

**2016-009802**

**Klamath County, Oregon**

09/15/2016 02:34:00 PM

Fee: \$227.00

**RECORDING COVER SHEET  
FOR NOTICE OF SALE PROOF**

**OF COMPLIANCE, PER ORS 205.234**

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

**AFTER RECORDING RETURN  
CLEAR RECON CORP.**

**111 SW Columbia Street #950, Portland, OR  
97201**

*This Space For County Recording Use Only*

160168216

**TRANSACTION INCLUDES:**

**AFFIDAVIT OF MAILING NOTICE OF SALE**

**AFFIDAVIT OF PUBLICATION NOTICE OF SALE**

**PROOF OF SERVICE**

***Original Grantor on Trust Deed***

**FREDERICK G HITSON AND JOANNE L HITSON AS TENANTS BY THE ENTIRETY**

***Beneficiary***

**Wells Fargo Bank, N.A.**

***Trustee***

**CLEAR RECON CORP.  
111 SW Columbia Street #950  
Portland, OR 97201**

**TS Number: 044584-OR**



## AFFIDAVIT OF MAILING

T.S. NO.: 044584-OR

State: OR

STATE OF CALIFORNIA

} SS

COUNTY OF SAN DIEGO

I, Jason Wilson, certify as follows:

I am and at all time herein mentioned a citizen of the United States, over the age of eighteen years employed by Aldridge Pite, LLP, and a resident of San Diego, California:

That on 06/24/2016, I deposited in the United States Mail copies of the attached Oregon Notice of Default and Sale Homeowner, in separate, sealed envelopes, First Class, Electronic RR, postage prepaid, addressed respectively as follows:

**SEE ATTACHED – Oregon Notice of Default and Sale Homeowner**

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 06/27/2016 in San Diego, California.

J. Wilson  
Affiant: Jason Wilson, Mail Service Administrative Support

PURSUANT TO CAL. CIVIL CODE § 1189:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

SUBSCRIBED AND SWORN to (or affirmed) before me this 27<sup>th</sup> day of June, 2016, by JASON WILSON, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(Seal)



Signature: Omar Cortes  
Residing at: SAN DIEGO

BUSINESS ADDRESS OF AFFIANT: 4375 JUTLAND DRIVE, SAN DIEGO, CA 92117

CRCAFFOM 12222015

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## TRUSTEE'S NOTICE OF SALE

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TS No.: 044584-OR  
 Loan No.: \*\*\*\*\*1626

Reference is made to that certain trust deed (the "Deed of Trust") executed by FREDERICK G HITSON AND JOANNE L HITSON AS TENANTS BY THE ENTIRETY, as Grantor, to FIDELITY NATIONAL TITLE INSURA, as Trustee, in favor of WELLS FARGO BANK N.A., as Beneficiary, dated 9/21/2009, recorded 9/25/2009, as Instrument No. 2009-012705, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 13 IN BLOCK 8, KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL  
 PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH  
 COUNTY, OREGON**

**APN: R500522 // R-3908-031C0-01900-000**

Commonly known as:  
**10614 RIVEREDGE PL  
 KLAMATH FALLS, OR 976201**

The current beneficiary is:  
**Wells Fargo Bank, N.A.**

Both the beneficiary and the trustee have elected to sell the above-described real property to satisfy the obligations secured by the Deed of Trust and notice has been recorded pursuant to ORS 86.752(3). The default for which the foreclosure is made is due to the failure of the borrower to maintain the property as their principle residence.

***TOTAL REQUIRED TO PAYOFF:                   \$150,171.00***

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including: the principal sum of \$149,552.74 together with interest thereon at the rate of 5.56 % per annum, from 12/22/2015 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust

Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP., whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on **10/25/2016**, at the hour of **10:00 AM**, standard time, as established by ORS 187.110, **ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**, sell at public auction to the highest bidder for cash the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.778 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by tendering the performance required under the Deed of Trust at any time not later than five days before the date last set for sale.

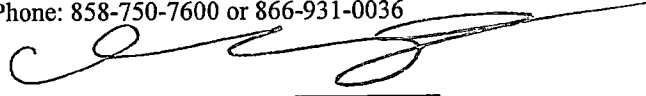
Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective 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.

TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by the Deed of Trust, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 6/10/2016

CLEAR RECON CORP  
111 SW Columbia Street #950  
Portland, OR 97201  
Phone: 858-750-7600 or 866-931-0036



, Authorized Signatory of Trustee

**CLARIBEN HUNTINGTON**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

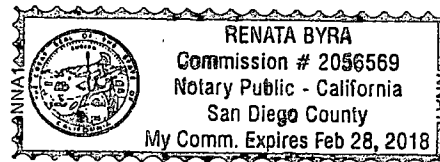
State of California )  
 ) ss.  
County of San Diego )

On JUN 10 2016 before me, Renata Byra, Notary Public, personally appeared Clariben Huntington who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Renata Byra (Seal)



TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

## NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **10/25/2016 at ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601 at 10:00 AM.** 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 proceed and someone new will own this property. After the sale, the new owner is required to provide you with contact information and notice that the sale took place.

The following information applies to you only if you are a bona fide tenant occupying and renting this property as a residential dwelling under a legitimate rental agreement. The information does not apply to you if you own this property or if you are not a bona fide residential tenant.

If the foreclosure sale is completed, the new owner will have the right to require you to move out. Before the new owner can require you to move, the new owner must provide you with written notice that specifies the date by which you must move out. If you do not leave before the move-out date, the new owner can have the sheriff remove you from the property after a court hearing. You will receive notice of the court hearing.

