

RE: Trust Deed from  
Graciela Alvarado  
(Grantor)  
TO:  
AmeriTitle  
(Trustee)  
After Recording Return To:  
Benjamin M. Kearney, Successor Trustee  
800 Willamette Street, Suite 800  
Eugene, OR 97401

2013-011256  
Klamath County, Oregon  
10/03/2013 03:07:41 PM  
Fee: \$132.00

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON )  
 ) ss.  
County of Lane )

I, Benjamin M. Kearney, being first duly sworn, depose, say and certify 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 18 years and not the beneficiary or beneficiary's successor in interest named in the attached original Trustee's Notice of Sale given under the terms of that certain deed described in said notice.


I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, and by personal delivery to the occupants of said property at the address set forth below, to-wit:

<u>NAME</u>	<u>ADDRESS</u>
Graciela Alvarado	1260 Homedale Road Klamath Falls, OR 97603
State of Oregon Division of Child Support	PO Box 14506 Salem, OR 97309
Holly A. Elmore, Attorney for DCS CSP	1495 Edgewater Street NW, Suite 120 Salem, OR 97304

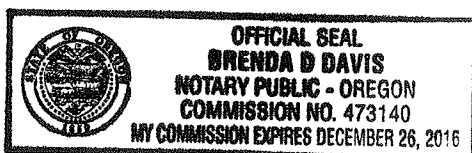
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 required by ORS 86.785.


Each of the notices so mailed was a true copy of the original notice; each such copy was contained in a sealed envelope, with postage thereon fully prepared, and was deposited by me in the United States post office at Eugene, Oregon, on June 24, 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 a proper form to request and obtain a return receipt and 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.

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

  
Benjamin M. Kearney

SIGNED AND SWORN to before me this 24 day of June, 2013 by Benjamin M. Kearney.



  
Brenda D. Davis  
Notary Public for Oregon  
My Commission Expires: 12-26-16

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Graciela Alvarado, as grantor, to AmeriTitle, as trustee, in favor of Siuslaw Bank as beneficiary, dated May 1, 2006, and recorded on May 4, 2006, as Instrument No. M06-08815 of the Official Records of Klamath County, Oregon, and that certain Assignment of Trust Deed dated May 1, 2006 and recorded May 4, 2006 as Instrument No. M06-08816 wherein Oregon Housing and Community Services Department, State of Oregon, was designated as the successor beneficiary, covering the following described real property situated in said county and state, to-wit:

Parcel 2 of Land Partition 68-96, being a portion of Lot 60 of FAIR ACRES SUBDIVISION NO. 1, situated in the W1/2 SE 1/4 of Section 35, Township 38 South Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon. Also to include a manufactured home: 1999 Champion Serial No. 16-99-599-07055 HUD Tags: IDA 181399 and IDA 181400.

Both the Beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said 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 is Grantor's failure to pay when due the following sums: Grantor's failure to pay monthly installment payments due under the Promissory Note in the amount of \$735.00 per month for the months of December 2012, and January, February, March and April 2013.

By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following, to-wit: the principal balance of \$93,294.60 together with accrued interest through April 10, 2013, in the amount of \$2,167.21 (interest continues to accrue at the rate of \$13.2825 per diem from April 10, 2013 until paid), and late charges in the amount of \$178.86, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned Trustee will on **November 19, 2013, at the hour of 11:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse steps, 316 Main Street, City of Klamath Falls, County of Klamath, Oregon**, sell at public auction to the highest bidder for cash the interest in said described real property which the Grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the Grantors or their 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. 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 when 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 rendering the performance required under the obligation or Trust Deed, and in addition to paying said 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's and attorney's fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantors" includes any successor in interest to the Grantors as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

**THE DEBT DESCRIBED IN THIS TRUSTEE'S NOTICE OF SALE WILL BE ASSUMED TO BE VALID UNLESS WITHIN 30 DAYS AFTER THE RECEIPT OF THIS NOTICE THE PERSON(S) OBLIGATED OR ALLEGEDLY OBLIGATED TO PAY THE DEBT DISPUTES IN WRITING THE VALIDITY OF THE DEBT OR SOME PORTION OF IT.**


If the Successor Trustee is notified in writing within the 30 day period that the debt or some portion of it is disputed, the Successor Trustee will obtain verification of the debt. Then, a copy of the verification will be mailed by the Successor Trustee to the person(s) notifying him of the dispute.

Upon written request within the 30 day period, the Successor Trustee will provide the name and address of the original creditor if different than the current creditor named above.

Written requests to the Successor Trustee should be delivered to: Benjamin M. Kearney, Arnold Gallagher PC,  
PO Box 1758, Eugene, OR 97440-1758.

