

AFTER RECORDING
RETURN TO:
PARKS & RATLIFF
620 MAIN ST
KIAMATH HILLS OR 91601

2015-001113

Klamath County, Oregon



00164837201500011130170174

02/09/2015 02:00:51 PM

Fee: \$152.00

COVER PAGE

1. AFFIDAVIT of MAILING - TRUSTEE'S
NOTICE of SALE WITH NOTICE of SALE
AND "DANGER" NOTICE ATTACHED
2. AFFIDAVIT of Personal Service, TRUSTEE'S
NOTICE of SALE
3. AFFIDAVIT of MAILING - ORS 86.756
4. AFFIDAVIT of Publication
5. AFFIDAVIT of COMPLIANCE - ORS 86.748
6. CERTIFICATE of NON-MILITARY SERVICE

GRANTOR - CLINT B. McMiller

GRANTEE - SERGIO J. Cirina

AFTER RECORDING RETURN TO:

Nathan J. Ratliff
620 Main Street
Klamath Falls OR 97601

Trust Deed Grantor:

Clint Bimemiller
P. O. Box 331
32948 Klamath Forest Drive
Sprague River, OR 97639

Trust Deed Successor Trustee:

Nathan J. Ratliff
620 Main Street
Klamath Falls, OR 97601

Trust Deed Beneficiary:

Sergio J. Cirina
2014 Harilane Drive
Grants Pass, OR. 97527

AFFIDAVIT OF MAILING
TRUSTEE'S NOTICE OF SALE

STATE OF OREGON; County of Klamath)

I, Kay Heath, being first duly sworn, depose and say that:

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

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

<u>NAME</u>	<u>ADDRESS</u>
CLINT BIMEMILLER	P. O. Box 331 Sprague River, OR 97639
CLINT BIMEMILLER	32948 Klamath Forest Drive Sprague River, OR 97639
CLINT BIMEMILLER	32942 Klamath Forest Drive Sprague River, OR 97639
OREGON DEPARTMENT OF JUSTICE	c/o Klamath County Circuit Court Attn: John Powell 316 Main Street Klamath Falls, OR 97601
OCCUPANT	32948 Klamath Forest Drive Sprague River, OR 97639

3. These 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 set forth in ORS 86.785.

4. Each of the notices so mailed was certified to be a true copy of the original notice of said by Nathan J. Ratliff, attorney for the successor trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States Post Office on the following dates:

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE MAILED</u>
Clint Bimemiller	P. O. Box 331 Sprague River, OR 97639	October 9, 2014
Clint Bimemiller	32948 Klamath Forest Dr. Sprague River, OR 97639	October 9, 2014
Clint Bimemiller	32942 Klamath Forest Dr. Sprague River, OR 97639	October 9, 2014
Oregon Department of Justice	c/o Klamath County Circuit Court Attn: John Powell 316 Main Street Klamath Falls, OR 97601	October 9, 2014
Occupant	32948 Klamath Forest Dr. Sprague River, OR 97639	October 8, 2014

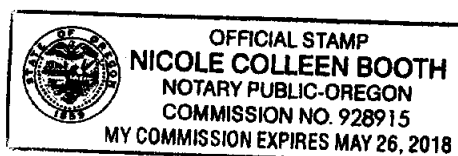
With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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

DATED this 9th day of October, 2014.

Kay Heath
Kay Heath

SUBSCRIBED AND SWORN TO BEFORE ME this 9th day of October, 2014, by Kay Heath.



Nicole Colleen Booth
NOTARY PUBLIC FOR OREGON
My Commission expires: 5/26/2018

NOTICE TO BORROWER: YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by **CLINT BIMEMILLER**, as grantor, to **NATHAN J. RATLIFF**, as successor trustee, in favor of **SERGIO J. CIRINA**, as beneficiary, dated March 5, 2009, recorded on March 10, 2009, as Instrument No. 2009-003473, of the Official Records of Klamath County, Oregon, said trust deed having been modified by that certain Modification of Trust Deed dated April 12, 2014, recorded on April 16, 2014, as Instrument No. 2014-003487, records of Klamath County, Oregon, and re-recorded April 23, 2014, as Instrument No. 2014-003840, records of Klamath County, Oregon (hereinafter collective referred to the "trust deed"), covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 7 Block 7, KLAMATH FOREST ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Property ID.: R262913; Map ID No.: R-3510-022B0-02400-000

