

MT 100733

**RECORDING COVER SHEET**  
**Pursuant to ORS 205.234**

**2014-009286**

**Klamath County, Oregon**

**09/05/2014 04:00:34 PM**

**Fee: \$142.00**

**After recording return to:**

**Northwest Trustee Services, Inc.**  
**As successor trustee**  
**Attention: Breanon Miller**  
**P.O. Box 997**  
**Bellevue, WA 98009-0997**

- 1. AFFIDAVIT OF MAILING – NOTICE OF FORECLOSURE**
- 2. NOTICE OF FORECLOSURE**
- 3. AFFIDAVIT OF MAILING – TRUSTEE'S NOTICE OF SALE**
- 4. TRUSTEE'S NOTICE OF SALE**
- 5. PROOF OF SERVICE ✓**
- 6. AFFIDAVIT OF PUBLICATION ✓**

**Original Grantor(s) on Trust Deed: Wilbur John Banta**

**Beneficiary: Eagle Home Mortgage, LLC**

**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS CONTAINED IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.**

132444

# AFFIDAVIT OF MAILING NOTICE OF FORECLOSURE

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned, I was and now am a resident of the State of Washington, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original Notice of Foreclosure 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 Foreclosure as required by ORS 86.756 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 address, to-wit:

See Attached Exhibit A

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 and to the occupant residing in the Property.

Each of the notices so mailed was certified to be a true copy of the original Notice of Foreclosure, each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Bellevue, Washington, on 6-2-14. 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 was recorded. The form of the notice complies with ORS 86.756 and a copy is enclosed with this affidavit.

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

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

Joshua Egts  
Joshua Egts

I certify that I know or have satisfactory evidence that Joshua Egts is the person who appeared before me, and said person acknowledged that (he/~~she~~) signed this instrument and acknowledged it to be (his/~~her~~) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 6-2-2014

## AFFIDAVIT OF MAILING NOTICE OF FORECLOSURE

RE: Trust Deed from  
Banta, Wilbur John  
Grantor

to  
Northwest Trustee Services, Inc.,  
Trustee  
File No. 7827.20617

After recording return to:  
Northwest Trustee Services, Inc.  
Attn: Breanon Miller  
P.O. Box 997  
Bellevue, WA 98009-0997

Christina A. Koster  
NOTARY PUBLIC in and for the State of  
Washington, residing at King  
My commission expires 4-27-15

CHRISTINA A. KOSTER  
STATE OF WASHINGTON  
NOTARY PUBLIC  
MY COMMISSION EXPIRES  
04-27-15

**EXHIBIT A**

Marsha L. Eccles, as Conservator/Guardian  
for Wilbur John Banta aka Wilbur Banta  
402 Riverside Drive  
Klamath Falls, OR 97601

Marsha L. Eccles, as Conservator/Guardian  
John Banta  
for Wilbur John Banta aka Wilbur Banta  
P.O. Box T  
Klamath Falls, OR 97601

Marsha L. Eccles, Guardian for Wilbur John Banta  
c/o Boivin, Uerlings & Dilaconi, PC Attorney at  
803 Main Street, Suite 201  
Klamath Falls, OR 97601-6070

Wilbur John Banta aka Wilbur Banta  
402 Riverside Drive  
Klamath Falls, OR 97601

Wilbur John Banta aka Wilbur Banta  
P.O. Box T  
Klamath Falls, OR 97601

Marsha L. Eccles, as Conservator/Guardian  
for Wilbur John Banta aka Wilbur Banta  
603 Mount Pitt Street  
Klamath Falls, OR 97601

Marsha L. Eccles, Guardian for Wilbur  
c/o Barbara M. Dilaconi, Atty  
803 Main Street, Suite 201  
Klamath Falls, OR 97601-6070

Occupant(s)  
603 Mount Pitt Street  
Klamath Falls, OR 97601

Wilbur John Banta aka Wilbur Banta  
603 Mount Pitt Street  
Klamath Falls, OR 97601

**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:**  
603 Mount Pitt Street  
Klamath Falls, OR 97601

Your lender has decided to sell this property because the default under your reverse mortgage because you have failed to fulfill one or more obligations to your lender. This is sometimes called 'foreclosure.'

