

AMERITITLE  
0102921

2015-008316  
Klamath County, Oregon  
07/27/2015 10:06:17 AM  
Fee: \$72.00

After recording return to:  
Umpqua Bank  
Attn.: Ky Fullerton  
1 S.W. Columbia Street, Suite 1200  
Portland, Oregon 97258

### AFFIDAVIT OF MAILING

STATE OF OREGON                    )  
  ) ss.  
County of Multnomah                )

I, Ky Fullerton, being first duly sworn, depose and say:

1. I am the Successor Trustee under the terms of the Deed of Trust dated August 4, 2005, given by Arthur Scott Bryant as Grantor to AmeriTitle as Trustee for the benefit of Sterling Savings Bank and recorded in the official records of Klamath County, Oregon, on August 5, 2005, in Volume M05, page 61318.

2. Pursuant to ORS 86.764, I mailed with postage prepaid a true and correct copy of the attached Notice of Default, Election to Sell, and Notice of Sale recorded in the official records of Klamath County, Oregon, on March 9, 2015, as Document No. 2015-002025, by certified mail, return receipt requested on March 26, 2015, and by first-class mail on March 26, 2015, to the following parties:

Arthur Scott Bryant  
1928 Esplanade Avenue  
Klamath Falls, Oregon 97601

Arthur Scott Bryant  
2706 Vale Road  
Klamath Falls, Oregon 97603

Marci Elaine Bryant  
1928 Esplanade Avenue  
Klamath Falls, Oregon 97601

Marci Elaine Bryant  
2706 Vale Road  
Klamath Falls, Oregon 97603

Penny L. Austin  
Attorney at Law  
925 W. 8th Street  
Medford, Oregon 97501

Naliko Markel, Trustee  
POB 467  
Eugene, Oregon 97440

US Trustee, Eugene  
405 E. 8th Avenue, #1100  
Eugene, Oregon 97401-2706

3. I mailed with postage prepaid on March 26, 2015, the attached Notice pursuant to ORS 86.756 by certified mail, return receipt requested, and by first-class mail, to the following parties:

Arthur Scott Bryant  
1928 Esplanade Avenue  
Klamath Falls, Oregon 97601

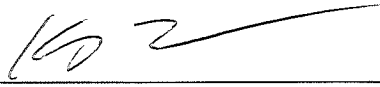
Arthur Scott Bryant  
2706 Vale Road  
Klamath Falls, Oregon 97603

Marci Elaine Bryant  
1928 Esplanade Avenue  
Klamath Falls, Oregon 97601

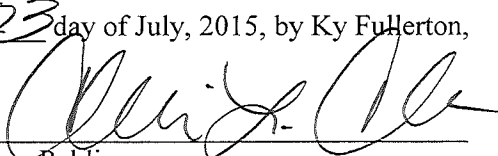
Marci Elaine Bryant  
2706 Vale Road  
Klamath Falls, Oregon 97603

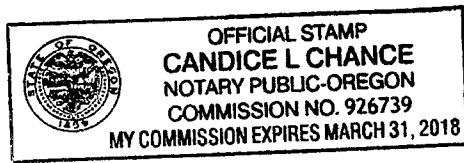
4. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below each party's name, which, to the best of my knowledge, were the parties' last known addresses as of the date of mailing.

DATED this 23 day of July, 2015.

  
\_\_\_\_\_  
Ky Fullerton

Subscribed and sworn to before me on the 23 day of July, 2015, by Ky Fullerton,  
Successor Trustee.

  
\_\_\_\_\_  
Notary Public



/ ARTHUR SCOTT BRYANT

## AFFIDAVIT OF POSTING

STATE OF OREGON

County of Klamath

ss.

I, Chelsea Chambers, hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Notice: You Are in Danger of Losing Your Property; Notice of Default, Election to Sell and Notice of Sale; Notice to Residential Tenants; Exhibit A; Oregon Foreclosure Avoidance Program - Beneficiary Exemption Affidavit upon the individuals and/or entities named below, by delivering a copy of the aforementioned documents, upon an **OCCUPANT** at the following "**Property Address**":

**1928 Esplande Avenue  
Klamath Falls, OR 97601**

As follows:

On 03/20/2015 at 3:21 PM, I attempted personal service at the Property Address. I received no answer at the front door and no one appeared to be home. At that time, I POSTED such true copy conspicuously on the front door, pursuant to ORS 86.774 (1)(b)(A).

On 03/23/2015 at 5:07 PM, I returned to the Property Address and, again, received no answer at the front door. At that time, I POSTED another such copy conspicuously on the front door, pursuant to ORS 86.774 (1)(b)(B).

