

After Recording Return to:

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

**2013-012636**

**Klamath County, Oregon**

**11/12/2013 01:57:41 PM**

**Fee: \$72.00**

**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 Bruce C. Bonner and Toni L. Bonner, as Grantors, to Aspen Title & Escrow, Inc., as Trustee, in which AmericanWest Bank, Successor-in-interest by merger to PremierWest Bank, is the beneficiary, recorded on November 2, 2004 at Volume M04, page 75289-94, Microfilm Records of Klamath County, Oregon and covering the following described real property, to wit: Lot 14, Block 218, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the 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:

Bruce Bonner  
8905 Rocking Horse Lane  
Klamath Falls, OR 97603

Toni Bonner  
8905 Rocking Horse Lane  
Klamath Falls, OR 97603

Bruce Bonner, Registered Agent  
Shasta Ent NW LLC  
8905 Rocking Horse Lane  
Klamath Falls, OR 97603

Bruce Bonner  
Toni Bonner  
2271 Shasta Way  
Klamath Falls, OR 97601

Chauncey Farrell  
118 Oxford Place  
Medford, OR 97504

Pennie Farrell  
118 Oxford Place  
Medford, OR 97504



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.

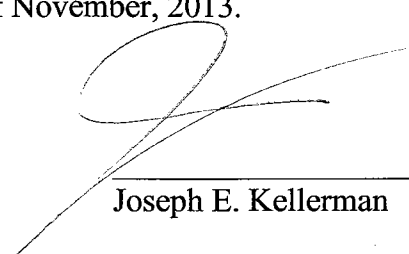
4. Each of the Notices so mailed was certified to be a true copy of the original by the undersigned, attorney and successor Trustee named in said Notice; each such copy was contained in a sealed envelope, with postage thereon fully pre-paid, and was deposited by me in the United States Post Office at Medford, Oregon on the 6<sup>th</sup> day of August, 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.

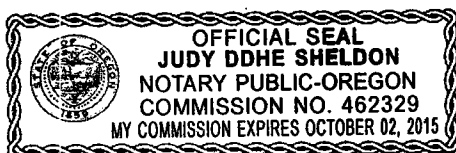
5. As used herein, the singular includes the plural, Trustee includes successor Trustee, and person includes corporation and any other legal or commercial entity.

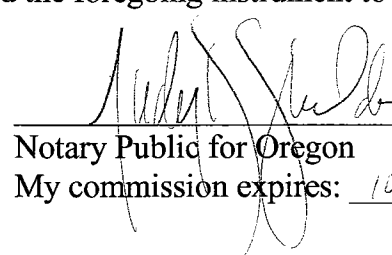
DATED this 8<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
Joseph E. Kellerman

STATE OF OREGON       )  
                                  ) ss.  
County of Jackson     )

On this 8<sup>th</sup> day of November, 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.

The Beneficiary Exemption Affidavit was recorded concurrently with this notice.

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

1.     Grantor:                 Bruce C. Bonner and Toni L. Bonner  
       Trustee:                Aspen Title & Escrow, Inc.  
       Successor Trustee:     Joseph E. Kellerman  
                                  717 Murphy Road  
                                  Medford, OR 97504  
       Beneficiary:            AmericanWest Bank, Successor-in-interest  
                                  by merger to PremierWest Bank
2.     Property covered by the Trust Deed: Lot 14, Block 218, MILLS SECOND  
       ADDITION TO THE CITY OF KLAMATH FALLS, according to the official  
       plat thereof on file in the office of the Clerk of Klamath County, Oregon
3.     Trust Deed was recorded on November 2, 2004 at Volume M04, page 75289-  
       94, Microfilm Records of Klamath County, Oregon.
4.     Default for which foreclosure is made is the failure of Grantor to pay required  
       payments pursuant to the terms of the promissory note.
5.     The sum owing on the obligation secured by the Trust Deed is \$97,736.95 as  
       of July 16, 2013, plus accrued but unpaid late charges in the amount of  
       \$543.92, plus interest on the unpaid principal balance from March 28, 2013  
       until paid at the Wall Street Journal Prime plus 6.5 percentage points, 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 20th day of  
       December, 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 5<sup>th</sup> day of August, 2013.

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

By: \_\_\_\_\_  
Joseph E. Kellerman, Successor Trustee

STATE OF OREGON       )  
                                  ) ss.  
County of Jackson     )

On this 5<sup>th</sup> day of August, 2013, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.