### PROTECTION FROM EVICTION

IF YOU ARE A BONA FIDE TENANT OCCUPYING AND RENTING THIS PROPERTY AS A RESIDENTIAL DWELLING, YOU HAVE THE RIGHT TO CONTINUE LIVING IN THIS PROPERTY AFTER THE FORECLOSURE SALE FOR:

- THE REMAINDER OF YOUR FIXED TERM LEASE, IF YOU HAVE A FIXED TERM LEASE; OR
- AT LEAST 90 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE.

If the new owner wants to move in and use this property as a primary residence, the new owner can give you written notice and require you to move out after 90 days, even though you have a fixed term lease with more than 90 days left. You must be provided with at least 90 days written notice after the foreclosure sale before you can be required to move.

A bona fide tenant is a residential tenant who is not the borrower (property owner) or a child, spouse or parent of the borrower, and whose rental agreement:

- Is the result of an arm's-length transaction;
- Requires the payment of rent that is not substantially less than fair market rent for the property, unless the rent is reduced or subsidized due to a federal, state or local subsidy; And
- Was entered into prior to the date of the foreclosure sale.

### ABOUT YOUR TENANCY BETWEEN NOW AND THE FORECLOSURE SALE:

#### RENT

YOU SHOULD CONTINUE TO PAY RENT TO YOUR LANDLORD UNTIL THE PROPERTY IS SOLD OR UNTIL A COURT ORDER 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.

TS No.: 044584-OR  
 Loan No.: \*\*\*\*\*1626

# ABOUT YOUR TENANCY AFTER THE FORECLOSURE SALE

The new owner that buys this property at the foreclosure sale may be willing to allow you to stay as a tenant instead of requiring you to move out after 90 days or at the end of your fixed term lease. After the sale, you should receive a written notice informing you that the sale took place and giving you the new owner's name and contact information. You should contact the new owner if you would like to stay. If the new owner accepts rent from you, signs a new residential rental agreement with you or does not notify you in writing within 30 days after the date of the foreclosure sale that you must move out, the new owner becomes your new landlord and must maintain the property. Otherwise:

- You do not owe rent;
- The new owner is not your landlord and is not responsible for maintaining the property on your behalf; and
- You must move out by the date the new owner specifies in a notice to you.

The new owner may offer to pay your moving expenses and any other costs or amounts you and the new owner agree on in exchange for your agreement to leave the premises in less than 90 days or before your fixed term lease expires. You should speak with a lawyer to fully understand your rights before making any decisions regarding your tenancy.

IT IS UNLAWFUL FOR ANY PERSON TO TRY TO FORCE YOU TO LEAVE YOUR DWELLING UNIT WITHOUT FIRST GIVING YOU WRITTEN NOTICE AND GOING TO COURT TO EVICT YOU. FOR MORE INFORMATION ABOUT YOUR RIGHTS, YOU SHOULD CONSULT A LAWYER. If you believe you need legal assistance, contact the Oregon State Bar 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.

Trustee: CLEAR RECON CORP.,  
 111 SW Columbia Street #950  
 Portland, OR 97201

Oregon State Bar Lawyer Referral Service: (503)684-3763 or (800)452-7636  
<http://www.osbar.org>; <http://www.osbar.org/public/ris/ris.html#referral>

Oregon Law Help: <http://oregonlawhelp.org/OR/index.cfm>

Free Legal Assistance: <http://www.oregonlawcenter.org/>  
 Portland (503)473-8329  
 Coos Bay (800)303-3638  
 Ontario (888)250-9877  
 Salem (503)485-0696  
 Grants Pass (541)476-1058  
 Woodburn (800)973-9003  
 Hillsboro (877)726-4381

044584-OR

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:

10614 RIVEREDGE PL  
KLAMATH FALLS, OR 976201

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 6/10/2016 to payoff your mortgage loan was \$150,171.00. The amount you must now pay to payoff your loan may have increased since that date.

By law, your lender has to provide you with details about the amount you owe, if you ask. You may call (858) 750-7600 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:

CLEAR RECON CORP  
111 SW Columbia Street #950  
Portland, OR 97201  
858-750-7600

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

Date and time: 10/25/2016 at 10:00 AM

Place: ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH  
COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR  
97601

044584-OR

**THIS IS WHAT YOU CAN DO TO STOP THE SALE:**

1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call WELLS FARGO HOME MORTGAGE
4. at 210-856-7399 to find out if your lender is willing to give you more time or change the terms of your loan.
5. 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 telephone number of an organization near you, please call the statewide telephone contact number at 800-SAFENET (800-723-3638). You may also wish to talk to a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at: <http://www.osbar.org>. Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to <http://www.oregonlawhelp.org>.

**WARNING:** You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

Dated: 6/10/2016

Trustee name: Clear Recon Corp.