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 ORS 86.752(3); the default for which the foreclosure is made is grantor's failure to pay when due, the following sums:

1. Payments (Principal and Interest in the amount of \$420.00 each):		
May 1, 2014	420.00	
June 1, 2014	420.00	
July 1, 2014	420.00	
August 1, 2014	420.00	
September 1, 2014	420.00	
Total of 5 payments:	2,100.00	2,100.00
2. Late Charges:		
May 11, 2014	50.00	
June 11, 2014	50.00	
July 11, 2014	50.00	
August 11, 2014	50.00	
September 11, 2014	50.00	
Total of 5 Late Fees:	250.00	250.00
3. Liens:		
Judgment in Case No. 1400341CR		
Entered: June 4, 2014		
Amount:		195.00
TOTAL:		2,545.00

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

By reason of such default described above, the beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, those sums being the following, to-wit:

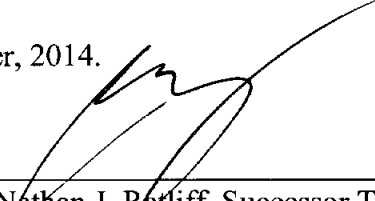
UNPAID PRINCIPAL IN THE AMOUNT OF \$30,000.00, PLUS INTEREST THEREON AT FIFTEEN PERCENT (15%) PER ANNUM FROM APRIL 14, 2014, UNTIL PAID, together with foreclosure costs, trustee fees, attorney fees, and sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, NOTICE IS HEREBY GIVEN that the undersigned trustee will on **FEBRUARY 16, 2015**, at the hour of **10:30 A.M.**, in accord with the standard of time established by ORS 187.110, at **620 Main Street, Klamath Falls, County of Klamath, State of Oregon**, sell at public auction to the highest bidder for cash the interest in the real property described above 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 the sale, including a reasonable charge by the trustee.

NOTICE IS FURTHER GIVEN that any person named in ORS 86.778 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 the entire amount then 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 tendering the performance required under the obligation or trust deed, and in addition to paying those 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 and attorney fees not exceeding the amounts provided by ORS 86.778.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED this 30 day of September, 2014.



Nathan J. Ratliff, Successor Trustee
Parks & Ratliff, P.C.
620 Main Street
Klamath Falls, OR 97601
Phone: 541-882-6331

I CERTIFY THAT I am the attorney for the above-named trustee and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

PARKS & RATLIFF, P.C.

Nathan J. Ratliff, OSB #03426

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **FEBRUARY 16, 2015**. 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 or 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 owner can have a 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 FORECLOSURES ALE 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 a 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 FORECLOSURES 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 foreclosures ale may be willing to allow you to stay as a tenant instead of requiring you to move out at 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.

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:

Street address: **32948 KAMATH FOREST DRIVE**

City: **SPRAGUE RIVER** State: **OR** ZIP: **97639**

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 **Sept. 11, 2014** (date) to bring your mortgage loan current was \$ **2,545.00**. 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 can call **541-882-6331** (phone number) 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:

NATHAN J. RATLIFF

620 MAIN STREET

KLAMATH FALLS, OR 97601

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

Date and time: **FEBRUARY 16, 2015 at 10:30 A.M.**

Place: **620 MAIN STREET, KLAMATH FALLS, OREGON 97601**

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 any time before the sale.
3. You can call **Nathan J. Ratliff** (name) at **5418826331** (phone number) 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.

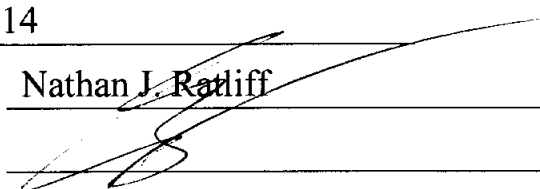
There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and phone number of an organization near you, call the statewide toll-free phone contact number at **855-480-1950**. You may also want to talk to a lawyer. If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service at **503-684-3763** or toll-free in Oregon at **800-452-7636** or visit its website at **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 saying they can help you keep your property. 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.