The amount you would have had to pay as of **06/02/2014** to pay off your mortgage was **\$82,466.57**. The amount you must now pay to pay off your loan 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 (866) 254-5790 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:

Northwest Trustee Services, Inc.  
PO Box 997  
Bellevue, WA 98009-0997

**THIS IS WHEN AND WHERE YOUR PROPERTY**  
**WILL BE SOLD IF YOU DO NOT TAKE ACTION: 10/02/14 at 10:00 AM inside the**  
**1st floor lobby of the Klamath County Courthouse, 316 Main Street, Klamath**  
**Falls, OR**

**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 800-441-4428 to find out if your lender is willing to 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 phone number of an organization near you, please call the statewide phone contact number at **855-480-1950**.

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 Web site 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 questions, talk to a lawyer or one of the organizations mentioned above before signing.

Date: 06/02/2014

By Breanon Miller

Its Assistant Vice President

Trustee Telephone Number: 425-586-1900

7827.20617/Banta, Wilbur John

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

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned, I was and now am a resident of the State of Washington, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original 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 address, to-wit:

See Attached Exhibit A

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 86.806.

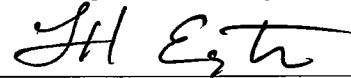
Each of the notices so mailed was certified to be a true copy of the original notice of sale, each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Bellevue, Washington, on 6.3.14. With respect to each person 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.

STATE OF WASHINGTON )

) ss.

COUNTY OF KING )



**Joshua Egts**

I certify that I know or have satisfactory evidence that Joshua Egts is the person who appeared before me, and said person acknowledged that (he/~~she~~) signed this instrument and acknowledged it to be (his/~~her~~) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 6-3-2014

  
NOTARY PUBLIC in and for the State of  
Washington, residing at King  
My commission expires 4-27-15

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

**RE: Trust Deed from**

**Banta, Wilbur John**

**Grantor**

**to**

**Northwest Trustee Services, Inc.,**

**Trustee**

**File No. 7827.20617**

**After recording return to:**

**Northwest Trustee Services, Inc.**

**Successor by merger to Northwest Trustee Services, PLLC**  
**(formerly known as Northwest Trustee Services, LLC)**

**Attn: Breanon Miller**

**P.O. Box 997**

**Bellevue, WA 98009-0997**

**CHRISTINA A. KOSTER**

**STATE OF WASHINGTON**

**NOTARY PUBLIC**

**MY COMMISSION EXPIRES**

**04-27-15**

## EXHIBIT A

Brenda Crawford  
2623 Montelius Street  
Klamath Falls, OR 97601

Marsha L. Eccles, as Conservator/Guardian  
for Wilbur John Banta aka Wilbur Banta  
603 Mount Pitt Street  
Klamath Falls, OR 97601

Marsha L. Eccles, Guardian for Wilbur John Banta  
John Banta  
c/o Barbara M. Dilaconi, Atty  
Attorney at  
803 Main Street, Suite 201  
Klamath Falls, OR 97601-6070

Occupant(s)  
603 Mount Pitt Street  
Klamath Falls, OR 97601

Secretary of Housing and Urban Development  
Development  
451 Seventh Street Southwest  
Washington, DC 20410

Senior & People with Disabilities  
2797 Lower Breckenridge Loop Northwest  
Salem, OR 97304

Senior & People with Disabilities  
c/o Frederick Olson, Registered Agent  
2797 Lower Breckenridge Loop Northwest  
Salem, OR 97304

Senior & People with Disabilities  
Estate Administration Section  
P.O. Box 14021  
Salem, OR 97309-9913

Wilbur John Banta aka Wilbur Banta  
603 Mount Pitt Street  
Klamath Falls, OR 97601

Marsha L. Eccles, as Conservator/Guardian  
for Wilbur John Banta aka Wilbur Banta  
402 Riverside Drive  
Klamath Falls, OR 97601