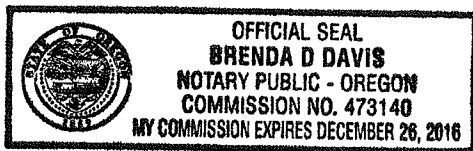
**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A  
DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

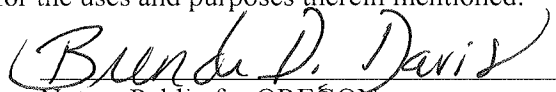
DATED: June 24, 2013

  
Benjamin M. Kearney, Successor Trustee

STATE OF OREGON                    )  
  : ss.  
County of Lane                    )

On this 24<sup>th</sup> day of June, 2013, personally appeared before me the foregoing Benjamin M. Kearney, as Successor Trustee, to me known to be the individual described in and who executed the foregoing instrument, and who acknowledged to me that he signed the same freely and voluntarily, for the uses and purposes therein mentioned.



  
Notary Public for OREGON  
My Commission Expires: 12-28-16

RE: Trust Deed from :  
Graciela Alvarado :  
(Grantor) :  
TO: :  
AmeriTitle :  
(Trustee) :  
After Recording Return To: :  
Benjamin M. Kearney, Successor Trustee :  
800 Willamette Street, Suite 800 :  
Eugene, OR 97401 :

**AFFIDAVIT OF MAILING NOTICE OF HOME LOSS AND NOTICE TO RESIDENTIAL TENANTS**

STATE OF OREGON                     )  
   )       ss.  
County of Lane                     )

I, Benjamin M. Kearney, being first duly sworn, depose, say and certify 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 18 years and not the beneficiary or beneficiary's successor in interest named in the original Trustee's Notice of Sale given under the terms of that certain deed described in said notice.

I provided a copy of the Notice of Home Loss and Notice to Residential Tenants of the real property described in the notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, and by personal delivery to the occupants of said property at the address set forth below, to-wit:

NAME

ADDRESS


Graciela Alvarado

1260 Homedale Road  
Klamath Falls, OR 97603

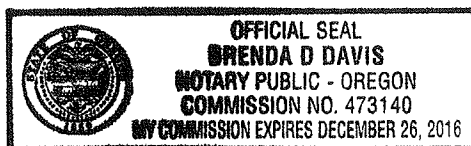
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 required by ORS 86.785.


Each of the notices so mailed was a true copy of the original notice; each such copy was contained in a sealed envelope, with postage thereon fully prepared, and was deposited by me in the United States post office at Eugene, Oregon, on June 24, 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 a proper form to request and obtain a return receipt and 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.

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

  
Benjamin M. Kearney

SIGNED AND SWORN to before me this 24 day of June, 2013 by Benjamin M. Kearney.



  
Brenda D. Davis  
Notary Public for Oregon  
My Commission Expires: 12-26-16

**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 1260 Homedale Road, Klamath Falls, OR 97603.**

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 April 10, 2013 to bring your mortgage loan current was \$3,871.86 with interest continuing to accrue at the rate of \$13.2825 per day from April 10, 2013 until paid. 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 Mary Tesch at Siuslaw Bank (541) 342-4000 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: Benjamin M. Kearney, Successor Trustee, 800 Willamette Street, Suite 800, Eugene, OR 97401.

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

**Date and time:** November 19, 2013 at 11:00 a.m.  
**Place:** Klamath County Courthouse Steps  
316 Main Street, Klamath Falls, Oregon

**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 Mary Tesch at Siuslaw Bank, (541) 342-4000 to request that your lender 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 or (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](http://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 **<http://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.

Trustee name: Benjamin M. Kearney

Trustee telephone number: (541) 484-0188

Trustee signature: \_\_\_\_\_

Date: June 24, 2013

## **NOTICE TO RESIDENTIAL TENANTS**

**TO: Occupant(s)**  
**1260 Homedale Road**  
**Klamath Falls, OR 97603**

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **November 19, 2013**. The date of this sale may be postponed. Unless the lender that is foreclosing on this property is paid before the sale date, the foreclosure will go through and someone new will own this property. After the sale, the new owner is required to provide you with contact information and notice that the sale took place.

The following information applies to you only if you are a bona fide tenant occupying and renting this property as a residential dwelling under a legitimate rental agreement. The information does not apply to you if you own this property or if you are not a bona fide residential tenant.

If the foreclosure sale goes through, the new owner will have the right to require you to move out. Before the new owner can require you to move, the new owner must provide you with written notice that specifies the date by which you must move out. If you do not leave before the move-out date, the new owner can have the sheriff remove you from the property after a court hearing. You will receive notice of the court hearing.

### **PROTECTION FROM EVICTION**

**IF YOU ARE A BONA FIDE TENANT OCCUPYING AND RENTING THIS PROPERTY AS A RESIDENTIAL DWELLING, YOU HAVE THE RIGHT TO CONTINUE LIVING IN THIS PROPERTY AFTER THE FORECLOSURE SALE FOR:**

**1) THE REMAINDER OF YOUR FIXED TERM LEASE, IF YOU HAVE A FIXED TERM LEASE; OR**

**2) AT LEAST 90 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE.**

If the new owner wants to move in and use this property as a primary residence, the new owner can give you written notice and require you to move out after 90 days, even though you have a fixed term lease with more than 90 days left.

