

MC100051

After Recording Return to:

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

2014-005172

Klamath County, Oregon

05/13/2014 02:49:26 PM

Fee: \$77.00

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 Donald J. Morrison and Carol Jo Anne Morrison, as Grantor, to AmeriTitle, as Trustee, in which AmericanWest Bank, successor-by-merger to PremierWest Bank, is the beneficiary, recorded on September 22, 2008 as Document No. 2008-013173, Microfilm Records of Klamath County, Oregon and covering the following described real property, to wit:

See Attached Exhibit "A"

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:

Donald J. Morrison
1315 Oregon Avenue
Klamath Falls, OR 97601

Donald J. Morrison
1604 Tamera Drive
Klamath Falls, OR 97603

Carol Jo Anne Morrison
1315 Oregon Avenue
Klamath Falls, OR 97601

Carol Jo Anne Morrison
1604 Tamera Drive
Klamath Falls, OR 97603

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

\$77.00

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 7th day of February, 2014. 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.

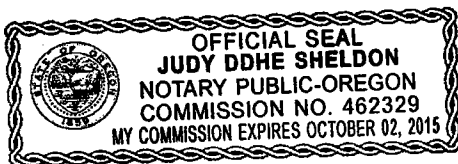
DATED this 9th day of May, 2014.




Joseph E. Kellerman

STATE OF OREGON)
) ss.
County of Jackson)

On this 9th day of May, 2014, 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

EXHIBIT "A"
LEGAL DESCRIPTION

All of Lots 1, 2, 3, and 4 in Block 20 of FAIRVIEW ADDITION NO. 2 to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

All of Lot 5, LESS the following portion:

Beginning at the Northwest corner of Lot 5, Block 20, FAIRVIEW ADDITION NO. 2 to the City of Klamath Falls, Oregon; thence South along the West line of said Lot 5, 50 feet to the line between Lots 5 and 6 of said Block 20; thence East and parallel to Upham Street 35 feet to a point; thence in a Northwesterly direction to the point of beginning.

All of Lot 6, EXCEPT that portion conveyed to the City of Klamath Falls by Deed recorded in Volume 82 at page 205, Deed Records of Klamath County, Oregon, and LESS that portion conveyed to the City of Klamath Falls by Deed recorded in Volume 107 at page 201, Deed Records of Klamath County, Oregon all in Block 20 of FAIRVIEW ADDITION NO. 2 to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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.

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

1. Grantor: Donald J. Morrison and Carol Jo Anne Morrison,
 As Tenants by the Entirety
 Trustee: AmeriTitle
 Successor Trustee: Joseph E. Kellerman
 717 Murphy Road
 Medford, OR 97504
 Beneficiary: AmericanWest Bank, successor-by-merger to
 PremierWest Bank
2. Property covered by the Trust Deed:

 See Exhibit "A" attached hereto and incorporated herein by this reference.
3. Trust Deed was recorded on September 22, 2008 as Document No. 2008-013173, Microfilm Records of Klamath County, Oregon.
4. Default for which foreclosure is made is 1) failure of Grantor to pay required monthly payments pursuant to 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 \$246,490.10 as of January 21, 2014, plus interest on the unpaid principal portion thereof at the Weekly Average Five-Year Constant Maturity Treasury Rate, plus eight percent (8%) pursuant to the interest and interest after default provisions of the promissory note, 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 June, 2014, 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 7th day of February, 2014.

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

By: _____
Joseph E. Kellerman, Successor Trustee

STATE OF OREGON)
) ss.
County of Jackson)

On this 7th day of February, 2014, personally appeared before me Joseph E. Kellerman, as Successor Trustee, and acknowledged said instrument to be his voluntary act and deed.



Judy Ddhe Sheldon
Notary Public for Oregon
My Commission Expires: 10/2/15

EXHIBIT "A"
LEGAL DESCRIPTION

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**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#15536 SALE MORRISON 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:

04/10/2014 04/17/2014 04/24/2014 05/01/2014

Total Cost: \$1078.80

Linda Culp

Subscribed and sworn by Linda Culp before me on:
1st day of May in the year of 2014

Debra A. Gridley

Notary Public of Oregon

My commission expires on May 15, 2016



DEBRA A. GRIDLEY
NOTARY PUBLIC - OREGON
COMMISSION NO. 468355
My Commission Expires 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.

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

1. Grantor: Donald J. Morrison and Carol Jo Anne Morrison, As Tenants by the Entirety
Trustee: AmeriTitle
Successor Trustee: Joseph E. Kellerman
717 Murphy Road, Medford, OR 97504
Beneficiary: AmericanWest Bank, successor-by-merger to PremierWest Bank

2. Property covered by the Trust Deed:

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3. Trust Deed was recorded on September 22, 2008 as Document No. 2008-013173, Microfilm Records of Klamath County, Oregon.

4. Default for which foreclosure is made is 1) failure of Grantor to pay required monthly payments pursuant to 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 \$246,490.10 as of January 21, 2014, plus interest on the unpaid principal portion thereof at the Weekly Average Five-Year Constant Maturity Treasury Rate, plus eight percent (8%) pursuant to the interest and interest after default provisions of the promissory note, 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 June, 2014, 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 4th day of February, 2014.

HORNECKER, COWLING, HASSEN & HEYSELL, L.L.P.
By: /s/ Joseph E. Kellerman, Successor Trustee
#15536 April 10, 17, 24, May 01, 2014.

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: Donald J. Morrison and Carol Jo Anne Morrison
Trustee: AmeriTitle
Successor Trustee: Joseph E. Kellerman
 717 Murphy Road
 Medford, OR 97504
Beneficiary: AmericanWest Bank, successor-by-merger to
 PremierWest Bank
Recording Date: September 22, 2008
Recording No: 2008-013173
County of Recording: Klamath

A Notice of Default with respect to the Trust Deed was recorded February 6, 2014 as Document No. 2014-001064 in the Official Records of Klamath County. To the best of my knowledge and belief Grantor under said trust deed is not on active military duty.

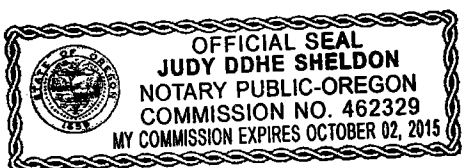
In construing this certificate, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any, named in the trust deed.

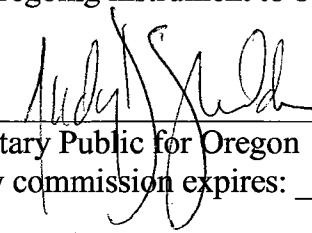


Joseph E. Kellerman

STATE OF OREGON)
) ss.
County of Jackson)

On this 9th day of May, 2014, 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