

mtc 92527

After Recording Return to:

Joseph E. Kellerman
Hornecker, Cowling, Hassen & Heysell, LLP
717 Murphy Road
Medford, OR 97504

2013-008806

Klamath County, Oregon

08/02/2013 02:38:06 PM

Fee: \$62.00

AMERITITLE

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

State of Oregon)
) ss.
County of Jackson)

I, Joseph E. Kellerman, being first duly sworn, depose and say and certify that:

1. I am the successor trustee under that certain Trust Deed executed and delivered by James M. Espinoza and Irene Espinoza, as Grantor, to AmeriTitle, as Trustee, in which Washington Federal, a federal savings association, Successor by merger to South Valley Bank & Trust, is the beneficiary, recorded on July 17, 1998 in Volume M98, Page 26115, Microfilm Records of Klamath County, Oregon and covering the following described real property, to wit:

Lot 220, RUNNING Y RESORT, PHASE 3, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

2. I gave notice of the sale (as required by ORS 86.745) of the real property described in the attached Trustee's Notice of Sale by mailing a true copy thereof by both first-class and certified mail with return receipt requested to each of the following named persons or their legal representatives at their respective last known addresses, to wit:

James M. Espinoza
Irene Espinoza
3405 Danielle Place
Baypoint, CA 94565

Running Y Ranch Resort
Owner's Association
5500 Running Y Road
Klamath Falls, OR 97601

Running Y Ranch Resort
Owner's Association
c/o Sean Marsters
P.O. Box 1215
Redmond, OR 97756

W2000A

3. Said persons include (a) the Grantors in the Trust Deed, (b) any successor-in-interest to the Grantors 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 required by ORS 86.785.

4. Each of the notices so mailed was certified to be a true copy of the original by the undersigned, attorney and successor Trustee named in said Notice; each such copy was contained in a sealed envelope, with postage thereon fully pre-paid, and was deposited by me in the United States Post Office at Medford, Oregon on the 24th day of April, 2013. 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 the proper form to request and obtain a return receipt postage thereon in the amount sufficient to accomplish the same. Each of said Notices was mailed after the Notice of Default and Election to Sell described in said Notice of Sale was recorded.

5. Attached is Affidavit of Publication.

6. Attached is Affidavit of Service Re: Non-Military Service.

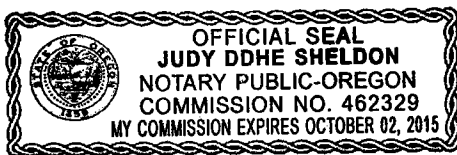
7. As used herein, the singular includes the plural, Trustee includes successor Trustee, and person includes corporation and any other legal or commercial entity.

DATED this 15 day of August, 2013.

Joseph E. Kellerman

STATE OF OREGON)
) ss.
County of Jackson)

On this 15 day of August, 2013, Joseph E. Kellerman personally appeared in the above-named matter and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public for Oregon
My commission expires: 10/2/15

TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the Trust Deed described below is in default, and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

A Beneficiary Exemption Affidavit is being recorded concurrently with this notice of default and election to sell.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: James M. Espinoza and Irene Espinoza
 Trustee: AmeriTitle
 Successor Trustee: Joseph E. Kellerman
 717 Murphy Road
 Medford, OR 97504.
 Beneficiary: Washington Federal, a federal savings association,
 successor by merger to South Valley Bank & Trust
2. Property covered by the Trust Deed: Lot 220, RUNNING Y RESORT, PHASE 3, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.
3. Trust Deed was originally recorded on July 17, 1998 at Volume M98, page 26115, Microfilm Records of Klamath County, Oregon and as thereafter modified and assigned.
4. Default for which foreclosure is made is 1) failure of Grantor to pay payments as required under the terms of the promissory note; and 2) failure to pay real property taxes assessed against the premises.
5. The sum owing on the obligation secured by the Trust Deed is \$25,199.58 as of April 1, 2013 plus interest at the per diem rate of \$6.58 until paid, plus trustee's, attorneys' costs and fees incurred plus such sums as the Beneficiary may advance for the benefit of Grantor (*i.e.*, real property taxes, insurance premiums, etc.) The Beneficiary has accelerated the entire balance as due and owing.
6. The Beneficiary has and does elect to sell the property to satisfy the obligation.
7. The property will be sold in the manner prescribed by law on the 30th day of August, 2013, at 10:00 a.m. standard time as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon.

8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.
9. In construing this notice and whenever the context hereof so requires, 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 said Trust Deed, and their successors in interest, the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed, and any collateral beneficiary, and their successors in interest.

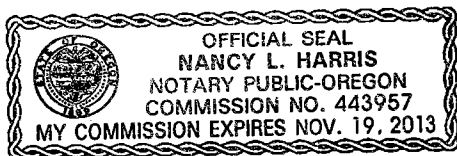
DATED this 24 day of April, 2013.