You must be provided with at least 90 days' written notice after the foreclosure sale before you can be required to move.

A bona fide tenant is a residential tenant who is not the borrower (property owner) or a child, spouse or parent of the borrower, and whose rental agreement:

- ◆ Is the result of an arm's-length transaction;
- ◆ Requires the payment of rent that is not substantially less than fair market rent for the property, unless the rent is reduced or subsidized due to a federal, state or local subsidy; and
- ◆ Was entered into prior to the date of the foreclosure sale.

**ABOUT YOUR TENANCY BETWEEN  
NOW AND THE FORECLOSURE SALE:**

**RENT**

YOU SHOULD CONTINUE TO PAY RENT TO YOUR LANDLORD UNTIL THE PROPERTY IS SOLD OR UNTIL A COURT TELLS YOU OTHERWISE. IF YOU DO NOT PAY RENT, YOU CAN BE EVICTED. BE SURE TO KEEP PROOF OF ANY PAYMENTS YOU MAKE.

**SECURITY DEPOSIT**

You may apply your security deposit and any rent you paid in advance against the current rent you owe your landlord as provided in ORS 90.367. To do this, you must notify your landlord in writing that you want to subtract the amount of your security deposit or prepaid rent from your rent payment. You may do this only for the rent you owe your current landlord. If you do this, you must do so before the foreclosure sale. The business or individual who buys this property at the foreclosure sale is not responsible to you for any deposit or prepaid rent you paid to your landlord.

**ABOUT YOUR TENANCY  
AFTER THE FORECLOSURE SALE:**

The new owner that buys this property at the foreclosure sale may be willing to allow you to stay as a tenant instead of requiring you to move out after 90 days or at the end of your fixed term lease. After the sale, you should receive a written notice informing you that the sale took place and giving you the new owner's name and contact information. You should contact the new owner if you would like to stay. If the new owner accepts rent from you, signs a new residential rental agreement with you or does not notify you in writing within 30 days after the date of the foreclosure sale that you must move out, the new owner becomes your new landlord and must maintain the property. Otherwise:

- ◆ You do not owe rent;
- ◆ The new owner is not your landlord and is not responsible for maintaining the property on your behalf; and
- ◆ You must move out by the date the new owner specifies in a notice to you.

The new owner may offer to pay your moving expenses and any other costs or amounts you and the new owner agree on in exchange for your agreement to leave the premises in less than 90 days or before your fixed term lease expires. You should speak with a lawyer to fully understand your rights before making any decisions regarding your tenancy.


IT IS UNLAWFUL FOR ANY PERSON TO TRY TO FORCE YOU TO LEAVE YOUR DWELLING UNIT WITHOUT FIRST GIVING YOU WRITTEN NOTICE AND GOING TO COURT TO EVICT YOU. FOR MORE INFORMATION ABOUT YOUR RIGHTS, YOU SHOULD CONSULT A LAWYER. If you believe you need legal assistance, contact the Oregon State Bar and ask for the lawyer referral service. Contact information for the Oregon State Bar is included with this notice. If you do not have enough money



to pay a lawyer and are otherwise eligible, you may be able to receive legal assistance for free. Information about whom to contact for free legal assistance is included with this notice.

**HOW TO FIND 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](http://www.osbar.org). Legal assistant 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](http://www.oregonlawhelp.org).

Dated: June 24, 2013

  
Benjamin M. Kearney, Successor Trustee  
Arnold Gallagher PC  
800 Willamette Street, Suite 800  
Eugene, OR 97401-2996  
Telephone: (541) 484-0188  
Fax: (541) 484-0536

RE: Trust Deed from :  
Graciela Alvarado :  
(Grantor) :  
TO: :  
AmeriTitle :  
(Trustee) :  
After Recording Return To: :  
Benjamin M. Kearney, Successor Trustee :  
800 Willamette Street, Suite 800 :  
Eugene, OR 97401 :

**AFFIDAVIT OF MAILING NOTICE OF RIGHT TO PARTICIPATE IN MEDIATION**

STATE OF OREGON )  
) ss.  
County of Lane )

I, Benjamin M. Kearney, being first duly sworn, depose, say and certify 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 18 years and not the beneficiary or beneficiary's successor in interest named in the attached Notice of Right to Participate in Mediation.