Trustee signature:  CLARIBEN HUNTINGTON

Trustee telephone number: 858-750-7600

Trustee Sale No.: 044584-OR



**2016-006294****Klamath County, Oregon**

06/14/2016 01:39:18 PM

Fee: \$52.00

**When recorded mail document to:**

Clear Recon Corp  
 111 SW Columbia Street #950  
 Portland, OR 97201  
 866-931-0036

SPACE ABOVE THIS LINE FOR RECORDER'S USE

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**NOTICE OF DEFAULT AND ELECTION TO SELL**


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TS No.: 044584-OR

Loan No.: \*\*\*\*\*1626

Legal Authority: ORS 86.752, 86.771

Reference is made to that certain trust deed (the "Deed of Trust") executed by FREDERICK G HITSON AND JOANNE L HITSON AS TENANTS BY THE ENTIRETY, as Grantor, to FIDELITY NATIONAL TITLE INSURA, as Trustee, in favor of WELLS FARGO BANK N.A., as Beneficiary, dated 9/21/2009, recorded 9/25/2009, as Instrument No. 2009-012705, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 13 IN BLOCK 8, KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL  
 PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF  
 KLAMATH COUNTY, OREGON**

**APN: R500522 // R-3908-031C0-01900-000**

**Commonly known as:**

**10614 RIVEREDGE PL**

**KLAMATH FALLS, OR 976201**

**The current beneficiary is:**

**Wells Fargo Bank, N.A.**

The undersigned hereby certifies that no assignments of the Deed of Trust by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the Deed of Trust, or, if such action has been instituted, the action has been dismissed, except as permitted by ORS 86.752(7), 86.010.

There is a default by grantor or other person owing an obligation, or by their successor-in-interest, the performance of which is secured by the Deed of Trust with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is due to the failure of the borrower to maintain the property as their principle residence..

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, those sums being the following: **\$150,171.00**

CRC NOD 04172014

TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the Deed of Trust by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder, for cash, the interest in the described property which grantor had, or had the power to convey, at the time grantor executed the Deed of Trust, together with any interest grantor or grantor's successor in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of 10:00 AM., standard time, as established by ORS 187.110, on 10/25/2016, at the following place:

**ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**

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 the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of 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 Deed of Trust, and in addition to paying the sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust, together with trustee's and attorneys' fees not exceeding the amounts provided by ORS 86.778.

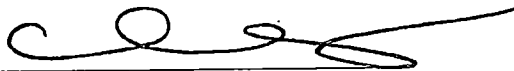
Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective 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.

TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

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

Dated: 6/10/2016

CLEAR RECON CORP  
111 SW Columbia Street #950  
Portland, OR 97201  
Phone: 858-750-7600 or 866-931-0036



**CLARIBEN HUNTINGTON**, Authorized Signatory of Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
 ) ss.  
County of San Diego )

On JUN 10 2016 before me, Renata Byra, Notary Public, personally appeared Clariben Huntington who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Renata Byra (Seal)



## Recipient List (addresses)

Client: Wells Fargo Bank, NA (REVERSE)

143121  
FREDRICK G HITSON, DECEASED  
PO BOX 767  
KENO, OR 97627  
9214890144258214380249 (Electronic Return Receipt)

143121  
FREDRICK G HITSON, DECEASED  
PO BOX 767  
KENO, OR 97627

143121  
JOANNE L HITSON  
PO BOX 767  
KENO, OR 97627  
9214890144258214380348 (Electronic Return Receipt)

143121  
JOANNE L HITSON  
PO BOX 767  
KENO, OR 97627

143121  
FREDERICK G HITSON  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97601  
9214890144258214380447 (Electronic Return Receipt)

143121  
FREDERICK G HITSON  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97601

143121  
JOANNE L HITSON  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97601  
9214890144258214380522 (Electronic Return Receipt)

143121  
JOANNE L HITSON  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97601

143121  
JOANNE L HITSON  
10614 RIVEREDGE PL  
KENO, OR 97627  
9214890144258214380607 (Electronic Return Receipt)

143121  
JOANNE L HITSON  
10614 RIVEREDGE PL  
KENO, OR 97627

143121  
Occupants/Tenants  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97601  
9214890144258214380706 (Electronic Return Receipt)

143121  
Occupants/Tenants  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97601

143121  
JOANNE L HITSON  
10614 RIVEREDGE RD  
KLAMATH FALLS, OR 97601  
9214890144258214380805 (Electronic Return Receipt)

143121  
JOANNE L HITSON  
10614 RIVEREDGE RD  
KLAMATH FALLS, OR 97601



**AFFIDAVIT OF MAILING**

T.S. NO.: 044584-OR

State: OR

STATE OF CALIFORNIA

} SS

COUNTY OF SAN DIEGO

I, Jason Wilson, certify as follows:

I am and at all time herein mentioned a citizen of the United States, over the age of eighteen years employed by Aldridge Pite, LLP, and a resident of San Diego, California:

That on 06/24/2016, I deposited in the United States Mail copies of the attached Oregon Notice of Default and Sale, in separate, sealed envelopes, First Class, Electronic RR, postage prepaid, addressed respectively as follows:

**SEE ATTACHED – Oregon Notice of Default and Sale**

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 06/27/2016 in San Diego, California.