Marsha L. Eccles, as Conservator/Guardian  
for Wilbur John Banta aka Wilbur Banta  
P.O. Box T  
Klamath Falls, OR 97601

Marsha L. Eccles, Guardian for Wilbur  
c/o Boivin, Uerlings & Dilaconi, PC  
803 Main Street, Suite 201  
Klamath Falls, OR 97601-6070

Office of Long-Term Care Ombudsman  
3855 Wolverine Northeast, Suite 6  
Salem, OR 97305

Secretary of Housing and Urban  
c/o Financial Freedom Acquisition LLC  
190 Technology Parkway  
Norcross, GA 30092

Senior & People with Disabilities  
714 Main Street  
Klamath Falls, OR 97309-9913

Senior & People with Disabilities  
Estate Administration Section  
2797 Lower Breckenridge Loop Northwest  
Salem, OR 97304

Wilbur John Banta aka Wilbur Banta  
402 Riverside Drive  
Klamath Falls, OR 97601

Wilbur John Banta aka Wilbur Banta  
P.O. Box T  
Klamath Falls, OR 97601

7827.20617  
Breanon Miller

**May 20, 2014**

**Notice**

**Pursuant to the Federal Fair Debt Collection Practices Act: If you are the consumer who originally contracted the debt or if you assumed the debt, then you are notified that:**

1. As of the date of this notice, you owe \$83,899.75. Because of interest, fees, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call:

**Northwest Trustee Services, Inc.  
P.O. Box 997  
Bellevue, WA 98009-0997  
(425) 586-1900**

2. The creditor to whom the debt is owed is OneWest Bank N.A./Financial Freedom Acquisition, LLC.
3. Unless within 30 days after receipt of this notice you dispute the debt or any portion of it, we will assume the debt to be valid.
4. If you notify us within 30 days after receipt of this notice that you dispute the debt or any part of it, we shall obtain verification of the debt and mail it to you.
5. If you request within 30 days after receipt of this notice, we will provide you with the name and address of the original creditor, if different from the current creditor.

Banta, Wilbur John/7827.20617

## TRUSTEE'S NOTICE OF SALE

File No. 7827.20617

Reference is made to that certain trust deed made by Wilbur John Banta, as grantors, to AmeriTitle, as trustee, in favor of Eagle Home Mortgage, LLC, as beneficiary, dated 06/10/2009, recorded 06/15/2009, in the mortgage records of KLAMATH, Oregon, as 2009-008315 and subsequently assigned to OneWest Bank N.A. by Assignment recorded as 2014-004679, covering the following described real property situated in said county and state, to wit:

Lot 12 in Block 16, BUENA VISTA ADDITION to the City of Klamath Falls, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Together with that portion of the alley that inures thereto, vacated by Ordinance No. 5661, recorded August 13, 1968 in Volume M68, page 7314, Microfilm Records of Klamath County, Oregon.

PROPERTY ADDRESS: 603 Mount Pitt Street  
Klamath Falls, OR 97601

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.752(3). The default for which foreclosure is made is grantor breach of the terms and conditions of the obligation secured by the deed of trust. The event of default under the note and deed of trust, pursuant to Section 9(b)(i) of the Deed of Trust, which provides that, "Lender may require immediate payment in full of all sums secured by this Security Instrument if... The property ceases to be the principal residence of a Borrower for reasons other than death and the Property is not the principal residence of at least one other Borrower". The Default date of 10/24/2013 and pay the following sums: principal balance of \$64,566.42 with accrued interest from 09/24/2013; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$64,566.42 with interest thereon at the rate of 3.57 percent per annum beginning 09/24/2013; plus advances of \$6,261.47; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on **October 02, 2014** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for payoff quotes requested pursuant to ORS 86.786 and 86.789 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, [www.northwesttrustee.com](http://www.northwesttrustee.com). A right exists, or may exist under ORS 86.778 to have the proceeding dismissed and the trust deed reinstated by paying the entire amount

then due, together with costs, trustee's fees and attorney fees, and/or by curing any other default complained of in the notice of default, at any time that is not later than five days before the date last set for the sale

In construing this notice, 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 the words "trustee" and "beneficiary" include their respective successors in interest, if any.