I gave notice by mailing a copy of the Notice of Right to Participate in Mediation by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, and by personal delivery to the occupants of said property at the address set forth below, to-wit:

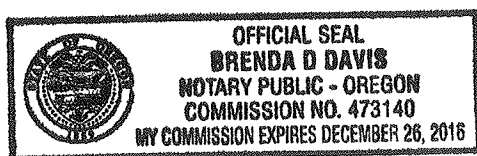
<u>NAME</u>	<u>ADDRESS</u>
Graciela Alvarado	1260 Homedale Road Klamath Falls, OR 97603
State of Oregon Division of Child Support	PO Box 14506 Salem, OR 97309
Holly A. Elmore	1495 Edgewater Street NW, Suite 120 Salem, OR 97304
Mediation Case Manager	12725 SW Millikan Way, Suite 300 Beaverton, OR 97005

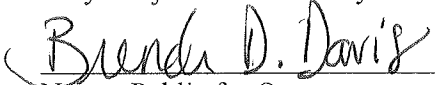
Each of the notices so mailed was certified to be a true copy of the original notice, each such copy was contained in a sealed envelope, with postage thereon fully prepared, and was deposited by me in the United States post office at Eugene, Oregon, on April 23, 2013. With respect to each person listed 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 a proper form to request and obtain a return receipt and 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.

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

  
Benjamin M. Kearney

SIGNED AND SWORN to before me this 23<sup>rd</sup> day of April, 2013 by Benjamin M. Kearney.



  
Brenda D. Davis  
Notary Public for Oregon  
My Commission Expires: 12-26-16



## NOTICE OF RIGHT TO PARTICIPATE IN MEDIATION WITH MORTGAGE LENDER

STATE OF OREGON  
FORECLOSURE AVOIDANCE MEDIATION PROGRAM

**IMPORTANT: YOU ARE IN DANGER OF LOSING YOUR HOME TO FORECLOSURE!**

Graciela Alvarado  
1260 Homedale Road  
Klamath Falls, OR 97603

This notice explains your right to participate in mediation with your lender to see if foreclosure can be avoided. Please read this notice carefully.

*Este es un aviso importante que explica su derecho a participar en la mediación con su prestamista para ver si se puede evitar la ejecución hipotecaria. Si usted no lee Inglés, llame al 855-658-6733. Una versión traducida de este aviso está disponible en línea al [www.ForeclosureMediationOR.org](http://www.ForeclosureMediationOR.org).*

### INFORMATION FOR HOMEOWNERS

***Why am I receiving this Notice?*** Oregon law requires your lender to participate in mediation to help homeowners avoid foreclosure. You are receiving this notice because your lender has started the process of foreclosing on your home.

**\*\*\*\* YOU CAN RESPOND IMMEDIATELY, SEE WEBSITE INSTRUCTIONS SECTION BELOW. \*\*\*\***

***What is mediation?*** Mediation is a face-to-face meeting with your lender and a neutral third person "mediator" to discuss alternatives to foreclosure. You may have an attorney or a housing counselor represent you at mediation, or you can represent yourself. ***See the enclosed "Foreclosure Resources" for a list of approved housing counseling and legal services agencies that provide free or low-cost assistance.***

***How can mediation help me?*** Mediation can help you avoid foreclosure by allowing you to negotiate an agreement with your lender to:

- Allow you to make one or more payments late or skip payments ( "forbearance");
- Temporarily or permanently modify (change) your payments or other terms of the loan;
- Allow you to transfer the property to your lender without foreclosure and forgive the debt (a "deed-in-lieu-of-foreclosure");
- Allow you to sell the property for less than what you owe (a "short sale"); or
- Other assistance that allows you to avoid foreclosure.

*If you and your lender reach an agreement, your lender may be prohibited from selling the property unless you violate the terms of the agreement.*

***How do I request mediation?*** You should contact the mediation service provider as soon as possible to confirm that you want to mediate. Contact the mediation service provider within 10 days to schedule a date for mediation. Otherwise, a mediation date will be set for you. You can contact the mediation service provider online at [www.foreclosuremediationOR.org](http://www.foreclosuremediationOR.org) or by calling 855-658-6733. Within the next 30 days, the

mediation service provider will send you a notice with a date, time and location for mediation and a deadline to respond. **If you do not confirm that you want to mediate by the deadline and pay applicable fees, you will lose your right to mediate, and your lender may proceed with the foreclosure.**

***Will I have to pay for mediation?*** Your share of the mediation fee will be \$200.00. Your lender must also pay a fee. If you are low income, you may qualify for a reduced fee..

***What documents do I have to provide?*** You must provide the documents listed in the "Other Information" section of this notice at least 15 days before the mediation. Your lender must provide information to you about your loan, including a complete payment history and proof that the lender owns your loan.

***What else will I be required to do?*** Before mediation, you must meet with a qualified housing counselor who will assist you at no cost. The housing counselor will help you gather information and assess your options. You should make an appointment with a housing counselor as soon as possible. See the attached resource list for approved counselors near you.

***If I request mediation, will my information be kept confidential?*** Oregon law requires that all mediation communications be kept strictly confidential. There are some exceptions to confidentiality and the Mediation Service Provider can explain these to you.

***Beware of anyone promising they can "save" your home or requesting an upfront fee before providing assistance.*** These offers may violate Oregon's consumer protection laws. If you believe you have been a victim of a scam or have questions about a particular business, call the Oregon Department of Justice's Consumer Protection Hotline toll-free at 1-877-877-9392.