HORNECKER, COWLING,
HASSEN & HEYSELL, L.L.P.

By: _____
Joseph E. Kellerman, Successor Trustee

STATE OF OREGON)
) ss.
County of Jackson)

On this 24 day of April, 2013, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.



Nancy Harris
Notary Public for Oregon
My Commission Expires: 11-19-2013

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

I, Linda Culp, Human Resources, 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#15004 SALE ESPINOZA TRUSTEE'S NOTICE OF SALE 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:

06/21/2013 06/28/2013 07/05/2013 07/12/2013

Total Cost: \$837.20

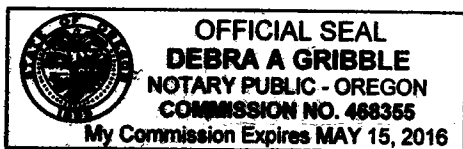
Linda Culp

Subscribed and sworn by Linda Culp before me on:
12th day of July in the year of 2013

Debra A Gribble

Notary Public of Oregon

My commission expires on May 15, 2016



TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the Trust Deed described below is in default, and that the beneficiary has elected to foreclose the Trust Deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the Trust Deed.

A Beneficiary Exemption Affidavit is being recorded concurrently with this notice of default and election to sell.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. **Grantor:** James M. Espinoza and Irene Espinoza
Trustee: AmeriTitle
Successor Trustee: Joseph E. Kellerman
717 Murphy Road, Medford, OR 97504
Beneficiary: Washington Federal, a federal savings association, successor by merger to South Valley Bank & Trust
2. Property covered by the Trust Deed: Lot 220, RUNNING Y RESORT, PHASE 3, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.
3. Trust Deed was originally recorded on July 17, 1998 at Volume M98, page 26115, Microfilm Records of Klamath County, Oregon and as thereafter modified and assigned.
4. Default for which foreclosure is made is 1) failure of Grantor to pay payments as required under the terms of the promissory note; and 2) failure to pay real property taxes assessed against the premises.
5. The sum owing on the obligation secured by the Trust Deed is \$25,199.58 as of April 1, 2013 plus interest at the per diem rate of \$6.58 until paid, plus trustee's, attorneys' costs and fees incurred plus such sums as the Beneficiary may advance for the benefit of Grantor (i.e., real property taxes, insurance premiums, etc.). The Beneficiary has accelerated the entire balance as due and owing.
6. The Beneficiary has and does elect to sell the property to satisfy the obligation.
7. The property will be sold in the manner prescribed by law on the 30th day of August, 2013, at 10:00 a.m. standard time as established by ORS 187.110, at the front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon.
8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the Trust Deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.
9. In construing this notice and whenever the context hereof so requires, 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 said Trust Deed, and their successors in interest, the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the Trust Deed, and any collateral beneficiary, and their successors in interest.

DATED this 24th day of April, 2013.

HORNECKER, COWLING, HASSEN & HEYSELL, L.L.P.

By: Joseph E. Kellerman, Successor Trustee

#15004 June 21, 28, July 05, 12, 2013

AFFIDAVIT OF SERVICE RE: NON-MILITARY SERVICE

STATE OF OREGON)
) ss.
County of Jackson)

THIS IS TO CERTIFY that I am the Successor Trustee on that certain trust deed described as follows:

Grantor: James M. Espinoza and Irene Espinoza
Trustee: AmeriTitle
Successor Trustee: Joseph E. Kellerman
 717 Murphy Road
 Medford, OR 97504
Beneficiary: Washington Federal, a federal savings association,
 Successor by merger to South Valley Bank & Trust
Recording Date: July 17, 1998
Recording No: Volume M98, Page 26115, Microfilm Records
County of Recording: Klamath

A notice of default with respect to the trust deed was recorded April 19, 2013 as Document No. 2013-004180 in the mortgage records. To the best of my knowledge and believe Grantors are not on active military duty.

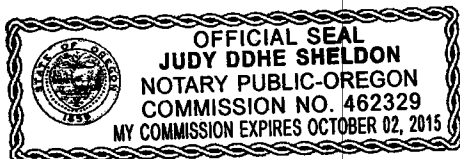
In construing this certificate, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any, named in the trust deed.

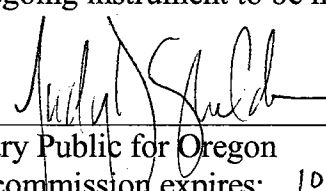


Joseph E. Kellerman

STATE OF OREGON)
) ss.
County of Jackson)

On this 15th day of August, 2013, Joseph E. Kellerman personally appeared in the above-named matter and acknowledged the foregoing instrument to be his voluntary act and deed.





Notary Public for Oregon

My commission expires: 10/2/15