

After recording return to:
HENDRIX BRINICH & BERTALAN, LLP
716 NW Harriman
Bend, OR 97701
541/382-4980

2013-002274
Klamath County, Oregon



00132138201300022740040041

03/04/2013 08:43:28 AM

Fee: \$62.00

Affidavit of Mailing, Service and Publication

STATE OF OREGON)
) ss.
County of Deschutes)

I, Ken Brinich, successor trustee of that certain trust deed, dated March 3, 2011, and recorded at document number 2011-003076, Official Records of Klamath County, Oregon, do hereby say as follows:

1. The property subject to that certain trust deed is in Klamath County, Oregon and more particularly described as follows:

Lot 4, block 2, of Plat of Tract 1060 Sun Forest Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The grantor(s) of that certain trust deed is/are:

Carrie Rasmussen, Ronald Elam and Lacey D. Marr.

3. The Amended Notice of Default and Election to Sell together with the Notice That You are in Danger of Losing Your Property was mailed to the grantors named below at their respective last known addresses as set forth below, and within the time required by ORS 86.737. Mailing was by both certified mail, return receipt requested, and by regular first class US mail:

Grantors:


Carrie Rasmussen, Ronald Elam and Lacey D. Marr
PO Box 1533
LaPine, OR 97739

Carrie Rasmussen, Ronald Elam and Lacey D. Marr
11660 Burlwood Dr.
LaPine, OR 97739

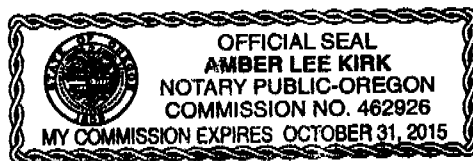
The Notice That You Are In Danger of Losing Your Property set forth in plain language the amount of payment that was needed to bring the mortgage loan current as of the date stated in the notice and included one or more telephone numbers consisting of A.) a telephone number that allowed the grantor access during regular business hours to details regarding the grantor's loan delinquency and repayment information; and B.) A telephone number that allowed the grantor access during regular business hours to person to person consultation with an individual authorized by the beneficiary to discuss the grantor's payment and loan term negotiation and modification options.

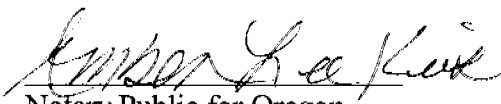
4. An Affidavit of Service on occupants of the Amended Notice of Default and Election to Sell is attached as Exhibit 1.

5. An Affidavit of Publication of the Notice of Default and Election to Sell is attached as Exhibit 2.


Ken Brinich, OSB 82484
Successor Trustee

The foregoing instrument was acknowledged before me by Ken Brinich this 12th day of February, 2013.




Notary Public for Oregon
My Commission Expires:
10/31/15

AFFIDAVIT OF SERVICE

AMENDED NOTICE OF DEFAULT and ELECTION TO SELL

Case Number: _____

Beneficiary:

BARBARA JENSEN,

vs.

Grantors:

**CARRIE RASMUSSEN and RONALD ELAM and LACEY D. MARR, not
as tenants in common, but with the right of survivorship,**

For:

Kenneth Brinich
Hendrix, Brinich & Bertalan, L.L.P.
716 N.W. Harriman Street
Bend, OR 97701

Received by Maple Leaf Legal Services on the 30th day of August, 2012 at 4:05 pm to be served on **Lacey D. Marr
and Carrie Rasmussen and Ronald Elam, 11660 Burlwood Drive, La Pine, OR 97739.**

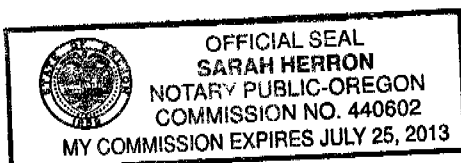
I, Eric Mathews, being duly sworn, depose and say that on the **31st day of August, 2012 at 11:20 am, I:**

POSTED after Personal Service was attempted by firmly attaching by all four corners a true copy of the
AMENDED NOTICE OF DEFAULT and ELECTION TO SELL with the dates and hours of service endorsed
thereon by me, to a conspicuous place on the property of the within named person's **RESIDENCE** at the address
of: **11660 Burlwood Drive, La Pine, OR 97739.**