***See the attached Foreclosure Resources for information about where to find a qualified housing counselor, free or low-cost legal assistance, and other foreclosure resources.***

### **INFORMATION FOR RENTERS**

If you are a tenant renting this home, you are not entitled to participate in the mediation. Your rights may be at risk. You are bound by your rental agreement with your landlord and must keep paying rent until that agreement is changed or the home is foreclosed on. If the home is foreclosed, the new owner will have the right to require you to move out, but only after written notice in advance. You can learn more about tenants' rights in foreclosure at [www.oregonlawhelp.org](http://www.oregonlawhelp.org), or see the attached resource list for information about how to contact an attorney.

**OTHER IMPORTANT INFORMATION**

<b>CONTACT INFORMATION</b>	
<b>Borrower (Grantor)</b>	<b>Co-Borrower (Co-Grantor)</b>
Borrower's Name: Graciela Alvarado	Co-Borrower's Name:
Address: 1260 Homedale Road Klamath Falls, OR 97603	Address:
Telephone No.: 541-273-2971	Telephone No.:
Other:	Other:
Account No.: 60104	
<b>Beneficiary or Authorized Agent</b>	<b>Mediation Service Provider</b>
Beneficiary's Name: OHCS, State of Oregon - Siuslaw Bank Assignee Of (if any):	Name: Mediation Case Manager
Authorized Agent (if any):	Address: 12725 SW Millikan Way Suite 300 Beaverton, OR 97005
Address: PO Box 11529 Eugene, OR 97440	Telephone No.: (855) 658-6733
Telephone No.: (541) 342-4000	Fax No.: (866) 395-7230
Other:	Website: <a href="http://www.ForeclosureMediationOR.org">www.ForeclosureMediationOR.org</a> <a href="http://www.MediationCaseManager.com">www.MediationCaseManager.com</a> (See below for details)

<b>DOCUMENTS YOU MUST PROVIDE</b>	
You must provide to the Mediation Service Provider all of the documents described below on or before the date stated in your Notice Scheduling Mediation. If you fail to provide all required documents, your lender may not be able to determine that you are eligible for a foreclosure avoidance measure. For more information and instructions, visit <a href="http://www.ForeclosureMediationOR.org">www.ForeclosureMediationOR.org</a>	
<input type="checkbox"/> Universal Intake Form	<input type="checkbox"/> Paystubs (two most recent months)
<input type="checkbox"/> Profit and Loss Statement (if self-employed, most recent quarterly or year-to-date)	<input type="checkbox"/> Tax Returns (two most recent years)
<input type="checkbox"/> Benefits Statement or Letter from Provider (showing amount, frequency and duration of social security, disability, retirement, unemployment or other non-wage income)	<input type="checkbox"/> Bank Statements (two most recent months)
	<input type="checkbox"/> Electric, heat, gas or other utility bill (most recent)
<input type="checkbox"/> Divorce decree or separation agreement (if relying on child support, alimony or maintenance payments)	<input type="checkbox"/> Property Tax Statement or Appraisal/CMA (if available)
<b>**** WEBSITE INSTRUCTIONS ****</b>	
<b>Step 1: Visit <a href="http://www.ForeclosureMediationOR.org">www.ForeclosureMediationOR.org</a> and click "Get Started Today"</b>	
<b>Step 2: Click 'I am a Homeowner' and make a selection. Your passcode: ryyF6mp2</b>	
<b>Step 3: Follow the instructions on the screen to participate or decline mediation.</b>	

# Fax Cover Page

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Whenever faxing documents to fulfill the requirements of this program, always include this Fax Cover Page as the first page you send. This will ensure that your documents are processed quickly. If you fax documents and do not include this cover page, your document processing may be delayed.

## **Send Faxes To:**

**Mediation Case Manager**

**Fax: (866) 395-7230**

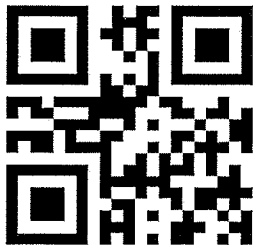
## **Sender Information:**

**Case Number: ND-130422-165**

**Graciela Alvarado**

**1260 Homedale Road**

**Klamath Falls, OR 97603**





# Foreclosure Resources

The Oregon Foreclosure Mediation Program partners with many state agencies and non-profit organizations to provide free and low-cost resources and help to Oregonians struggling as a result of foreclosure.

