

AmeriTitle  
MTC 66933 AM

2016-005239  
Klamath County, Oregon  
05/18/2016 03:07:58 PM  
Fee: \$62.00

After recording  
Return to:  
Kendell H. Ferguson  
Sorenson, Ransom, Ferguson & Clyde, LLP  
133 NW D Street  
Grants Pass, OR 97526

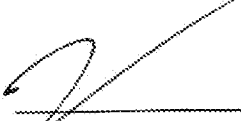
AFFIDAVIT OF MAILING  
NOTICE OF NONJUDICIAL SALE

To the Secretary of the Treasury of the United States:  
Re: DON V. BERRY, Taxpayer

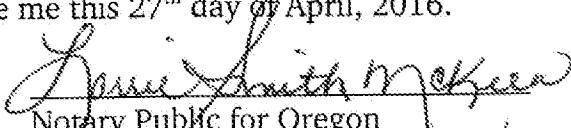
STATE OF OREGON, County of Josephine ) ss.

I, KENDELL H. FERGUSON, being first duly sworn, depose and say: That I notified the Secretary of the Treasury of the United States of the proposed sale described in the attached letter by mailing a copy of the letter, together with any attachments described therein, to the delegate of the Secretary of the Treasury, to-wit: District Director - Internal Revenue Service, Attn: Chief, Special Procedures Desk, 915 Second Avenue, M/S W245, Seattle, WA 98174, all in conformity with Reg. § 301.7425, Income Tax Regulations promulgated by the Secretary of the Treasury; that said Notice and attachments were contained in a sealed envelope, addressed as aforesaid, and deposited by me with postage thereon fully prepaid, in the United States certified mail at Grants Pass, Oregon, on January 14, 2016, which was not less than twenty-five (25) days prior to the sale.

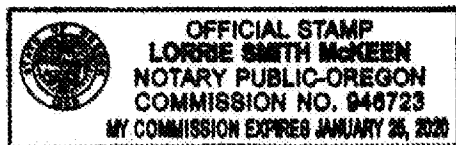
Receipt of the notification is acknowledged by the Internal Revenue Service on the Certified Mail Return Receipt, a copy of which is affixed to the attached letter.

  
Kendell H. Ferguson

SUBSCRIBED and SWORN to before me this 27<sup>th</sup> day of April, 2016.

  
Notary Public for Oregon

My Commission Expires: 11/25/2020



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E-MAIL  
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January 14, 2016

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

District Director, Internal Revenue Service  
ATTN: Chief, Special Procedures Desk  
915 Second Avenue, M/S W245  
Seattle, WA 98174

Re: Federal Tax Lien Filed Against: DON V. BERRY

Dear Chief:

In accordance with §7425 of the Internal Revenue Code and the regulations promulgated under it, you are hereby notified of a nonjudicial sale of certain real property hereinafter described. This sale is for the purpose of foreclosing, pursuant to Oregon law, a trust deed executed by . A copy of the Trustee's Notice of Sale and Trustee's Sale Guarantee is enclosed.

Pursuant to the regulations, we supply the following information:

(1) The name and address of the person submitting the Notice of Sale are Kendell H. Ferguson, Attorney at Law, Sorenson, Ransom & Ferguson, LLP, 133 NW D Street, Grants Pass, OR 97526.

(2) A copy of the Notice of Federal Tax Lien is enclosed herewith.

(a) The Internal Revenue District named thereon is Seattle, Washington.

(b) The name and address of the taxpayer is: Don V. Berry, 7025 Old Midland Road, Klamath Falls, OR 97603-9725.

(c) The Notice was recorded on February 3, 2014, in Klamath County, Oregon as Document No. 2014-000942.

(d) The taxpayer identification number is XXX-XX-2311.

(3) The following information describes the property to be sold:

(a) The property is located at 2445 California Avenue, Klamath Falls, Oregon.

(b) The real property is legally described in the trust deed as follows: Lot 4 in Block 1.5, BUENA VISTA ADDITION, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

(c) A copy of the abstract of title is enclosed herewith.

(4) The date, time, place, and terms of the proposed sale of the property are as follows:

(a) Date of sale: May 26, 2016

(b) Time of sale: 11:00 a.m Pacific daylight time.