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### **NOTICE TO RESIDENTIAL TENANTS**

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for 10/02/14. The date of this sale may be postponed. Unless the lender that is foreclosing on this property is paid before the sale date, or the default is cured, 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:

- ☐ THE REMAINDER OF YOUR FIXED TERM LEASE, IF YOU HAVE A FIXED TERM LEASE; OR
- ☐ 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 Association (16037 Upper Boones Ferry Road, Tigard, Oregon 97224, (503)620-0222, toll-free in Oregon (800)452-8260) and ask for the lawyer referral service. 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; a county-by-county listing of legal aid resources may be found on the Internet at <http://www.osbar.org/public/ris/lowcostlegalhelp/legalaid.html>.

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The trustee's rules of auction may be accessed at [www.northwesttrustee.com](http://www.northwesttrustee.com) and are incorporated by this reference. You may also access sale status at [www.northwesttrustee.com](http://www.northwesttrustee.com) and [www.USA-Foreclosure.com](http://www.USA-Foreclosure.com).

Dated: 6-2, 2014

Northwest Trustee Services, Inc.

By 

Assistant Vice President,  
Northwest Trustee Services, Inc.

For further information, please contact:

Breanon Miller  
Northwest Trustee Services, Inc.  
P.O. Box 997  
Bellevue, WA 98009-0997  
(425) 586-1900  
File No.7827.20617/Banta, Wilbur John

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

\_\_\_\_\_  
By Authorized Signer

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

**FEI, LLC**  
**Affidavit of Posting and Service**

State of Oregon  
County of KLAMATH

ROBERT BOLENBAUGH, being 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 1135 Pine Street, Klamath Falls, OR.
- On three occasions, I attempted to serve a copy of the Notice of Trustee's Sale on an adult occupant of the property described in the Notice of Trustee's Sale and commonly referred to as 603 Mount Pitt Street, Klamath Falls, Oregon 97601
  - 1st Attempt: 6/4/2014 at 10:54am - Unable to serve adult occupant, and I posted a copy of the Notice of Trustee's Sale to a conspicuous place on the property.
  - 2nd Attempt: 6/9/2014 at 8:47am - Unable to serve adult occupant, and I posted a copy of the Notice of Trustee's Sale to a conspicuous place on the property.
  - 3rd Attempt: 6/17/2014 at 10:08am - Unable To Serve Adult Occupant.

Signed in Klamath County, Oregon by:

Signature

ROBERT W. BOLENBAUGH

Date

June 18, 2014

State of Oregon

County of KLAMATH

On this 18<sup>th</sup> day of June in the year of 2014, before me a Notary Public, Personally appeared ROBERT W. BOLENBAUGH, 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

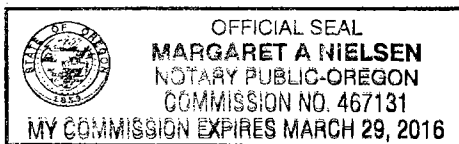
Margaret A. Nielsen

Residing at

Klamath

Commission expires

3-29-16



09810983

1002.269261

7827.20617

Northwest Trustee Services, Inc.

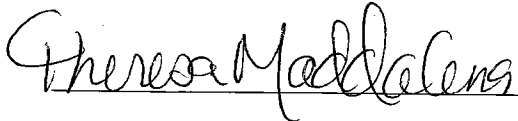
**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE TO OCCUPANT  
(In Lieu of Personal Service)**

STATE OF WASHINGTON, County of KING) ss:

I, Theresa Maddalena the undersigned, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned, I was and now am a resident of the State of Washington, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

On June 18, 2014 I caused to be deposited in the United States post office at Bellevue, Washington a copy of the attached Notice of Trustee's Sale ("Notice"). The Notice was sealed in an envelope addressed to "Occupant" at 603 Mount Pitt Street, Klamath Falls, OR, 97601 and sufficient postage was affixed to the envelope for first class delivery to the address indicated.