<b>HUD-APPROVED HOUSING COUNSELING AGENCIES</b> <i>Free loan modification and foreclosure mediation counseling</i>				
Counties Served	Counseling Agency Name	Website Address	Email Address	Phone Number
Baker, Grant, Union & Wallowa	Community Connections of NE Oregon - Counseling provided by NeighborImpact	<a href="http://www.neighborimpact.org">www.neighborimpact.org</a>	<a href="mailto:housingcenter@neighborimpact.org">housingcenter@neighborimpact.org</a>	(541) 963-3186
Benton & Linn	Willamette Neighborhood Housing Service	<a href="http://www.w-nhs.org">www.w-nhs.org</a>	<a href="mailto:info@w-nhs.org">info@w-nhs.org</a>	(541) 752-7220 Ext. 300
	Money Management International	<a href="http://www.moneymanagement.org">www.moneymanagement.org</a>		(866)232-9080
Clackamas	Neighborhood Economic Development Corporation	<a href="http://www.nedcocdc.org">www.nedcocdc.org</a>	<a href="mailto:clackamas.counseling@nedcocdc.org">clackamas.counseling@nedcocdc.org</a>	(503) 655-8974
	Clearpoint Financial Solutions	<a href="http://www.clearpointccs.org">www.clearpointccs.org</a>		(503) 253-5115
Clatsop, Columbia & Tillamook	Northwest Oregon Regional Housing Center	<a href="http://www.cat-team.org">www.cat-team.org</a>	<a href="mailto:cindkp@cat-team.org">cindkp@cat-team.org</a>	(503) 325-8098
Coos, Curry & Douglas	NeighborWorks Umpqua CDC	<a href="http://www.umpquacdc.org">www.umpquacdc.org</a>		(541) 673-4909
Crook, Deschutes & Jefferson	NeighborImpact's Homeownership Center	<a href="http://www.neighborimpact.org">www.neighborimpact.org</a>	<a href="mailto:housingcenter@neighborimpact.org">housingcenter@neighborimpact.org</a>	(541) 318-7506
	Money Management International	<a href="http://www.moneymanagement.org">www.moneymanagement.org</a>		(866)232-9080
Harney	Community In Action Program <i>Counseling provided by NeighborImpact</i>		<a href="mailto:desiree@communityinaction.info">desiree@communityinaction.info</a>	(541) 573-6024
Hood River, Wasco & Sherman	Columbia Cascade Housing Corporation - Counseling provided by NeighborImpact			(800) 800-3397
Jackson & Josephine	ACCESS	<a href="http://www.accesshelps.org">www.accesshelps.org</a>	<a href="mailto:info@accesshelps.org">info@accesshelps.org</a>	(541) 779-6691 Ext. 355
	Consumer Credit Counseling of Southern Oregon	<a href="http://www.cccsso.org">www.cccsso.org</a>	<a href="mailto:housing@cccsso.org">housing@cccsso.org</a>	(541) 779-2273
Klamath & Lake	Klamath & Lake Homeownership Center	<a href="http://www.klcas.org">www.klcas.org</a>	<a href="mailto:kwalls@klcas.org">kwalls@klcas.org</a>	(541) 882-3500 Ext. *814
Lane	Neighborhood Economic Development Corporation	<a href="http://www.nedcocdc.org">www.nedcocdc.org</a>	<a href="mailto:lane.counseling@nedcocdc.org">lane.counseling@nedcocdc.org</a>	(541) 345-7106
Lincoln	Community Services Consortium	<a href="http://www.communityservices.us">www.communityservices.us</a>	<a href="mailto:foreclosure@communityservices.us">foreclosure@communityservices.us</a>	(866) 245-1780 (541) 928-6335
Marion	Neighborhood Economic Development Corporation	<a href="http://www.nedcocdc.org">www.nedcocdc.org</a>	<a href="mailto:marion.counseling@nedcocdc.org">marion.counseling@nedcocdc.org</a>	(503) 779-2680
	Apprisen	<a href="http://www.apprisen.com">www.apprisen.com</a>	<a href="mailto:lisa.bahadar@apprisen.com">lisa.bahadar@apprisen.com</a>	(800) 355-2227
Malheur	Community In Action Program <i>Counseling provided by NeighborImpact</i>		<a href="mailto:michele@communityinaction.info">michele@communityinaction.info</a>	(541) 889-1060 Ext. 103

### HUD-APPROVED HOUSING COUNSELING AGENCIES

*Free loan modification and foreclosure mediation counseling*

Counties Served	Counseling Agency Name	Website Address	Email Address	Phone Number
Multnomah	Hacienda Community Development Corporation	<a href="http://www.haciendacdc.org">www.haciendacdc.org</a>	<a href="mailto:info@haciendacdc.org">info@haciendacdc.org</a>	(503) 961-6432
	Clearpoint Financial Solutions	<a href="http://www.clearpointccs.org">www.clearpointccs.org</a>		(503) 253-5115
Umatilla, Morrow, Gilliam & Wheeler	Community Action Program of East Central Oregon - <i>Counseling provided by NeighborImpact</i>	<a href="http://www.capeco-works.org">www.capeco-works.org</a>		(541) 276-5073
Washington	Open Door Counseling Center	<a href="http://www.opendoorcc.net">www.opendoorcc.net</a>	<a href="mailto:admin@opendoorcc.net">admin@opendoorcc.net</a>	(503) 640-6689
	Clearpoint Financial Solutions	<a href="http://www.clearpointccs.org">www.clearpointccs.org</a>		(503) 253-5115
Yamhill & Polk	Yamhill/Polk Regional Housing Center - <i>Counseling provided by Neighborhood Economic Development Corporation</i>	<a href="http://www.hayc.org">www.hayc.org</a>	<a href="mailto:resourcecenter@hayc.org">resourcecenter@hayc.org</a>	(503) 883-4300