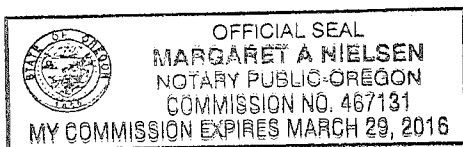
On 03/25/2015 at 5:15 PM, I returned to the Property Address and, again, received no answer at the front door. This attempt in person at the Property Address satisfies the third attempt requirement under ORS 86.774 (1)(b)(C).

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 30th day of March, 2015  
by Chelsea Chambers.

Margaret A. Nielsen  
Notary Public for Oregon

X Chelsea Chambers  
Chelsea Chambers  
Nationwide Process Service, Inc.  
300 Century Tower  
1201 SW 12th Avenue  
Portland, OR 97205  
(503) 241-0636



\*316824\*

/ ARTHUR SCOTT BRYANT

## AFFIDAVIT OF MAILING

STATE OF OREGON

County of Klamath

ss.

I, Chelsea Chambers, being first duly sworn, depose and say that at all times herein mentioned I was and am now a competent person 18 years of age or older and a resident of the state of Oregon; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

On March 26, 2015, I mailed a copy of the Notice: You Are in Danger of Losing Your Property; Notice of Default, Election to Sell and Notice of Sale; Notice to Residential Tenants; Exhibit A; Oregon Foreclosure Avoidance Program - Beneficiary Exemption Affidavit, by First Class Mail, postage pre-paid, to occupant, pursuant to ORS 86.774(1)(b)(C).

The envelope was addressed as follows:

**OCCUPANT**  
**1928 Esplande Avenue**  
**Klamath Falls, OR 97601**

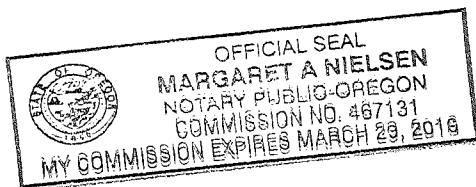
This mailing completes service upon an occupant at the above address with an effective date of **03/20/2015** as calculated pursuant to ORS 86.774 (1)(c).

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 26th day of March, 2015  
by Chelsea Chambers.

*Margaret A. Nielsen*  
Notary Public for Oregon

X *Chelsea Chambers*  
Chelsea Chambers  
Nationwide Process Service, Inc.  
300 Century Tower  
1201 SW 12th Avenue  
Portland, OR 97205  
(503) 241-0636



\*316024\*

## NONMILITARY AFFIDAVIT

STATE OF OREGON                    )  
  ) ss.  
County of Multnomah                )


I, Ky Fullerton, being first duly sworn, depose and say:

1. I am the Successor Trustee under the terms of the Deed of Trust dated August 4, 2005, given by Arthur Scott Bryant as Grantor to AmeriTitle as Trustee for the benefit of Sterling Savings Bank and recorded in the official records of Klamath County, Oregon, on August 5, 2005, in Volume M05, page 61318.

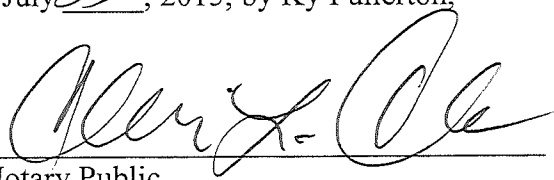
2. As indicated on the attached printout from the Department of Defense's Manpower Data Center, Arthur Scott Bryant is not currently a person in military service as defined in the Servicemembers Civil Relief Act. The last-known address of Arthur Scott Bryant is not part of any military installation.

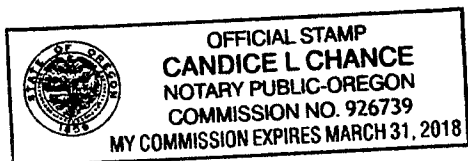
3. As indicated on the attached printout from the Department of Defense's Manpower Data Center, Marci Elaine Bryant is not currently a person in military service as defined in the Servicemembers Civil Relief Act. The last-known address of Marci Elaine Bryant is not part of any military installation.

DATED this 23 day of July, 2015.

  
\_\_\_\_\_  
Ky Fullerton

Subscribed and sworn to before me on July 23, 2015, by Ky Fullerton,  
Successor Trustee.