JWP  
Affiant: Jason Wilson, Mail Service Administrative Support

PURSUANT TO CAL. CIVIL CODE § 1189:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

SUBSCRIBED AND SWORN to (or affirmed) before me this 27<sup>th</sup> day of June, 2016, by JASON WILSON, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(Seal)



Signature: Cesar Cortes  
Residing at: SAN DIEGO

BUSINESS ADDRESS OF AFFIANT: 4375 JUTLAND DRIVE, SAN DIEGO, CA 92117

CRCAFFOM 12222015

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**TRUSTEE'S NOTICE OF SALE**

---

TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

Reference is made to that certain trust deed (the "Deed of Trust") executed by FREDERICK G HITSON AND JOANNE L HITSON AS TENANTS BY THE ENTIRETY, as Grantor, to FIDELITY NATIONAL TITLE INSURA, as Trustee, in favor of WELLS FARGO BANK N.A., as Beneficiary, dated 9/21/2009, recorded 9/25/2009, as Instrument No. 2009-012705, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

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PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH  
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**APN: R500522 // R-3908-031C0-01900-000**

Commonly known as:  
**10614 RIVEREDGE PL  
KLAMATH FALLS, OR 976201**

The current beneficiary is:  
**Wells Fargo Bank, N.A.**

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***TOTAL REQUIRED TO PAYOFF:                   \$150,171.00***

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including: the principal sum of \$149,552.74 together with interest thereon at the rate of 5.56 % per annum, from 12/22/2015 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust

Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP., whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on **10/25/2016**, at the hour of **10:00 AM**, standard time, as established by ORS 187.110, **ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**, sell at public auction to the highest bidder for cash the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.778 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by tendering the performance required under the Deed of Trust at any time not later than five days before the date last set for sale.

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.

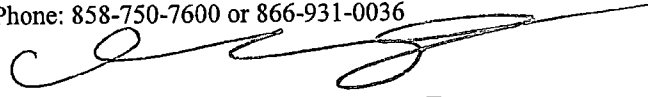


TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by the Deed of Trust, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 6/10/2016

CLEAR RECON CORP  
111 SW Columbia Street #950  
Portland, OR 97201  
Phone: 858-750-7600 or 866-931-0036



, Authorized Signatory of Trustee

CLARIBEN HUNTINGTON

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

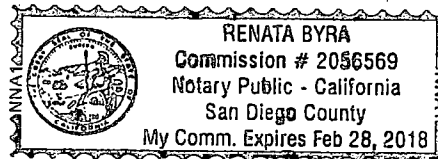
State of California           )  
  ) ss.  
County of San Diego        )

On JUN 10 2016 before me, Renata Byra, Notary Public, personally appeared Clariben Huntington who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Renata Byra (Seal)



## NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **10/25/2016 at ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601 at 10:00 AM.** 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 proceed and someone new will own this property. After the sale, the new owner is required to provide you with contact information and notice that the sale took place.

The following information applies to you only if you are a bona fide tenant occupying and renting this property as a residential dwelling under a legitimate rental agreement. The information does not apply to you if you own this property or if you are not a bona fide residential tenant.

If the foreclosure sale is completed, the new owner will have the right to require you to move out. Before the new owner can require you to move, the new owner must provide you with written notice that specifies the date by which you must move out. If you do not leave before the move-out date, the new owner can have the sheriff remove you from the property after a court hearing. You will receive notice of the court hearing.

### PROTECTION FROM EVICTION

IF YOU ARE A BONA FIDE TENANT OCCUPYING AND RENTING THIS PROPERTY AS A RESIDENTIAL DWELLING, YOU HAVE THE RIGHT TO CONTINUE LIVING IN THIS PROPERTY AFTER THE FORECLOSURE SALE FOR:

- THE REMAINDER OF YOUR FIXED TERM LEASE, IF YOU HAVE A FIXED TERM LEASE; OR
- AT LEAST 90 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE.

If the new owner wants to move in and use this property as a primary residence, the new owner can give you written notice and require you to move out after 90 days, even though you have a fixed term lease with more than 90 days left. You must be provided with at least 90 days written notice after the foreclosure sale before you can be required to move.

A bona fide tenant is a residential tenant who is not the borrower (property owner) or a child, spouse or parent of the borrower, and whose rental agreement:

- Is the result of an arm's-length transaction;
- Requires the payment of rent that is not substantially less than fair market rent for the property, unless the rent is reduced or subsidized due to a federal, state or local subsidy; And
- Was entered into prior to the date of the foreclosure sale.

### ABOUT YOUR TENANCY BETWEEN NOW AND THE FORECLOSURE SALE:

#### RENT

YOU SHOULD CONTINUE TO PAY RENT TO YOUR LANDLORD UNTIL THE PROPERTY IS SOLD OR UNTIL A COURT ORDER 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.

TS No.: 044584-OR  
 Loan No.: \*\*\*\*\*1626

### ABOUT YOUR TENANCY AFTER THE FORECLOSURE SALE

The new owner that buys this property at the foreclosure sale may be willing to allow you to stay as a tenant instead of requiring you to move out after 90 days or at the end of your fixed term lease. After the sale, you should receive a written notice informing you that the sale took place and giving you the new owner's name and contact information. You should contact the new owner if you would like to stay. If the new owner accepts rent from you, signs a new residential rental agreement with you or does not notify you in writing within 30 days after the date of the foreclosure sale that you must move out, the new owner becomes your new landlord and must maintain the property. Otherwise:

- You do not owe rent;
- The new owner is not your landlord and is not responsible for maintaining the property on your behalf; and
- You must move out by the date the new owner specifies in a notice to you.

The new owner may offer to pay your moving expenses and any other costs or amounts you and the new owner agree on in exchange for your agreement to leave the premises in less than 90 days or before your fixed term lease expires. You should speak with a lawyer to fully understand your rights before making any decisions regarding your tenancy.

IT IS UNLAWFUL FOR ANY PERSON TO TRY TO FORCE YOU TO LEAVE YOUR DWELLING UNIT WITHOUT FIRST GIVING YOU WRITTEN NOTICE AND GOING TO COURT TO EVICT YOU. FOR MORE INFORMATION ABOUT YOUR RIGHTS, YOU SHOULD CONSULT A LAWYER. If you believe you need legal assistance, contact the Oregon State Bar 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.