\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 10/2/15

**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#15151 SALE BONNER

**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:

10/02/2013 10/09/2013 10/16/2013 10/23/2013

Total Cost: \$974.90

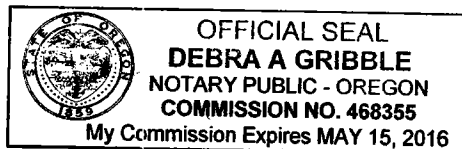
*Linda Culp*

Subscribed and sworn by Linda Culp before me on:  
23rd day of October 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.

The Beneficiary Exemption Affidavit was recorded concurrently with this notice.

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

1. **Grantor:** Bruce C. Bonner and Toni L. Bonner
- Trustee:** Aspen Title & Escrow, Inc.
- Successor Trustee:** Joseph E. Kellerman, 717 Murphy Road, Medford, OR 97504
- Beneficiary:** AmericanWest Bank, Successor-in-interest by merger to PremierWest Bank
2. Property covered by the Trust Deed: Lot 14, Block 218, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon
3. Trust Deed was recorded on November 2, 2004 at Volume M04, page 75289-94, Microfilm Records of Klamath County, Oregon.
4. Default for which foreclosure is made is the failure of Grantor to pay required payments pursuant to the terms of the promissory note.
5. The sum owing on the obligation secured by the Trust Deed is \$97,736.95 as of July 16, 2013, plus accrued but unpaid late charges in the amount of \$543.92, plus interest on the unpaid principal balance from March 28, 2013 until paid at the Wall Street Journal Prime plus 6.5 percentage points, 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 20th day of December, 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 5th day of August, 2013.

HORNECKER, COWLING,

HASSEN & HEYSELL, L.L.P.

By: /s/ Joseph E. Kellerman, Successor Trustee

STATE OF OREGON

ss:

County of Jackson

On this 5th day of August, 2013, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.

/s/ Judy D. Sheldon, Notary Public for Oregon

My Commission Expires: 10/2/15

#15151 October 02, 09, 16, 23, 2013.

AFFIDAVIT OF SERVICE RE: NON-MILITARY SERVICE

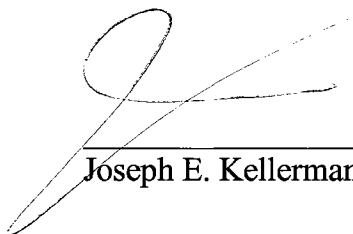
STATE OF OREGON       )  
                                  ) ss.  
County of Jackson       )

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

Grantor:                       Bruce C. Bonner and Toni L. Bonner  
Trustee:                      Aspen Title & Escrow, Inc.  
Beneficiary:                 AmericanWest Bank, Successor-in-interest  
                                  by merger to PremierWest Bank  
Recording Date:             November 2, 2004  
Recording No:                Volume M04, Page 75289-94 Microfilm Records  
County of Recording:        Klamath County, Oregon

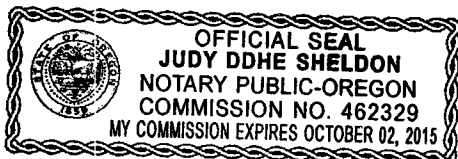
A notice of default with respect to the trust deed was recorded August 1, 2013, as Document No. 2013-008758 in the mortgage records. Grantors are not on active military duty according to the United States Department of Defense Manpower Data Center. Attached as Exhibit 1, is a Military Status Report pursuant to the Servicemembers Civil Relief Act of 2003 confirming that the Grantors are not on active military duty.

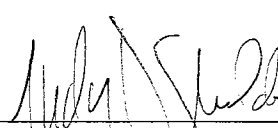
In construing this certificate, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any, named in the trust deed.

  
\_\_\_\_\_  
Joseph E. Kellerman,

STATE OF OREGON       )  
                                  ) ss.  
County of Jackson       )

On this 8<sup>th</sup> day of November, 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

**Status Report  
Pursuant to Servicemembers Civil Relief Act**Last Name: BONNERFirst Name: BRUCE

Middle Name:

Active Duty Status As Of: Nov-05-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Snavelly-Dixon, Director  
Department of Defense - Manpower Data Center  
4800 Mark Center Drive, Suite 04E25  
Arlington, VA 22350

EXHIBIT 1  
PAGE 1 OF 2



## Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: BONNERFirst Name: TONI

Middle Name:

Active Duty Status As Of: Nov-05-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

*Mary M. Snavelly-Dixon*

Mary M. Snavelly-Dixon, Director  
Department of Defense - Manpower Data Center  
4800 Mark Center Drive, Suite 04E25  
Arlington, VA 22350

EXHIBIT 1  
PAGE 2 OF 2