DATED: September 30, 214

Trustee name (print): Nathan J. Ratliff

Trustee signature:



Trustee phone number: 541-882-6331

AFTER RECORDING RETURN TO:

Nathan J. Ratliff
620 Main Street
Klamath Falls OR 97601

Trust Deed Grantor:

Clint Bimemiller
P. O. Box 331
32948 Klamath Forest Drive
Sprague River, OR 97639

Trust Deed Successor Trustee:

Nathan J. Ratliff
620 Main Street
Klamath Falls, OR 97601

Trust Deed Beneficiary:

Sergio J. Cirina
2014 Harilane Drive
Grants Pass, OR. 97527

AFFIDAVIT OF PERSONAL SERVICE
TRUSTEE'S NOTICE OF SALE

STATE OF OREGON; County of Klamath) ss.

I, GREG ROTE, being first duly sworn, depose and say that:

1. At all times hereinafter mentioned, I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years, and not the beneficiary or the beneficiary's successor in interest named in the Trustee's Notice of Sale given under the terms of that certain trust deed described in the Notice of Sale.

2. On the 2nd day of October, 2014, I was handed the following:

- (a) certified true copies of the attached Trustee's Notice of Sale, and
- (b) the Notice required by the provisions of ORS 86.765 ("Danger" Notice)

for service upon:

- (a) Clint Bimemiller, the Grantor under that certain trust deed made by him, as Grantor, to Nathan J. Ratliff, as Successor Trustee, in favor of Sergio J. Cirina, as Beneficiary, dated March 5, 2009, and recorded on March 10, 2009, as Instrument No. 2009-003473 of the Official Records of Klamath County, Oregon; and
- (b) The occupant or occupants of the property subject to the Trustee's Notice of Sale at 32948 Klamath Forest Drive, Sprague River, Oregon 97639.

3. On the 7th day of October, 2014, at 12:00 p.m., I personally served Clint Bimemiller with a certified true copy of the Trustee's Notice of Sale, together with a copy of the ORS 86.765 "Danger" Notice, at his residence at 32942 Klamath Forest Drive, Sprague River, Oregon 97639.

4. On the 7th day of October, 2014, at 12:05 p.m., I personally served the occupant of 32948 Klamath Forest Drive, Sprague River, Oregon 97639 with a certified true copy of the Trustee's Notice of Sale, together with a copy of the ORS 86.765 "Danger" Notice; service was accomplished at 32948 Klamath Forest Drive, Sprague River, Oregon 97639. The occupant served is the only occupant of the residence; he would only provide the affiant with his first name: "Rick."

DATED this 9th day of October, 2014.

Greg Rote
Greg Rote

SUBSCRIBED AND SWORN TO BEFORE ME this 9 day of October, 2014, by
Greg Rote.

Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 9-24-2018



AFTER RECORDING RETURN TO:

Nathan J. Ratliff
620 Main Street
Klamath Falls OR 97601

Trust Deed Grantor:

Clint Bimemiller
P. O. Box 331
32948 Klamath Forest Drive
Sprague River, OR 97639

Trust Deed Successor Trustee:

Nathan J. Ratliff
620 Main Street
Klamath Falls, OR 97601

Trust Deed Beneficiary:

Sergio J. Cirina
2014 Harilane Drive
Grants Pass, OR. 97527

AFFIDAVIT OF MAILING
NOTICE TO GRANTOR IN COMPLIANCE WITH PROVISIONS OF ORS 86.756

STATE OF OREGON; County of Klamath) ss.

I, KAY HEATH, being first duly sworn, depose and say that:

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

2. Pursuant to the provisions of ORS 86.765, I attached to the notice of sale of the real property described in the Trustee's Notice of Sale, a **Notice to Grantor ("Danger" Notice)**, which was mailed by me contemporaneously with the Trustee's Notice of Sale, both the Trustee's Notice of Sale and the Notice to Grantor being contained in the same envelope, and that I mailed said copies 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, to-wit:

<u>NAME</u>	<u>ADDRESS</u>
CLINT BIMEMILLER	P. O. Box 331 Sprague River, OR 97639
CLINT BIMEMILLER	32948 Klamath Forest Drive Sprague River, OR 97639
CLINT BIMEMILLER	32942 Klamath Forest Drive Sprague River, OR 97639
OREGON DEPARTMENT OF JUSTICE	c/o Klamath County Circuit Court Attn: John Powell 316 Main Street Klamath Falls, OR 97601
OCCUPANT	32948 Klamath Forest Drive Sprague River, OR 97639

3. These 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 of the beneficiary has actual notice of the lien or interest; and (d) any person requesting notice as set forth in Ors 86.785.