Trustee: CLEAR RECON CORP.,  
 111 SW Columbia Street #950  
 Portland, OR 97201

Oregon State Bar Lawyer Referral Service: (503)684-3763 or (800)452-7636  
<http://www.osbar.org>; <http://www.osbar.org/public/ris/ris.html#referral>

Oregon Law Help: <http://oregonlawhelp.org/OR/index.cfm>

Free Legal Assistance: <http://www.oregonlawcenter.org/>  
 Portland (503)473-8329  
 Coos Bay (800)303-3638  
 Ontario (888)250-9877  
 Salem (503)485-0696  
 Grants Pass (541)476-1058  
 Woodburn (800)973-9003  
 Hillsboro (877)726-4381

**2016-006294****Klamath County, Oregon**

06/14/2016 01:39:18 PM

Fee: \$52.00

**When recorded mail document to:**

Clear Recon Corp  
 111 SW Columbia Street #950  
 Portland, OR 97201  
 866-931-0036

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**NOTICE OF DEFAULT AND ELECTION TO SELL**

TS No.: 044584-OR

Loan No.: \*\*\*\*\*1626

Legal Authority: ORS 86.752, 86.771

Reference is made to that certain trust deed (the "Deed of Trust") executed by FREDERICK G HITSON AND JOANNE L HITSON AS TENANTS BY THE ENTIRETY, as Grantor, to FIDELITY NATIONAL TITLE INSURA, as Trustee, in favor of WELLS FARGO BANK N.A., as Beneficiary, dated 9/21/2009, recorded 9/25/2009, as Instrument No. 2009-012705, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 13 IN BLOCK 8, KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL  
 PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF  
 KLAMATH COUNTY, OREGON**

APN: R500522 // R-3908-031C0-01900-000

Commonly known as:

10614 RIVEREDGE PL

KLAMATH FALLS, OR 976201

The current beneficiary is:

Wells Fargo Bank, N.A.

The undersigned hereby certifies that no assignments of the Deed of Trust by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the Deed of Trust, or, if such action has been instituted, the action has been dismissed, except as permitted by ORS 86.752(7), 86.010.

There is a default by grantor or other person owing an obligation, or by their successor-in-interest, the performance of which is secured by the Deed of Trust with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is due to the failure of the borrower to maintain the property as their principle residence..

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, those sums being the following: **\$150,171.00**

TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the Deed of Trust by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder, for cash, the interest in the described property which grantor had, or had the power to convey, at the time grantor executed the Deed of Trust, together with any interest grantor or grantor's successor in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of 10:00 AM., standard time, as established by ORS 187.110, on 10/25/2016, at the following place:

**ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**

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 the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of 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 Deed of Trust, and in addition to paying the sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust, together with trustee's and attorneys' fees not exceeding the amounts provided by ORS 86.778.

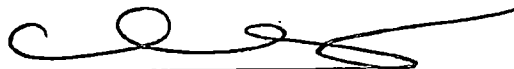
Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective 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.

TS No.: 044584-OR  
 Loan No.: \*\*\*\*\*1626

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

Dated: 6/10/2016

CLEAR RECON CORP  
 111 SW Columbia Street #950  
 Portland, OR 97201  
 Phone: 858-750-7600 or 866-931-0036



**CLARIBEN HUNTINGTON**, Authorized Signatory of Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
 ) ss.  
 County of San Diego )

On JUN 10 2016 before me, Renata Byra, Notary Public, personally appeared Clariben Huntington who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Renata Byra (Seal)



## Recipient List (addresses)

Client: Wells Fargo Bank, NA (REVERSE)

143122  
ESTATE OF FREDRICK G. HITSON  
10614 RIVEREDGE PL  
KENO, OR 97627  
9214890144258214380164 (Electronic Return Receipt)

143122  
ESTATE OF FREDRICK G. HITSON  
10614 RIVEREDGE PL  
KENO, OR 97627

143122  
ESTATE OF FREDRICK G HITSON  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97627  
9214890144258214380201 (Electronic Return Receipt)

143122  
ESTATE OF FREDRICK G HITSON  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97627

143122  
SECRETARY OF HOUSING AND URBAN DEVELOPMENT  
451 SEVENTH STREET, S.W.  
WASHINGTON, DC 20410  
9214890144258214380263 (Electronic Return Receipt)

143122  
SECRETARY OF HOUSING AND URBAN DEVELOPMENT  
451 SEVENTH STREET, S.W.  
WASHINGTON, DC 20410

143122  
WELLS FARGO BANK, N.A.  
1003 E. BRIER DRIVE, X0501-04G  
SAN BERNARDINO, CA 924082862  
9214890144258214380324 (Electronic Return Receipt)

143122  
WELLS FARGO BANK, N.A.  
1003 E. BRIER DRIVE, X0501-04G  
SAN BERNARDINO, CA 924082862

143122  
QUALITY ELECTRIC  
C/O TONI HAND  
822 SPRING ST  
K FALLS, OR 97601  
9214890144258214380409 (Electronic Return Receipt)

143122  
QUALITY ELECTRIC  
C/O TONI HAND  
822 SPRING ST  
K FALLS, OR 97601

143122  
HEIRS AND DEVISEES OF FREDRICK G. HITSON  
10614 RIVEREDGE PL  
KENO, OR 97627  
9214890144258214380461 (Electronic Return Receipt)