  
\_\_\_\_\_  
Notary Public



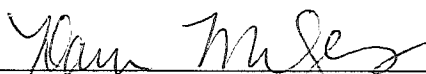
**AFFIDAVIT OF PUBLICATION  
STATE OF OREGON,  
COUNTY OF KLAMATH**


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#16396 SALE BRYANT

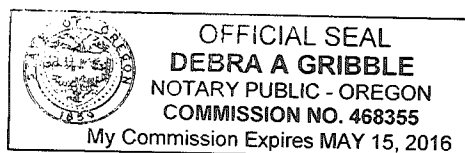
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues:  
05/29/2015 06/05/2015 06/12/2015 06/19/2015

Total Cost: \$1386.68

  
Subscribed and sworn by Dawn Megles before me on:  
19th day of June in the year of 2015

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



**NOTICE OF DEFAULT, ELECTION TO SELL,  
AND NOTICE OF SALE**

PLEASE TAKE NOTICE that the undersigned Trustee elects to foreclose the following Deed of Trust by advertisement and sale proceedings and to sell the property covered by the Deed of Trust to satisfy the obligations secured thereby:

Deed of Trust dated August 4, 2005, given by Arthur Scott Bryant as Grantor to AmeriTitle as Trustee for the benefit of Sterling Savings Bank and recorded in the official records of Klamath County, Oregon, on August 5, 2005, in Volume M05, page 61318.

The present Beneficiary under the Deed of Trust, Umpqua Bank, has appointed Ky Fullerton, an active member of the Oregon State Bar, as successor Trustee. The successor Trustee's mailing address is: 1 S.W. Columbia Street, Suite 1200, Portland, Oregon 97258.

The following property is covered by the Deed of Trust: See Exhibit "A" attached, which is incorporated herein by reference.

**EXHIBIT A  
LEGAL DESCRIPTION**

The East 50 feet of Lots 12 and 13, Block 39, HOT SPRINGS 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, more particularly described as follows:

Beginning at the Southeast corner of Lot 13, Block 39, aforesaid; thence West along the South line of Lot 13, 50 feet; thence North parallel to the alley through Block 39 to Esplanade; thence Northeast along Esplanade to the most Northerly corner of Lot 12; thence South along the East line of Lots 12 and 13 to the place of beginning.

The Beneficiary has directed the Trustee to foreclose the Deed of Trust as a result of the following default(s): Grantor's failure to comply with the terms of the various agreements relating to Grantor's loan(s) with Umpqua Bank, including but not limited to Grantor's failure to pay all sums due Umpqua Bank in connection with said loan(s).

The Beneficiary has declared the entire unpaid balance of all obligations secured by the Deed of Trust immediately due, owing, and payable, in the sum of \$153,777.40, with interest at the applicable rate until paid, together with all costs, fees, future advances by the Beneficiary to protect its security interest, and other expenses allowed by law.

THE TRUSTEE WILL SELL THE DESCRIBED PROPERTY to satisfy the obligations secured by the Deed of Trust on July 31, 2015, at the hour of 1:00 p.m. based on the standard of time established by ORS 187.110 at the entrance to the Klamath County Courthouse located at 316 Main Street, Klamath Falls, Oregon, at public auction to the highest bidder for cash. The Grantor, the Grantor's successor in interest to all or any part of the trust property, any Beneficiary under a subordinate trust deed, or any person having a subordinate lien or encumbrance of record on the property may cure the default or defaults at any time prior to five days before the date last set for the Trustee's sale and thereby have the proceeding dismissed and the Deed of Trust reinstated pursuant to ORS 86.778. If the default consists of a failure to pay, when due, sums secured by the Deed of Trust, the default may be cured by paying the entire amount due at the time of cure under the terms of the obligations, other than such portion as would not then be due had no default occurred. Any other default of the Deed of Trust obligation that is capable of being cured may be cured by tendering the performance required under the obligation or Deed of Trust. In any case, and in addition to paying the sums or tendering the performance necessary to cure the default(s), the person effecting the cure shall pay the Beneficiary all costs and expenses actually incurred in enforcing the obligation and Deed of Trust, together with the Trustee's and attorney fees as allowed by law.

The undersigned Trustee certifies that, upon recording of this Notice, no assignments of the Deed of Trust have been made by the Trustee or by the Beneficiary; no appointments of a successor Trustee have been made except as recorded in the official records of the county or counties in which the above-described real property is situated; the Beneficiary is the owner and holder of the obligations secured by said Deed of Trust; and no action has been instituted to recover the debt, or any part thereof, now remaining secured by said Deed of Trust, or if such action has been instituted, the action has been dismissed.

Whenever the context of this Notice so requires, the word "Grantor" includes any successor in interest to the Grantor as well as each and every person owing an obligation secured by the Deed of Trust; the word "Trustee" includes any successor Trustee; and the word "Beneficiary" includes any successor in interest of the original Beneficiary named above.

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.

DATED this 5th day of March, 2015.  
/s/Ky Fullerton, Successor Trustee  
#16396 May 29, June 05, 12, 19, 2015.