### OTHER STATE-APPROVED HOUSING COUNSELING AGENCIES

*Free loan modification and foreclosure mediation counseling*

Areas Served	Counseling Agency Name	Website Address	Email Address	Phone Number
	African American Alliance for Homeownership	<a href="http://www.aaah.org">www.aaah.org</a>	<a href="mailto:info@aaah.org">info@aaah.org</a>	(503) 595-3517
Umatilla, Morrow, Gilliam & Wheeler	Community Action Program of East Central Oregon <i>Counseling provided by NeighborImpact</i>	<a href="http://www.capeco-works.org">www.capeco-works.org</a>		(541) 276-5073
Yamhill & Polk	Yamhill/Polk Regional Housing Center	<a href="http://www.hayc.org">www.hayc.org</a>	<a href="mailto:resourcecenter@hayc.org">resourcecenter@hayc.org</a>	(503) 883-4300

### FREE AND LOW COST LEGAL REPRESENTATION

*Foreclosure Legal Information, Low-Income Legal Representation, Advice and Counsel from Volunteer Attorneys.*

Service	Description	Contact Information
<b>Free Legal Assistance for Low-Income Oregonians</b>	Very low-income Oregonians meeting federal poverty guidelines may qualify for free legal assistance. For a directory of programs and for links to basic information for homeowners.	Website: <a href="http://www.oregonlawhelp.org">www.oregonlawhelp.org</a> .
<b>Oregon State Bar Lawyer Referral Service</b>	The Lawyer Referral Service refers all Oregonians to attorneys who have agreed to a \$35 initial consultation fee. Fees thereafter are as negotiated.	For more information, phone: 503-684-3763 or toll-free in Oregon at 800-452-7636.
<b>Modest Means Program</b>	Low-to moderate income Oregonians may qualify for this program offering reduced-rate services.	For an application, phone: 503-684-3763 or toll-free in Oregon at 800-452-7636.
<b>Veterans Assistance Program</b>	Veterans may qualify for up to 2 hours of free assistance through the Military Assistance Panel.	For more information, phone: 503-684-3763 or toll-free in Oregon at 800-452-7636.

### Other Foreclosure Assistance Resources

Service	Website
Oregon Foreclosure Mediation Program	<a href="http://www.doj.state.or.us/consumer/foreclosure_mediation.shtml">www.doj.state.or.us/consumer/foreclosure_mediation.shtml</a>
Oregon Housing and Community Services Foreclosure Information	<a href="http://www.ohcs.oregon.gov/">http://www.ohcs.oregon.gov/</a>
Oregon Department of Consumer and Business Services Foreclosure Assistance Page	<a href="http://foreclosurehelp.oregon.gov/">http://foreclosurehelp.oregon.gov/</a>
Foreclosure Fraud Information	<a href="http://www.doj.state.or.us/consumer/foreclosure_fraud.shtml">www.doj.state.or.us/consumer/foreclosure_fraud.shtml</a>
Homeowner Assistance from Multistate Settlement	<a href="http://www.doj.state.or.us/consumer/foreclosure_settlement.shtml">www.doj.state.or.us/consumer/foreclosure_settlement.shtml</a>

**211 Info:** 2-1-1 connects people in some counties of Oregon with the community resources they need.  
Dial toll free 2-1-1 from your phone or go to: [www.211info.org](http://www.211info.org).



AFTER RECORDING, RETURN TO:



STATE OF OREGON  
FORECLOSURE AVOIDANCE MEDIATION PROGRAM  
CERTIFICATE OF COMPLIANCE

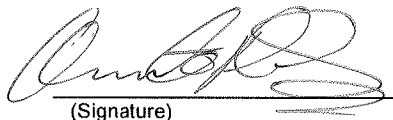
OHCS, State of Oregon - Siuslaw Bank  
Mary Tesch  
PO Box 11529  
Eugene, OR 97440

Grantor:	Graciela Alvarado
Beneficiary:	OHCS, State of Oregon - Siuslaw Bank
Property Address:	1260 Homedale Road Klamath Falls, OR 97603
Instrument/Recording No./Date or Legal Description	Assessor Parcel Number: R450327

1. The Mediation Service Provider hereby certifies that:

- ☐ The beneficiary or its agent appeared at mediation and complied with the requirements of Oregon Laws 2012, chapter 112, sections 4 and 5 or the beneficiary or its agent settled prior to mediation.
- ☐ The grantor elected to enter into mediation but failed to appear at the time and place scheduled for mediation.
- ☒ The grantor declined to enter into mediation with the beneficiary, or did not confirm intent to participate by the required date.

2. On Thursday, May 30, 2013 I mailed the original certificate to the beneficiary and trustee, as are named on the title and provided a copy to the grantor and the Attorney General electronically or by mail.

