9, 2012 at 1:00 o'clock P. M.

Place: 435 Oak Avenue, Klamath Falls, Oregon 97601

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 (name) Neal G. Buchanan
at (phone) 541-882-6607 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 telephone 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

(CONTINUED)



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 website at 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 www.oregonlawhelp.org.

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 any questions, talk to a lawyer or one of the organizations mentioned above before signing.

DATED 9-27-12

Trustee Signature

Neal G. Buchanan

Trustee Name (Type or Print)

Neal G. Buchanan

Trustee Phone

541-882-6607

Unofficial Copy

EC

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

RE: Trust Deed from

Jenifer BarryP. O. Box 818Chiloquin, OR 97624

To

Grantor

Aspen Title and Escrow, Inc.Neal G. Buchanan, Successor435 Oak AvenueKlamath Falls, OR 97601

Trustee

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

Neal G. Buchanan, Attorney435 Oak AvenueKlamath Falls, OR 97601

STATE OF OREGON,

County of Klamath

} ss.

I, Neal G. Buchanan

being first duly sworn, depose, say and certify that:

I am the Successor

trustee in that certain trust deed executed and delivered by

Jenifer Barry

, as grantor, to

Aspen Title and Escrow, Inc.

, as trustee,

in favor of Thomas W. Williams

, as beneficiary,

dated September 6, 2005, recorded on September 12, 2005

, in the Records of

KlamathCounty, Oregon, in ☐ book ☐ reel ☒ volume No. M05at page 63984and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____

(indicate which), covering the following

described real property situated in the above-mentioned county and state, to-wit:

**Lots 3 and 4, Block 10, Tract No. 1053 OREGON SHORES, according
to the official plat thereof on file with the Clerk of Klamath
County, Oregon.**

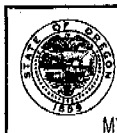
I hereby certify that on May 18, 2012

, the above described real property was not occupied.

The word "trustee," as used in this affidavit means any successor trustee to the trustee named in the trust deed described above.

Neal G. Buchanan
Neal G. Buchanan, Successor

Trustee



OFFICIAL SEAL
MARGARET A JOHN
NOTARY PUBLIC-OREGON
COMMISSION NO. 452628
MY COMMISSION EXPIRES SEPTEMBER 12, 2014

SIGNED AND SWORN TO before me on

May 22, 2012

Margaret John
Notary Public for Oregon

My commission expires

9-12-14

May 18, 2012

RE: Williams Family Holding Trust vs. Barry-Jennings
Foreclosure Action

I, Terry Griffin traveled to 37945 Aspenwood, Chiloquin,
Oregon 97624 to serve Foreclosure papers on Jenifer Barry
nka Jenifer Jennings or Jenifer Barry-Jennings.

Upon arrival I found the residence vacant and trashed. I
left said papers posted at the residence.


Terry Griffin

EE

**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S
NOTICE OF SALE UPON OCCUPANT PURSUANT
TO ORS 86.750 (1) AND PROOF OF SERVICE** and NOTICE (ORS 86.737)
(120-Day Notice)

RE: Trust Deed from

Jenifer Barry
P. O. Box 818
Chiloquin, OR 97624

To

Grantor

Aspen Title and Escrow, Inc.
Neal G. Buchanan, Successor
435 Oak Avenue
Klamath Falls, OR 97601

Trustee

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

Neal G. Buchanan, Attorney
435 OAK Avenue
Klamath Falls, OR 97601

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto: and NOTICE (ORS 86.737)

STATE OF OREGON,

} ss.

County of Klamath

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale and NOTICE (86.737).

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7 D(2) and 7 D(3) upon the occupant of the property described in the Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in the trust deed are as follows:

Name of person to be served
(If unknown, so state)

Property Address

**Jenifer Barry nka Jenifer Jennings
or Jenifer Barry-Jennings**

**37945 Aspenwood
Chiloquin, OR 97624**

If the occupant is indicated as "unknown," or if you find the property at this address to be occupied by someone other than the person named, then you are to serve the person or persons whom you find to be occupying the property.

Service should be made by May 29, 2012, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in attempting to make service until it has been accomplished.

As used herein, the singular includes the plural, "trustee" includes any successor trustee, and "person" includes a corporation or any other legal or commercial entity.

