

2015-006222

Klamath County, Oregon



00171097201500062220180185

06/15/2015 04:00:40 PM

Fee: \$147.00

After Recording Return to:

Nathan J. Ratliff  
Parks & Ratliff, P.C.  
620 Main Street  
Klamath Falls, OR 97601

Grantor:

Susan Dayle Scott  
7403 Kress Dr.  
Klamath Falls, OR 97603

Grantee:

Janis L. Kalina  
P. O. Box 6  
Malin, OR 97632

**COVER PAGE**

1. AFFIDAVIT OF MAILING; TRUSTEE'S NOTICE OF SALE
2. TRUSTEE'S NOTICE OF SALE with ORS 86.756 "Danger Notice" attached
3. AFFIDAVIT OF PERSONAL SERVICE; TRUSTEE'S NOTICE OF SALE
4. AFFIDAVIT OF MAILING; NOTICE TO GRANTOR IN COMPLIANCE WITH PROVISIONS OF ORS 86.756
5. AFFIDAVIT OF PUBLICATION
6. AFFIDAVIT OF COMPLIANCE (ORS 86.748)

AFTER RECORDING RETURN TO:

Nathan J. Ratliff  
620 Main Street  
Klamath Falls OR 97601

Trust Deed Grantor:

Susan Dayle Scott  
7403 Kress Dr.  
Klamath Falls, OR 97603

Trust Deed Successor Trustee:

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

Trust Deed Beneficiary:

Janis L. Kalina  
P. O. Box 6  
Malin, OR 97632

**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>
SUSAN DAYLE SCOTT	7403 Kress Dr. Klamath Falls, OR 97603
OCCUPANTS	7403 Kress Dr. Klamath Falls, OR 97603

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>
Susan Dayle Scott	7304 Kress Dr. Klamath Falls, OR 97603	February 9, 2015
Occupants	7403 Kress kDr. Klamath Falls, OR 97603	February 9, 2015


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.

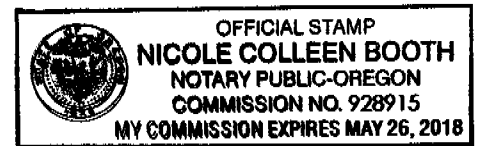
5. As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation or any other or commercial entity.

DATED this 9<sup>th</sup> day of February, 2015.

  
 \_\_\_\_\_  
 Kay Heath

SUBSCRIBED AND SWORN TO BEFORE ME this 9<sup>th</sup> day of February, 2015, by Kay Heath.

  
 \_\_\_\_\_  
 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 **SUSAN DAYLE SCOTT**, as grantor, to **NATHAN J. RATLIFF**, as successor trustee, in favor of **JANIS L. KALINA**, as beneficiary, dated July 1, 2003, recorded on July 7, 2003, in Volume M03, page 46600, of the Mortgage Records of Klamath County, Oregon, (hereinafter referred to as the "trust deed"), covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 12 in Block 2 of HENLEY ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath Co. Oregon.

Property ID.: R602538; Map ID No.: R-3910-031B0-01600-000

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 \$516.09 each):

05-07-2011 - 526.09	01-07-2012 - 526.09
08-08-2011 - 526.09	02-07-2012 - 526.09
10-04-2011 - 526.09	03-07-2012 - 526.09
11-07-2011 - 526.09	04-07-2012 - 526.09
12-07-2011 - 526.09	08-07-2012 - 526.09
	10-07-2012 - 526.09
	12-07-2012 - 526.09
01-07-2013 - 526.09	01-07-2014 - 526.09
03-07-2013 - 526.09	02-07-2014 - 526.09
04-07-2013 - 526.09	03-07-2014 - 526.09
05-07-2013 - 526.09	04-07-2014 - 526.09
07-07-2013 - 526.09	05-07-2014 - 526.09
08-07-2013 - 526.09	06-07-2014 - 526.09
09-07-2013 - 526.09	07-07-2014 - 526.09
10-07-2013 - 526.09	09-07-2014 - 526.09
12-07-2013 - 526.09	10-07-2014 - 526.09
	11-07-2014 - 526.09
01-07-2015 - 526.09	12-07-2014 - 526.09

**Total of 33 Payments @ 526.09:** **17,360.97**

2. **Unpaid Interest on Outstanding Principal Balance**  
**as of 08-05-14:** **5,152.12**

3. **Real Property Taxes:**<sup>1</sup>

2011	1,340.92	
2012	1,350.54	
2013	1,204.82	
2014	<u>1,138.29</u>	
	5,034.57	<u><b>5,034.57</b></u>

**TOTAL:** **27,547.66**

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

<sup>1</sup> These figures are subject to change with the assessment of additional interest.