  
(Signature)

Annette Phelps  
(Printed name of person signing this  
Affidavit)

State of Oregon  
County of Washington

This instrument was acknowledged before me on May 30, 2013 by Annette Phelps  
as Program Coordinator of Mediation Case Manager  
(type of authority. e.g., officer, trustee, etc.) (name of party on behalf of whom instrument was executed)

  
(Signature of notarized officer)

My Commission Expires on: Feb. 05, 2017



# Basin ProServe

## Affidavit of Posting

State of Oregon  
County of Klamath

David Hartman, being duly sworn, says:

- That I am over 18 years of age, a resident of Oregon, and not a party to the proceeding referred to in the attached Notice of Trustee's Sale
- That my business address is, 422 N 6<sup>th</sup> St, Klamath Falls, Oregon
- That I posted a copy of the Notice of Trustee's Sale on the parcel of land described in the Notice of Trustee's, commonly known as 1260 Homedale Road, Klamath Falls, OR 97603 in a conspicuous place on:
  - 1<sup>st</sup> Attempt: 06-28-2013 at 5:50 PM
  - 2<sup>nd</sup> Attempt: 07-01-2013 at 11:00 AM
  - 3<sup>rd</sup> Attempt: 07-03-2013 at 7:10 PM
- I hereby certify that on the 5<sup>th</sup> day of July, 2013, I mailed a copy of the Notice of Trustee's Sale to the occupants at the above named address.

Signed in Klamath County, Oregon by:

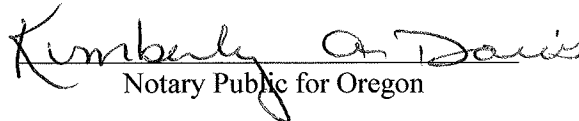
Signature:



Date: July 05, 2013

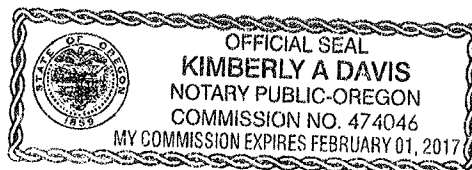
State of Oregon  
County of Klamath

On this 5<sup>th</sup> day of July in the year of 2013, before me a Notary Public. Personally appeared David Hartman, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

  
Notary Public for Oregon

Residing at: Klamath County

Commission expires: 01 Feb 2017



**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#15112 SALE ALVARADO 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:  
09/04/2013 09/11/2013 09/18/2013 09/25/2013

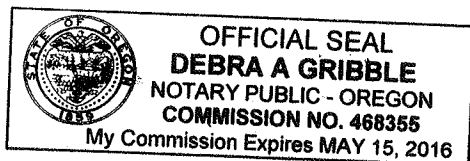
Total Cost: \$1029.98

*Linda Culp*

Subscribed and sworn by Linda Culp before me on:  
25th day of September in the year of 2013

*Debra A Gribble*

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



**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Graciela Alvarado, as grantor, to AmeriTitle, as trustee, in favor of Siuclaw Bank as beneficiary, dated May 1, 2006, and recorded on May 4, 2006, as Instrument No. M06-08815 of the Official Records of Klamath County, Oregon, and that certain Assignment of Trust Deed dated May 1, 2006 and recorded May 4, 2006 as Instrument No. M06-08816 wherein Oregon Housing and Community Services Department, State of Oregon, was designated as the successor beneficiary, covering the following described real property situated in said county and state, to-wit:

Parcel 2 of Land Partition 68-96, being a portion of Lot 60 of FAIR ACRES SUBDIVISION NO. 1, situated in the W1/2 SE 1/4 of Section 35, Township 38 South Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon. Also to include a manufactured home: 1999 Champion Serial No. 16-99-599-07055 HUD Tags: IDA 181399 and IDA 181400.

Both the Beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said 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 is Grantor's failure to pay when due the following sums: Grantor's failure to pay monthly installment payments due under the Promissory Note in the amount of \$735.00 per month for the months of December 2012, and January, February, March and April 2013.

By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following, to-wit: the principal balance of \$93,294.60 together with accrued interest through April 10, 2013, in the amount of \$2,167.21 (interest continues to accrue at the rate of \$13.2825 per diem from April 10, 2013 until paid), and late charges in the amount of \$178.86, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned Trustee will on November 19, 2013, at the hour of 11:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse steps, 316 Main Street, City of Klamath Falls, County of Klamath, Oregon, sell at public auction to the highest bidder for cash the interest in said described real property which the Grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the Grantors or their 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. 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 when 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 rendering the performance required under the obligation or Trust Deed, and in addition to paying said 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's and attorney's fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantors" includes any successor in interest to the Grantors as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

DATED: June 24, 2013  
Benjamin M. Kearney, Successor Trustee  
800 Willamette Street, Suite 800, Eugene, OR 97401  
(541) 484-0188  
#15112 September 04, 11, 18, 25, 2013.