Neal Buchanan
(ATTORNEY FOR) TRUSTEE

SIGNED AND SWORN TO before me on May 18, 2012

OFFICIAL SEAL
MARGARET A JOHN
NOTARY PUBLIC-OREGON
COMMISSION NO. 452628
MY COMMISSION EXPIRES SEPTEMBER 12, 2014

Margaret John
Notary Public for Oregon
My commission expires 9-12-14

NT

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE AND NOTICE (ORS 86.737)

RE: Trust Deed from

Jenifer BarryP.O. Box 818Chiloquin, OR 97624

To

Grantor

Aspen Title and Escrow, Inc.Neal G. Buchanan, Successor435 Oak AvenueKlamath Falls, RO 97601

Trustee

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

Neal G. Buchanan, Attorney435 Oak AvenueKlamath Falls, OR 97601STATE OF OREGON, County of Klamath ss:I, Neal G. Buchanan, being first duly sworn, depose, and say that:

At all times hereinafter mentioned, I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years, and not the beneficiary or the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale; and attached NOTICE (86.737) and copy of Notice

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies thereof by of both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, Default where so indicated) at their respective last known addresses, to-wit:

NAME

ADDRESS

**Jenifer Barry nka Jenifer Jennings
or Jenifer Barry-Jennings**

**P. O. Box 818
Chiloquin, OR 97624**

These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed, if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest; and (d) any person requesting notice as set forth in ORS 86.785.*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Neal G. Buchanan, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on May 18, 2012. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation and any other legal or commercial entity.

Subscribed and sworn to before me on May 18, 2012,Margaret A. John
Notary Public for OregonMy commission expires 9-12-14

EN

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TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Jenifer Barry, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Thomas W. Williams, as beneficiary, dated September 6, 2005, recorded on September 12, 2005, in the Records of Klamath County, Oregon, in ☐ book ☐ reel ☒ volume No. M-05 at page 63984, or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which), covering the following described real property situated in that county and state, to-wit:

Lots 3 and 4, Block 10, Tract No. 1053 OREGON SHORES, according to the official plat thereof on file with the Clerk of Klamath County, Oregon.

The beneficial interest in said Trust Deed was assigned by instrument recorded September 17, 2009 in Vol. 2009-012343 to Thomas W. Williams as Trustee of the Thomas W. Williams Family Holding Trust uad May 1, 2009.

Neal G. Buchanan was appointed as Successor Trustee by instrument recorded August 4, 2009 at Vol. 2009-010515.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 in grantor's failure to pay when due the following sums:

- 1) Failure to pay the payment in the amount of \$489.44 plus fees due August 12, 2011 and the same day of each month thereafter; and
- 2) Failure to pay real property taxes before the same became past due or delinquent; and
- 3) Failure to maintain insurance on the premises as required by the Trust Deed.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

- 1) Unpaid balance in the sum of \$45,535.32 together with interest at the rate of six (6.0) percent per annum from August 8, 2011 until paid; and
- 2) Real property taxes; and
- 3) All costs and expenses incurred in enforcing the Trust Deed including costs of title, trustees and attorney fees.

WHEREFORE, notice is hereby given that the undersigned trustee will on September 26, 2012, at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at 435 Oak Avenue

in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the real property described above which the grantor had or had power to convey at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 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 as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying those 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 and attorney fees not exceeding the amounts provided by ORS 86.753.

(CONTINUED)



In construing this notice, 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED May 17, 2012

Neal G. Buchanan
Neal G. Buchanan, Attorney at Law
Successor Trustee

Trustee

435 Oak Avenue

ADDRESS

Klamath Falls, Oregon 97601

CITY

STATE

ZIP

PHONE

I 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 trustee's notice of sale.

Attorney for Trustee

NOTICE TO TENANTS

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease, you must give the trustee a copy of the rental agreement. If you do not have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is August 27, 2012. The name of the trustee and the trustee's mailing address are listed on this notice.

Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law.

You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so.

If you believe you need legal assistance with this matter, you may contact 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 website at www.osbar.org. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance. For more information and a directory of legal aid programs, go to www.oregonlawhelp.org.

SERVE: * Jenifer Barry nka Jenifer Jennings aka
Jenifer Barry-Jennings

P.O. Box 818 37945 Aspenwood

Chiloquin, Oregon 97624

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NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



NOTICE: 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 (street address, city, state, zip):

37945 Aspenwood, Chiloquin, Oregon 97624

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 (date) May 17, 2012
to bring your mortgage loan current was \$ 5,925.05. 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 (phone) 541-882-6607 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: Neal G. Buchanan, Attorney
435 Oak Avenue, Klamath Falls, Oregon 97601

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

Date: September 26, 2012 at 1:00 o'clock P. M.

Place: 435 Oak Avenue, Klamath Falls, Oregon 97601

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 (name) Neal G. Buchanan
at (phone) 541-882-6607 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 telephone 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 website at 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 www.oregonlawhelp.org.

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 any questions, talk to a lawyer or one of the organizations mentioned above before signing.

DATED May 17, 2012

Trustee Signature _____

Trustee Name (Type or Print) Neal G. Buchanan

Trustee Phone 541-882-6607