(c) Place of sale: the front entrance of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon.

(d) Terms of sale: The interest in the above-described real property that the Grantor, Don V. Berry, Trustee of the Don V. Berry Revocable Living Trust dated December 1, 2000, had or had power to convey at the time of execution of the trust deed, together with any interest that Grantor's successors in interest acquired after the execution of the trust deed, will be sold at public auction to the highest bidder for cash.

(5) The approximate amount of the principal obligations, including interest, secured by the lien sought to be enforced and a description of other expenses that may be charged against the sale proceeds are as follows:

(a)

Loan No. 1528.501:

The entire unpaid principal balance of Seventy-seven Thousand, Six Hundred Thirty-six and 18/100ths Dollars (\$77,636.18), together with interest thereon of at the rate of five percent (5.0%) per annum from May 28, 2013 until paid, \$11,640.16, plus accrued interest of \$2,646.52 due on May 28, 2013. Total: \$91,922.86

Loan No. 1716.502:

The entire unpaid principal balance of Forty-three Thousand, Seven Hundred Forty-eight and 64/100ths Dollars (\$43,748.64), together with interest thereon at the rate of five percent (5.0%) per annum from May 28, 2013 until paid, \$6,553.06, together with accrued interest of \$1,418.65 due on May 28, 2013. Total: \$51,720.35

Total of two loan obligations secured by trust deed on above-described property on date of sale: \$143,643.36

(b) Other expenses that may be charged against the sale proceeds include recording fees, postage costs, photocopy costs, late charges, property taxes, telephone calls, fees for service of the Notice of Sale, publication costs, foreclosure report fees, hazard insurance, trustee's fees, and attorney fees.

District Director, Internal Revenue Service  
January 14, 2016  
Page 3

A duplicate copy of this letter is enclosed and we request that you acknowledge the receipt of the Notice of Sale on the enclosed copy and return it to the undersigned.

Kendell H. Ferguson, OSB No. 073880  
Successor Trustee

Enclosure

cc: District Director (via first-class mail)  
and Client

Receipt of the above Notice of Sale is acknowledged this \_\_\_\_\_ day of January, 2016, at the hour of \_\_\_\_\_ .m.

INTERNAL REVENUE SERVICE  
PORTLAND DISTRICT DIRECTOR

By: \_\_\_\_\_

**SENDER: COMPLETE THIS SECTION**


- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

District Director, Internal Revenue Service  
Attn: Chief, Special Procedures Desk  
915 Second Avenue, M/S W245  
Seattle, WA 98174

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X 

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail®

☐ Priority Mail Express™

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number  
(Transfer from service label)

7014 3490 0000 9118 9457

PS Form 3811, July 2013

Domestic Return Receipt

2014-000942

Klamath County, Oregon



00148058201400009420010014

02/03/2014 02:01:44 PM

Fee: \$5.00

<b>Form 668 (Y)(c)</b> (Rev. February 2004)	6788	Department of the Treasury - Internal Revenue Service <b>Notice of Federal Tax Lien</b>			
Area: SMALL BUSINESS/SELF EMPLOYED AREA #6 Lien Unit Phone: (800) 829-3903		Serial Number 980773814	For Optional Use by Recording Office		
<p><b>As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.</b></p>					
Name of Taxpayer DON V BERRY					
Residence 7025 OLD MIDLAND RD KLAMATH FALLS, OR 97603-9725					
<b>IMPORTANT RELEASE INFORMATION:</b> For each assessment listed below, unless notice of the lien is refilled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).					
Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
CIVP	03/31/2011	XXX-XX-2311	04/15/2013	05/15/2023	10926.69
CIVP	06/30/2011	XXX-XX-2311	04/15/2013	05/15/2023	14842.60
CIVP	12/31/2011	XXX-XX-2311	04/15/2013	05/15/2023	11584.63
Place of Filing OFFICE OF COUNTY CLERK KLAMATH COUNTY KLAMATH FALLS, OR 97601					Total \$ 37353.92

 This notice was prepared and signed at SEATTLE, WA, on this,

 the 24th day of January, 2014.

 Signature   
 for G. J. CARTER-LOUIS

 Title  
 ACS SBSE  
 (800) 829-3903

26-00-0008