143122  
HEIRS AND DEVISEES OF FREDRICK G. HITSON  
10614 RIVEREDGE PL



KENO, OR 97627

143122  
HEIRS AND DEVISEES OF FREDRICK G HITSON  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97627  
9214890144258214380546 (Electronic Return Receipt)

143122  
HEIRS AND DEVISEES OF FREDRICK G HITSON  
10614 RIVEREDGE PL  
KLAMATH FALLS, OR 97627

143122  
CHRISTY L. HITSON  
10614 RIVEREDGE PL  
KENO, OR 97627  
9214890144258214380621 (Electronic Return Receipt)

143122  
CHRISTY L. HITSON  
10614 RIVEREDGE PL  
KENO, OR 97627

143122  
ESTATE OF FREDRICK G HITSON  
PO BOX 767  
KENO, OR 97627  
9214890144258214380683 (Electronic Return Receipt)

143122  
ESTATE OF FREDRICK G HITSON  
PO BOX 767  
KENO, OR 97627

143122  
HEIRS AND DEVISEES OF FREDRICK G HITSON  
PO BOX 767  
KENO, OR 97627  
9214890144258214380768 (Electronic Return Receipt)

143122  
HEIRS AND DEVISEES OF FREDRICK G HITSON  
PO BOX 767  
KENO, OR 97627

# OREGONIAN MEDIA GROUP

1515 SW 5th, Suite 1000, Portland, OR 97201-5615

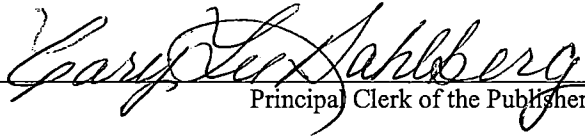
## Affidavit of Publication

I, **Cary L. Dahlberg**, being first duly sworn depose and say that I am the Principal Clerk of The Publisher of **The Oregonian**, a newspaper of general circulation, published at **Portland, in Multnomah County**, Oregon; that I know from my personal knowledge that the advertisement, a printed copy of which is hereto annexed, was published in the **entire** issue of the said newspaper in the following issues:

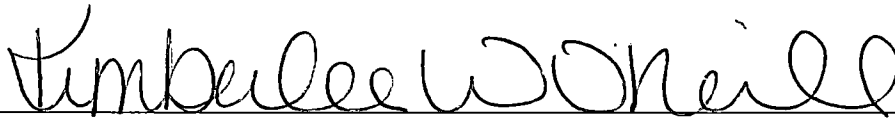
July 1, 8, 15 & 22, 2016

**STOX POSTING & PUBLISHING LLC**

# 0003773841

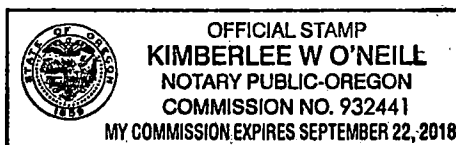
  
Principal Clerk of the Publisher

Subscribed and sworn to before me this date: **6<sup>th</sup> Day of September 2016**



Notary Public for Oregon

My Commission expires 9-22-18



617205/044584-01

**TRUSTEE'S NOTICE OF SALE**

TS No.: 044584-OR Loan No.: \*\*\*\*\*1626 Reference is made to that certain trust deed (the "Deed of Trust") executed by FREDERICK G HITSON AND JOANNE L HITSON AS TENANTS BY THE ENTIRETY, as Grantor, to FIDELITY NATIONAL TITLE INSURA, as Trustee, in favor of WELLS FARGO BANK N.A., as Beneficiary, dated 9/21/2009, recorded 9/25/2009, as Instrument No. 2009-012705, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon: LOT 13 IN BLOCK 8, KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON APN: R500522 // R-3908-031C0-01900-000 Commonly known as: 10614 RIVEREDGE PL KLAMATH FALLS, OR 976201 The current beneficiary is: Wells Fargo Bank, N.A. Both the beneficiary and the trustee have elected to sell the above-described real property to satisfy the obligations secured by the Deed of Trust and notice has been recorded pursuant to ORS 86.752(3). The default for which the foreclosure is made is due to the failure of the borrower to maintain the property as their principal residence.

**TOTAL REQUIRED TO PAYOFF:****\$150,171.00**

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including: the principal sum of \$149,552.74 together with interest thereon at the rate of 5.56 % per annum, from 12/22/2015 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP., whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on 10/25/2016, at the hour of 10:00 AM, standard time, as established by ORS 187.110, **ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**, sell at public auction to the highest bidder for cash the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.778 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by tendering the performance required under the Deed of Trust at any time not later than five days before the date last set for sale. 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 masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by the Deed of Trust, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

**CLEAR RECON CORP****111 SW Columbia Street #950****Portland, OR 97201****Phone: 858-750-7600 or 866-931-0036**

Dated: 6/10/2016

July 1, 8, 15 &amp; 22, 2016

67-3771527-001

**AFFIDAVIT OF SERVICE**

**TRUSTEE'S NOTICE OF SALE UPON OCCUPANT; NOTICE TO TENANTS**

Case Number: 044584-OR

Beneficiary:  
**WELLS FARGO BANK, N.A.**

vs.