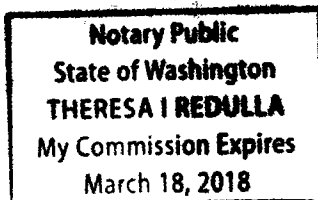
STATE OF WASHINGTON            )  
                                                  ) ss.  
COUNTY OF KING                )

I certify that I know or have satisfactory evidence that Theresa Maddalena is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 6/18/14



NOTARY PUBLIC in and for the State of  
Washington, residing at King  
My commission expires 3-18-18



7827.20617 / Banta, Wilbur John  
Breanon Miller

**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#15759 SALE BANTA  
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:

07/01/2014 07/08/2014 07/15/2014 07/22/2014

Total Cost: \$1247.40

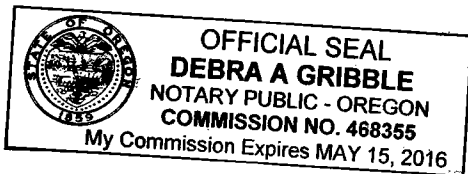
*Linda Culp*

Subscribed and sworn by Linda Culp before me on:  
22nd day of July in the year of 2014

*Debra A Gribble*

Notary Public of Oregon

My commission expires on May 15, 2016



**TRUSTEE'S NOTICE OF SALE File No. 7827.20617**

Reference is made to the trust deed made by Wilbur John Banda, as grantors, to AmeriTitle, as trustee, in favor of Eagle Home Mortgage, LLC, as beneficiary, dated 06/10/2009, recorded 06/15/2009, in the mortgage records of Klamath County, Oregon, as 2009-006315 and subsequently assigned to OneWest Bank N.A. by Assignment recorded as 2014-004679, covering the following described real property situated in said county and state, to-wit: Lot 12 in Block 16, BUENA VISTA ADDITION to the City of Klamath Falls, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Together with that portion of the alley that adjoins thereto, vacated by Ordinance No. 5661, recorded August 13, 1968 in Volume M68, page 7314, Microfilm Records of Klamath County, Oregon. PROPERTY ADDRESS: 603 Mount Pitt Street Klamath Falls, OR 97601

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.752(3). The default for which foreclosure is made is grantor breach of the terms and conditions of the obligation secured by the deed of trust. The event of default under the note and deed of trust, pursuant to Section 9(b)(ii) of the Deed of Trust, which provides that, "Lender may require immediate payment in full of all sums secured by this Security Instrument if... The property ceases to be the principal residence of a Borrower for reasons other than death and the Property is not the principal residence of at least one other Borrower". The Default date of 10/24/2013 and pay the following sums: principal balance of \$64,566.42 with accrued interest from 09/24/2013, together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$64,566.42 with interest thereon at the rate of 3.57 percent per annum beginning 09/24/2013, plus advances of \$6,261.47, together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 02, 2014 at the hour of 10:00 o'clock, AM, in accord with the standard of time established by ORS 86.710, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for payoff quotes requested pursuant to ORS 86.786 and 86.789 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, [www.northwesttrustee.com](http://www.northwesttrustee.com). A right exists, or may exist under ORS 86.778 to have the proceeding dismissed and the trust deed reinstated by paying the entire amount then due, together with costs, trustee's fees and attorney fees, and/or by curing any other default complained of in the notice of default, at any time that is not later than five days before the date last set for the sale.

In construing this notice, 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 the words "trustee" and "beneficiary" include their respective successors in interest, if any. The trustee's rules of auction may be accessed at [www.northwesttrustee.com](http://www.northwesttrustee.com) and are incorporated by this reference. You may also access sale status at [www.northwesttrustee.com](http://www.northwesttrustee.com) and [www.USA-Foreclosure.com](http://www.USA-Foreclosure.com). For further information, please contact Breanna North West Trustee Services, Inc. P.O. Box 997 Bellingham, WA 98009-0997 586-1900 Benita Wilbur John (TS# 7827.20617) 1002.269261-File No. #15759 July 01, 08, 15, 22, 2014.