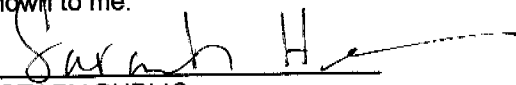
Additional Information pertaining to this Service:

8/31/2012 11:20 am First Posting date was: August 31, 2012 @ 1120AM
9/3/2012 9:20 am Second Posting was: September 3, @ 920AM.
9/8/2012 2:47 pm Third and final posting: September 8, 2012 @ 247PM.

I certify that I am over the age of 18, have no interest in the above action, and am a Process Server, in good
standing, in the judicial circuit in which the process was served.



Subscribed and Sworn to before me on the 10th day
of September, 2012 by the affiant who is personally
known to me.


NOTARY PUBLIC



Eric Mathews
Process Server

Maple Leaf Legal Services
P.O. Box 7259
Bend, OR 97708
(541) 420-2449

Our Job Serial Number: DBZ-2012000055
Ref: 2011-003076

**AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF KLAMATH**

I, Paul M. Eves, 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#14677 AMENDED SALE

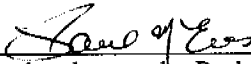
NO. 2012-006718


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:

12/07/2012 12/14/2012 12/21/2012 12/28/2012

Total Cost: \$902.00


Subscribed and sworn by Paul M. Eves before me on:
28th day of December in the year of 2012


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



**AMENDED NOTICE OF DEFAULT AND
ELECTION TO SELL**

Grantors: **Carrie Rasmussen, Ronald Elam and Lacey D. Marr, not as tenants in common, but with the right of survivorship.**

Beneficiary: **Barbara Jensen.**

Successor Trustee: **Ken Brinich, 716 NW Harriman, Bend, OR 97701; 541-382-4980.**

This Amended Notice of Default and Election to Sell amends the Notice of Default and Election to Sell recorded in the mortgage records of Klamath County, Oregon, as Recorder's fee/instrument Number **2012-006718.**

Reference is made to that certain Trust Deed made by Carrie Rasmussen, Ronald Elam and Lacey D. Marr, as Grantors, to ~~Western Title and Escrow, as Trustee~~, in favor of Barbara Jensen as Beneficiary, dated February 28, 2011, recorded March 2, 2011, in the mortgage records of Klamath County, Oregon, as Recorder's fee/instrument Number **2011-003076**, covering the following described real property situated in said county and state, to wit:

Lot 4, Block 2, of Plat of Tract 1060 Sun Forest Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

There is default by the grantor or other person, owing an obligation, the performance of which is secured by said Trust Deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is grantors' failure to pay when due the following sums: monthly payments of \$766; late charges of \$25 each month a payment is not timely made; accrued late charges of \$50; title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein. Additionally, Grantors are in default that certain Settlement Agreement Grantor and Beneficiary entered into, and last dated May 9, 2012. The sum owing as of June 8, 2012 was \$132,892.90 in unpaid principal and accrued interest and accrued late fees.

By reason of said defaults, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following: \$2,592.90 in accrued and unpaid interest and late fees, \$130,300 in unpaid principal, plus interest thereon at the rate of 5.5 percent per annum beginning June 8, 2011, plus late charges of \$25 each month beginning June 10, 2012 until paid; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

Beneficiary has elected sell the trust property to satisfy the obligation.

Grantor has the right under ORS 86.753 to cure the default and have the proceeding dismissed and the trust deed reinstated by paying the entire amount due at the time of the cure, together with costs, trustee's and attorney's fees, and by curing any other default complained of in the notice of default, at any time prior to five days before the date last set for the sale. The amount due at time of cure of a default for failure to pay when due sums secured the trust deed is equal to the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred.

Date and time of Sale: **January 4, 2013 at 10:00 am.**

Place of Sale: **Front Steps of the
Klamath County Courthouse**

**316 Main Street
Klamath Falls, Oregon 97601**

#14677 December 07, 14, 21, 28, 2012.