Grantor:  
**FREDERICK G. HITSON AND JOANNE L. HITSON**

Received by MALSTROM'S PROCESS SERVING CO on the 14th day of June, 2016 at 9:35 pm to be served on **FREDERICK G HITSON AND JOANNE L. HITSON AND/OR ALL OCCUPANTS, 10614 RIVEREDGE PL, KLAMATH FALLS, OR 97601.**

I, **RON MILLER**, being duly sworn, depose and say that on the **15th day of June, 2016 at 2:20 pm**, I:

**AFFIXED** a true copy of the **TRUSTEE'S NOTICE OF SALE UPON OCCUPANT; NOTICE TO TENANTS** to the door at the address of: **10614 RIVEREDGE PL, KLAMATH FALLS, OR 97601**, within the State of Oregon. On **6/15/2016 at 2:20 pm**.

**AFFIXED** a true copy of the **TRUSTEE'S NOTICE OF SALE UPON OCCUPANT; NOTICE TO TENANTS** to the door at the address of: **10614 RIVEREDGE PL, KLAMATH FALLS, OR 97601**, within the State of Oregon. On **6/18/2016 at 7:30 am**.

**AFFIXED** a true copy of the **TRUSTEE'S NOTICE OF SALE UPON OCCUPANT; NOTICE TO TENANTS** to the door at the address of: **10614 RIVEREDGE PL, KLAMATH FALLS, OR 97601**, within the State of Oregon. On **6/21/2016 at 3:45 pm**.

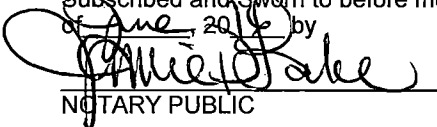
Deponent completed service by mailing a true copy of the **TRUSTEE'S NOTICE OF SALE UPON OCCUPANT; NOTICE TO TENANTS** in a postpaid envelope to the address of: **10614 RIVEREDGE PL, KLAMATH FALLS, OR 97601** bearing the words "Personal & Confidential" by First Class Mail on **6/23/2016** by **RON MILLER** from **KLAMATH** and placed in an official depository of the U.S.P.S. in the State of Oregon.

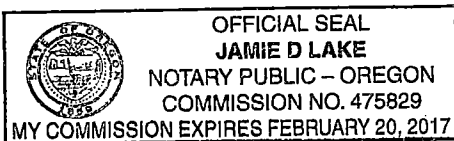
**AFFIDAVIT OF SERVICE For 044584-OR**

I declare under penalty of perjury that I am a resident of the State of Oregon. I am a competent person 18 years of age or older and not a party to or attorney in this proceeding and am authorized to serve the process described herein. I certify that the person, firm, or corporation served is the identical one named in this action. I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that it is made for use as evidence in court and is subject to penalty for perjury.

Subscribed and Sworn to before me on 26<sup>th</sup> day  
of June, 2016 by

  
NOTARY PUBLIC



  
RON MILLER  
Process Server

MALSTROM'S PROCESS SERVING CO  
PO BOX 2031  
SALEM, OR 97308  
(503) 585-0234

Our Job Serial Number: RRA-2016001744  
Ref: 2016002926

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## TRUSTEE'S NOTICE OF SALE

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TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

Reference is made to that certain trust deed (the "Deed of Trust") executed by FREDERICK G HITSON AND JOANNE L HITSON AS TENANTS BY THE ENTIRETY, as Grantor, to FIDELITY NATIONAL TITLE INSURA, as Trustee, in favor of WELLS FARGO BANK N.A., as Beneficiary, dated 9/21/2009, recorded 9/25/2009, as Instrument No. 2009-012705, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 13 IN BLOCK 8, KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL  
PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH  
COUNTY, OREGON**

**APN: R500522 // R-3908-031C0-01900-000**

Commonly known as:  
**10614 RIVEREDGE PL  
KLAMATH FALLS, OR 976201**

The current beneficiary is:  
**Wells Fargo Bank, N.A.**

Both the beneficiary and the trustee have elected to sell the above-described real property to satisfy the obligations secured by the Deed of Trust and notice has been recorded pursuant to ORS 86.752(3). The default for which the foreclosure is made is due to the failure of the borrower to maintain the property as their principle residence.

***TOTAL REQUIRED TO PAYOFF:                   \$150,171.00***

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including: the principal sum of \$149,552.74 together with interest thereon at the rate of 5.56 % per annum, from 12/22/2015 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust

Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP., whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on 10/25/2016, at the hour of 10:00 AM, standard time, as established by ORS 187.110, **ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**, sell at public auction to the highest bidder for cash the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.778 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by tendering the performance required under the Deed of Trust at any time not later than five days before the date last set for sale.

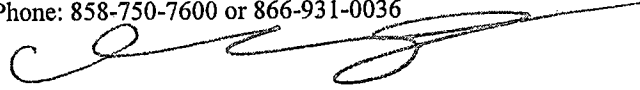
Without limiting the trustee's disclaimer of representations or warranties, Oregon law requires the trustee to state in this notice that some residential property sold at a trustee's sale may have been used in manufacturing methamphetamines, the chemical components of which are known to be toxic. Prospective 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.

TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by the Deed of Trust, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 6/10/2016

CLEAR RECON CORP  
111 SW Columbia Street #950  
Portland, OR 97201  
Phone: 858-750-7600 or 866-931-0036



, Authorized Signatory of Trustee

CLARIBEN HUNTINGTON

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California            )  
  ) ss.  
County of San Diego         )

On JUN 10 2016 before me, Renata Byra, Notary Public, personally appeared Clariben Huntington who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Renata Byra (Seal)





## NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **10/25/2016 at ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601 at 10:00 AM**. 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 proceed and someone new will own this property. After the sale, the new owner is required to provide you with contact information and notice that the sale took place.