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 \$87,342.50, PLUS UNPAID INTEREST AS OF AUGUST 5, 2014 IN THE AMOUNT OF \$5,152.12, PLUS INTEREST ON THE UNPAID PRINCIPAL BALANCE AT FIVE PERCENT (5%) PER ANNUM FROM AUGUST 6, 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 **JUNE 29, 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.

THE FOLLOWING NOTICE is provided pursuant to ORS 86.771(9):  
Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's 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 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 4 day of February, 2015.



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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.

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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 **JUNE 29, 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 SALE FOR:

- 60 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE, IF YOU HAVE A FIXED TERM LEASE; OR
- AT LEAST 30 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE, IF YOU HAVE A MONTH-TO-MONTH OR WEEK-TO-WEEK RENTAL AGREEMENT.

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 30 days, even though you have a fixed term lease with more than 30 days left.

You must be provided with a least 30 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 30 days 60 days. 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 30 or 60 days. 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.

Oregon State Bar:

Lawyer Referral Service: 1-800-452-7636 (inside Oregon)

1-503-684-3763 (outside Oregon)

Legal Aid of Oregon: (541) 273-0533

**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: 7403 KRESS DRIVE

City: KLAMATH FALLS State: OR ZIP: 97603

Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender. This is sometimes called foreclosure.

The amount you would have had to pay as of January 7, 2015 (date) to bring your mortgage loan current was \$ 27,547.66. 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: JUNE 29, 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.



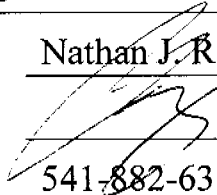
There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and phone number of an organization near you, call the statewide toll-free phone contact number at **855-480-1950**. You may also want to talk to a lawyer. 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: February 4, 2015

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:

Susan Dayle Scott  
7403 Kress Dr.  
Klamath Falls, OR 97603

Trust Deed Successor Trustee:

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

Trust Deed Beneficiary:

Janis L. Kalina  
P O Box 6  
Malin, OR 97632

**AFFIDAVIT OF PERSONAL SERVICE**  
**TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON; County of Klamath) ss.

I, RENE' ROELLE, 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 5<sup>th</sup> day of February, 2015, 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) Susan Dayle Scott, the Grantor, under that certain trust deed made by her, as Grantor, to Nathan J. Ratliff, as Successor Trustee, in favor of Janis L. Kalina, as Beneficiary, dated July, 1, 2003, and recorded on July 7, 2003, in Volume M03, page 46600, of the Mortgage Records of Klamath County, Oregon; and
- (b) The occupant or occupants of the property subject to the Trustee's Notice of Sale at 7403 Kress Drive, Klamath Falls, Oregon 97603.

3. On the 5<sup>th</sup> day of February, 2015, at 7:30 p.m., I personally served Susan Dayle Scott, with a certified true copy of the Trustee's Notice of Sale, together with a copy of the ORS 86.765 "Danger" Notice, at her residence at 7403 Kress Drive, Klamath Falls, Oregon 97603.

4. On the 8<sup>th</sup> day of February, 2015, at 7:30 p.m., at the time I served Susan Dayle Scott the above-mentioned documents, I asked Susan Dayle Scott if there were other occupants at the resident. She informed me that she was the only one living at 7403 Kress Drive, she lived there by herself. Due to her claim of sole occupancy, I did not serve any other person at the residence the above-mentioned documents.

Proof of Service

DATED this 9<sup>th</sup> day of February, 2015.

Rene' Roelle

Rene' Roelle, PIID #33783  
PO Box 315  
Midland, OR 97634

SUBSCRIBED AND SWORN TO BEFORE ME this 9 day of February, 2015, by  
Rene' Roelle.