4. Each of the notices so mailed was certified to be a true copy of the original Notice of Grantor by Kay Heath, assistant to Nathan J. Ratliff, attorney for the successor trustee named in the notice of sale. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States Post Office on the following dates:

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE MAILED</u>
Clint Bimemiller	P. O. Box 331 Sprague River, OR 97639	October 9, 2014
Clint Bimemiller	32948 Klamath Forest Dr. Sprague River, OR 97639	October 9, 2014
Clint Bimemiller	32942 Klamath Forest Dr. Sprague River, OR 97639	October 9, 2014
Oregon Department of Justice	c/o Klamath County Circuit Court Attn: John Powell 316 Main Street Klamath Falls, OR 97601	October 9, 2014
Occupant	32948 Klamath Forest Dr. Sprague River, OR 97639	October 8, 2014

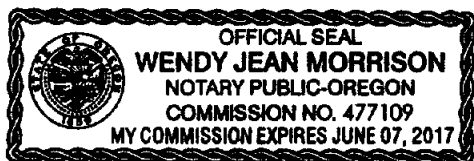
With respect to each person listed above, one such notice was mailed, **together with the Trustee's Notice of Sale**, with postage thereon sufficient for first class delivery to the address indicted, and another such notice was mailed with a proper form to request and obtain a return receipt, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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

DATED this 9 day of October, 2014.

Kay Heath
Kay Heath

SUBSCRIBED AND SWORN TO BEFORE ME this 9th day of October, 2014, by Kay Heath.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires:

**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#16052 SALE BIMEMILLER

NOTICE TO BORROWER:

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:

12/05/2014 12/12/2014 12/19/2014 12/26/2014

Total Cost: \$1387.90

Linda Culp

Subscribed and sworn by Linda Culp before me on:
29th day of December in the year of 2014

Debra A Gribble

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



**OFFICIAL SEAL
DEBRA A GRIBBLE
NOTARY PUBLIC - OREGON
COMMISSION NO. 488355
My Commission Expires MAY 15, 2016**

NOTICE TO BORROWER: YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by **CLINT BIMEMILLER**, as grantor, to **NATHAN J. RATLIFF**, as successor trustee, in favor of **SERGIO J. CIRINA**, as beneficiary, dated March 5, 2009, recorded on March 10, 2009, as Instrument No. 2009-003473, of the Official Records of Klamath County, Oregon, said trust deed having been modified by that certain Modification of Trust Deed dated April 12, 2014, recorded on April 16, 2014, as Instrument No. 2014-003487, records of Klamath County, Oregon, and re-recorded April 23, 2014, as Instrument No. 2014-003840, records of Klamath County, Oregon (hereinafter collectively referred to as the "trust deed"), covering the following described real property, situated in the above mentioned county and state, to-wit: Lot 7 Block 7, **KLAMATH FOREST ESTATES**, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.
Property ID: R262913; Map ID
No.: R-3510-022B0-02400-000

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 ORS 86.752(3); the default for which the foreclosure is made is grantor's failure to pay when due, the following sums:

1. Payments (Principal and Interest in the amount of \$420.00 each):

May 1, 2014 420.00, June 1, 2014 420.00,
July 1, 2014 420.00, August 1, 2014 420.00
September 1, 2014 420.00

Total of 5 payments: 2,100.00 2,100.00

2. Late Charges:

May 11, 2014 50.00 June 11, 2014 50.00
July 11, 2014 50.00 August 11, 2014 50.00
September 11, 2014 50.00

Total of 5 Late Fees: 250.00 250.00

3. Liens:

Judgment in Case No. 1400341CR

Entered: June 4, 2014

Amount: 195.00

TOTAL: 2,545.00

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

By reason of such default described above, the beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, those sums being the following, to-wit:

UNPAID PRINCIPAL IN THE AMOUNT OF \$30,000.00 PLUS INTEREST THEREON AT FIFTEEN PERCENT (15%) PER ANNUM FROM APRIL 14, 2014, UNTIL PAID, together with foreclosure costs, trustee fees, attorney fees, and sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, NOTICE IS HEREBY GIVEN that the undersigned trustee will on **FEBRUARY 16, 2015**, at the hour of **10:30 A.M.**, in accord with the standard of time established by ORS 187.110, at **620 Main Street, Klamath Falls, County of Klamath, State of Oregon**, sell at public auction to the highest bidder for cash the interest in the real property described above 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 the sale, including a reasonable charge by the trustee.