The following information applies to you only if you are a bona fide tenant occupying and renting this property as a residential dwelling under a legitimate rental agreement. The information does not apply to you if you own this property or if you are not a bona fide residential tenant.

If the foreclosure sale is completed, the new owner will have the right to require you to move out. Before the new owner can require you to move, the new owner must provide you with written notice that specifies the date by which you must move out. If you do not leave before the move-out date, the new owner can have the sheriff remove you from the property after a court hearing. You will receive notice of the court hearing.

### PROTECTION FROM EVICTION

IF YOU ARE A BONA FIDE TENANT OCCUPYING AND RENTING THIS PROPERTY AS A RESIDENTIAL DWELLING, YOU HAVE THE RIGHT TO CONTINUE LIVING IN THIS PROPERTY AFTER THE FORECLOSURE SALE FOR:

- THE REMAINDER OF YOUR FIXED TERM LEASE, IF YOU HAVE A FIXED TERM LEASE; OR
- AT LEAST 90 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE.

If the new owner wants to move in and use this property as a primary residence, the new owner can give you written notice and require you to move out after 90 days, even though you have a fixed term lease with more than 90 days left. You must be provided with at least 90 days written notice after the foreclosure sale before you can be required to move.

A bona fide tenant is a residential tenant who is not the borrower (property owner) or a child, spouse or parent of the borrower, and whose rental agreement:

- Is the result of an arm's-length transaction;
- Requires the payment of rent that is not substantially less than fair market rent for the property, unless the rent is reduced or subsidized due to a federal, state or local subsidy; And
- Was entered into prior to the date of the foreclosure sale.

### ABOUT YOUR TENANCY BETWEEN NOW AND THE FORECLOSURE SALE:

#### RENT

YOU SHOULD CONTINUE TO PAY RENT TO YOUR LANDLORD UNTIL THE PROPERTY IS SOLD OR UNTIL A COURT ORDER 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.

TS No.: 044584-OR  
Loan No.: \*\*\*\*\*1626

ABOUT YOUR TENANCY  
AFTER THE FORECLOSURE SALE

The new owner that buys this property at the foreclosure sale may be willing to allow you to stay as a tenant instead of requiring you to move out after 90 days or at the end of your fixed term lease. After the sale, you should receive a written notice informing you that the sale took place and giving you the new owner's name and contact information. You should contact the new owner if you would like to stay. If the new owner accepts rent from you, signs a new residential rental agreement with you or does not notify you in writing within 30 days after the date of the foreclosure sale that you must move out, the new owner becomes your new landlord and must maintain the property. Otherwise:

- You do not owe rent;
- The new owner is not your landlord and is not responsible for maintaining the property on your behalf; and
- You must move out by the date the new owner specifies in a notice to you.

The new owner may offer to pay your moving expenses and any other costs or amounts you and the new owner agree on in exchange for your agreement to leave the premises in less than 90 days or before your fixed term lease expires. You should speak with a lawyer to fully understand your rights before making any decisions regarding your tenancy.

IT IS UNLAWFUL FOR ANY PERSON TO TRY TO FORCE YOU TO LEAVE YOUR DWELLING UNIT WITHOUT FIRST GIVING YOU WRITTEN NOTICE AND GOING TO COURT TO EVICT YOU. FOR MORE INFORMATION ABOUT YOUR RIGHTS, YOU SHOULD CONSULT A LAWYER. If you believe you need legal assistance, contact the Oregon State Bar 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.

Trustee: CLEAR RECON CORP.,  
111 SW Columbia Street #950  
Portland, OR 97201

Oregon State Bar Lawyer Referral Service: (503)684-3763 or (800)452-7636  
<http://www.osbar.org>; <http://www.osbar.org/public/ris/ris.html#referral>

Oregon Law Help: <http://oregonlawhelp.org/OR/index.cfm>

Free Legal Assistance: <http://www.oregonlawcenter.org/>  
Portland (503)473-8329  
Coos Bay (800)303-3638  
Ontario (888)250-9877  
Salem (503)485-0696  
Grants Pass (541)476-1058  
Woodburn (800)973-9003  
Hillsboro (877)726-4381

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:

10614 RIVEREDGE PL  
KLAMATH FALLS, OR 976201

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 6/10/2016 to payoff your mortgage loan was \$150,171.00. The amount you must now pay to payoff your loan may have increased since that date.

By law, your lender has to provide you with details about the amount you owe, if you ask. You may call (858) 750-7600 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:

CLEAR RECON CORP  
111 SW Columbia Street #950  
Portland, OR 97201  
858-750-7600

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

Date and time: 10/25/2016 at 10:00 AM

Place: ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH  
COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR  
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 anytime before the sale.
3. You can call WELLS FARGO HOME MORTGAGE
4. at 210-856-7399 to find out if your lender is willing to give you more time or change the terms of your loan.
5. 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 telephone number of an organization near you, please call the statewide telephone contact number at 800-SAFENET (800-723-3638). You may also wish to talk to a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at: <http://www.osbar.org>. Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to <http://www.oregonlawhelp.org>.

**WARNING:** You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

Dated: 6/10/2016

Trustee name: Clear Recon Corp.

Trustee signature:  CLARIBEN HUNTINGTON

Trustee telephone number: 858-750-7600

Trustee Sale No.: 044584-OR