Kay Heath

NOTARY PUBLIC FOR OREGON

My Commission expires: 9-24-18



AFTER RECORDING RETURN TO:

Nathan J. Ratliff  
620 Main Street  
Klamath Falls OR 97601

Trust Deed Grantor:

Susan Dayle Scott  
7403 Kress Dr.  
Klamath Falls, OR 97603

Trust Deed Successor Trustee:

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

Trust Deed Beneficiary:

Janis L. Kalina  
P. O. Box 6  
Malin, OR 97632

**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 86.756, 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>
SUSAN DAYLE SCOTT	7403 Kress Dr. Klamath Falls, OR 97603
OCCUPANTS	7403 Kress Dr. Klamath Falls, OR 97603

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>
Susan Dayle Scott	7304 Kress Dr. Klamath Falls, OR 97603	February 9, 2015
Occupants	7403 Kress kDr. Klamath Falls, OR 97603	February 9, 2015

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.

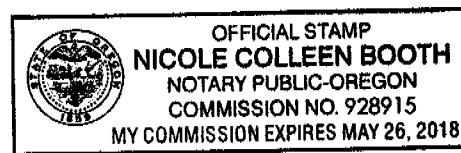
5. As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation or any other or commercial entity.

DATED this 9th day of February, 2015.

Kay Heath  
Kay Heath

SUBSCRIBED AND SWORN TO BEFORE ME this 9<sup>th</sup> day of February, 2015, by Kay Heath.

Nicole Colleen Booth  
NOTARY PUBLIC FOR OREGON  
My Commission expires: 5/24/2018



**AFFIDAVIT OF PUBLICATION  
STATE OF OREGON,  
COUNTY OF KLAMATH**

I, Dawn Megles, Classified Manager, 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#16325 SALE SCOTT

**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:

04/17/2015 04/24/2015 05/01/2015 05/08/2015

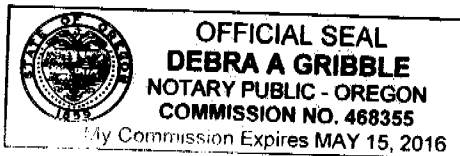
Total Cost: \$1759.26

*Dawn Megles*

Subscribed and sworn by Dawn Megles before me on:  
8th day of May in the year of 2015

*Debra A Gribble*

Notary Public of Oregon  
My commission expires on 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 **SUSAN DAYLE SCOTT**, as grantor, to **NATHAN J. RATLIFF**, as successor trustee, in favor of **JANIS L. KALINA**, as beneficiary, dated July 1, 2003, recorded on July 7, 2003, in Volume M03, page 46600, of the Mortgage Records of Klamath County, Oregon, (hereinafter referred to as the "trust deed"), covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 12 in Block 2 of HENLEY ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath Co. Oregon.

Property ID.: R602538;

Map ID No.: R-3910-031B0-01600-000

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(2); 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 \$516.09 each):

05-07-2011 - 526.09	01-07-2012 - 526.09
08-08-2011 - 526.09	02-07-2012 - 526.09
10-04-2011 - 526.09	03-07-2012 - 526.09
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	12-07-2012 - 526.09

01-07-2013 - 526.09	01-07-2014 - 526.09
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04-07-2013 - 526.09	03-07-2014 - 526.09
05-07-2013 - 526.09	04-07-2014 - 526.09
07-07-2013 - 526.09	05-07-2014 - 526.09
08-07-2013 - 526.09	06-07-2014 - 526.09
09-07-2013 - 526.09	07-07-2014 - 526.09
10-07-2013 - 526.09	09-07-2014 - 526.09
12-07-2013 - 526.09	10-07-2014 - 526.09
	11-07-2014 - 526.09
	12-07-2014 - 526.09

01-07-2015 - 526.09  
**Total of 33 Payments @ 526.09: 17,360.97**

**2. Unpaid Interest on Outstanding Principal Balance as of 08-05-14: 5,152.12**

**3. Real Property Taxes: 1'**

2011	1,340.92	
2012	1,350.54	
2013	1,204.82	
2014	1,136.29	
	<b>5,034.57</b>	<b>3,034.57</b>
	<b>TOTAL:</b>	<b>27,547.66</b>

\*These figures are subject to change with the assessment of additional interest.