NOTICE IS FURTHER GIVEN that any person named in ORS 86.778 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 the entire amount then 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 tendering the performance required under the obligation or trust deed, and in addition to paying those 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 and attorney fees not exceeding the amounts provided by ORS 86.778.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED this 30th day of September, 2014.
/s/Nathan J. Ratliff, Successor Trustee
Parks & Ratliff, P.C.
620 Main Street, Klamath Falls, OR 97601
Phone: 541-882-6331
#16052 December 05, 12, 19, 26, 2014.

After Recording Return To:
Nathan J. Ratliff
Parks & Ratliff, P.C.
620 Main Street
Klamath Falls, OR 97601

AFFIDAVIT OF COMPLIANCE (ORS 86.748)

STATE OF OREGON; County of Klamath) ss.

I, NATHAN J. RATLIFF, being first duly, depose and say that:

1. I am the attorney for the Sergio J. Cirina, the beneficiary, under that certain Trust Deed wherein CLINT BIMEMILLER is Grantor, NATHAN J. RATLIFF, is Successor Trustee, and SERGIO J. CIRINA, is beneficiary, dated the 5th day of March, 2009, and recorded March 10, 2009, as Instrument No. 2009-003473.

2. In compliance with the provisions of ORS 86.748(1), on the 30th day of January, 2015, I caused a "Foreclosure Avoidance Measure Notice," stating Grantor is not eligible due to the Beneficiary's exempt status, to be mailed to the Grantor at his last known address, as follows:

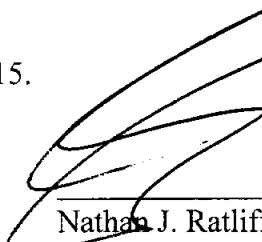
Clint Bimemiller
P. O. Box 331
Sprague River, OR 97639

3. In compliance with the provisions of ORS 86.748(1), on the 30th day of January, 2015, I caused a certified true copy of said "Foreclosure Avoidance Measure Notice" to be mailed to the Oregon Department of Justice, as follows:

Oregon Foreclosure Avoidance Program
Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301-4096

4. Each mailing was contained in a sealed envelope, with postage prepaid, addressed as set forth above, and placed in the U. S. Mail at Klamath Falls, Oregon, on the dates set forth above.


DATED this 30 day of January, 2015.



Nathan J. Ratliff, OSB #034269
of Attorneys for Beneficiary

SUBSCRIBED AND SWORN TO BEFORE ME this 30 day of January, 2015, by Nathan J. Ratliff.





NOTARY PUBLIC FOR OREGON
My Commission expires: 9-24-18

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON; County of Klamath)

THIS IS TO CERTIFY THAT:

1. I am the Successor Trustee of the Trust Deed described below:

Grantor: **CLINT BIMEMILLER**
Trustee: **FIRST AMERICAN TITLE INSURANCE COMPANY
OF OREGON**
Beneficiary: **SERGIO J. CIRINA**
Recorded:
Date: **March 10, 2009**
Instrument No. **2009-003473**
Klamath County Oregon Records

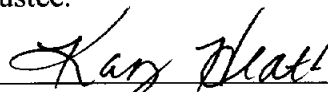
2. To the best of my knowledge and belief the Grantors of the above Trust Deed are not in the military service, or were not so within 367 days before the recording of the Notice of Default, or a dependent of a service member in military service based on the following facts made known to me by the Beneficiary or based on inquiry made by this office: (1) Grantor(s) address(es) are not part of a military installation; (2) the Beneficiary has not been provided with any information that indicated that Grantor(s) are members of any branch of military service, whether active or reserve, and a search of the Department of Defense Manpower Data Center ("DMDC") did not indicate Grantors are on active duty (see DMDC printout(s) attached hereto as Exhibit "A" and incorporated herein by this reference); and (3) notice was personally served on Grantor(s) at an address that is not part of a military installation.



Nathan J. Ratliff

THE FOREGOING INSTRUMENT was acknowledged before me this 10 day of October, 2014, by Nathan J. Ratliff, as Successor Trustee.





NOTARY PUBLIC FOR OREGON
My Commission expires: 9-24-2018

**Status Report
Pursuant to Servicemembers Civil Relief Act**Last Name: BIMEMILLERFirst Name: CLINTMiddle Name: EDWARDActive Duty Status As Of: Oct-08-2014

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

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: 9EG8W433Y013320