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 \$87,342.50 PLUS UNPAID INTEREST AS OF AUGUST 5, 2014 IN THE AMOUNT OF \$5,152.12, PLUS INTEREST ON THE UNPAID PRINCIPAL BALANCE AT FIVE PERCENT (5%) PER ANNUM FROM AUGUST 6, 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 **JUNE 29, 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.

THE FOLLOWING NOTICE is provided pursuant to ORS 86.771(9):

Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective purchasers of residential property should be aware of this potential danger before deciding to place a bid for this property at the trustee's 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 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 4 day of February, 2015.

/s/ Nathan J. Ratliff

Nathan J. Ratliff, Successor Trustee

Parks & Ratliff, P.C.

620 Main Street, Klamath Falls, OR 97601

Phone: 541-882-6331

#16325 April 17, 24, May 01, 08, 2015.

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 JANIS L. KALINA, the beneficiary, under that certain Trust Deed wherein SUSAN DAYLE SCOTT is Grantor, NATHAN J. RATLIFF, is Successor Trustee, and JANIS L. KALINA, is beneficiary, dated the 1st day of July, 2003, and recorded July 7, 2003, in Volume M03, Page 46600, of the Mortgage Records of Klamath County, Oregon.

2. In compliance with the provisions of ORS 86.748(1), on the 9th day of February, 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:

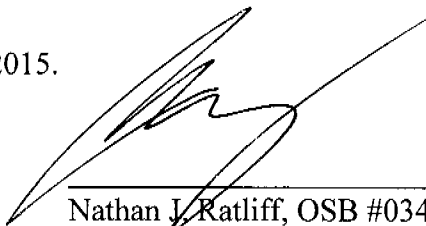
Susan Dayle Scott  
7403 Kress Drive  
Klamath Falls, OR 97603

3. In compliance with the provisions of ORS 86.748(1), on the 9th day of February, 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

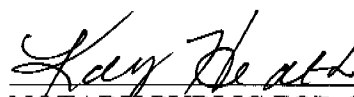
4. Each mailing was contained in a sealed envelope, with postage prepaid, addressed as set forth above, and placed in the U. S. Mail at Klamath Falls, Oregon, on the dates set forth above.

DATED this 9 day of February, 2015.



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

SUBSCRIBED AND SWORN TO BEFORE ME this 9 day of February, 2015, by  
Nathan J. Ratliff.

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



# FORECLOSURE AVOIDANCE MEASURE NOTICE

## YOU MAY LOSE YOUR PROPERTY IF YOU DO NOT TAKE ACTION IMMEDIATELY

Homeowner/Grantor:	SUSAN DAYLE SCOTT
Lender/Beneficiary:	JANIS L. KALINA
Property Address:	7403 Kress Dr., Klamath Falls, OR 97603

Your Lender has determined that:

- You are not eligible for any foreclosure avoidance measure offered by your lender. The following foreclosure avoidance measures were considered but you are not eligible for them. The basis for the Lender's determination is (must be described with specificity in plain language):

The Beneficiary is exempt from the requirements of ORS 86.726, participation in the Oregon Foreclosure Avoidance Program, and has recorded in the Official Records of Klamath County, Oregon, as Instrument No. 2015-000950, a Beneficiary Exemption Affidavit, which has also been filed with the Oregon Department of Justice, Oregon Foreclosure Avoidance Program. Thus you, as the Grantor, are not eligible for participation in the Oregon Foreclosure Avoidance Program.

- You are not in compliance with the terms of an agreement with your Lender for forbearance, a temporary or permanent loan modification, a short sale, a deed-in-lieu of foreclosure, or another foreclosure avoidance measure. The basis for the Lender's determination is (must be described with specificity in plain language):

Your property is currently set for sale on June 29, 2015 at 10:30 AM (time/date) at 620 Main St., Klamath Falls, Oregon (location). If you disagree with your Lender's determination, you should seek legal advice immediately.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call 211 or visit [www.oregonhomeownersupport.gov](http://www.oregonhomeownersupport.gov). If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service online at [www.oregonstatebar.org](http://www.oregonstatebar.org) or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636. Free legal assistance may be available if you are very low income. For more information and a directory of legal aid programs, go to [www.oregonlawhelp.org](http://www.oregonlawhelp.org).

[Beneficiary/Beneficiary's Agent]

By: *Samuel J. Fabian*

Date: 2-3-15