
MTC 1101328/M
After recording, return to:
ROBERT A. SMEJKAL
Attorney at Law
PO Box 1758
Eugene, OR 97440

2016-011319
Klamath County, Oregon
10/24/2016 03:55:00 PM
Fee: \$72.00

Grantor:
LaRae, LLC

Trustee:
Robert A. Smejkal

Beneficiary:
CHEWKO §401(k) Profit Sharing Plan

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON County of Lane) ss.

I, ROBERT A. SMEJKAL, being first duly sworn, depose and say that:

At all times hereinafter mentioned, I was and am a resident of the state of Oregon, a competent person over the age of eighteen years, and not the Beneficiary nor the Beneficiary's successor in interest named in the attached original Trustee's Notice of Sale (the "Notice") given under the terms of that certain Trust Deed described in the Notice.

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

Name/Address	Date
LaRae, LLC PO Box 10545 EUGENE OR 97440	June 27, 2016
LaRae, LLC Attn: Stacy Henderson fka Alberts 875 Fairway View Drive EUGENE OR 97401	June 27, 2016

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE-1

These persons include: (a) the Grantor in the Trust Deed; (b) any successor in interest to

These persons include: (a) the Grantor in the Trust Deed; (b) any successor in interest to the Grantor whose interest appears of record or of whose interest the Trustee or the Beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the Trust Deed, if the lien or interest appears of record or the Beneficiary has actual notice of the lien or interest; and (d) any person requesting notice as set forth in ORS 86.785.

Each Notice so mailed was certified to be a true copy of the original Notice by ROBERT A. SMEJKAL, Attorney for the Trustee named in the Notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by my office assistant in the United States Post Office at Eugene, Oregon, on the date or dates indicated herein. With respect to each person listed above, one such Notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such Notice was mailed with a proper form to request and obtain a return receipt, with postage thereon in an amount sufficient to accomplish the same. Each such Notice was mailed after the Notice of Default and Election to Sell was recorded.

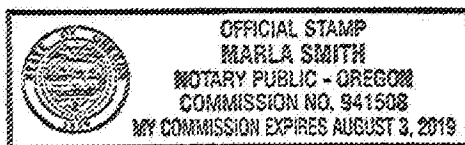
As used herein, the singular includes the plural, "Trustee" includes any Trustee, and "person" includes a corporation and any other legal or commercial entity.



ROBERT A. SMEJKAL

STATE OF OREGON, County of Lane) ss.

SIGNED AND SWORN to before me this 12th day of October, 2016, by Robert A. Smejkal.





NOTARY PUBLIC FOR OREGON

TRUSTEE'S NOTICE OF SALE

The Trustee, under the terms of the Trust Deed described herein, at the direction of the current Beneficiary, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby.

A. PARTIES TO THE TRUST DEED:

Grantor: LaRae, LLC
Trustee: Robert A. Smejkal, Attorney at Law
Beneficiary: CHEWKO §401(k) Profit Sharing Plan

B. DESCRIPTION OF THE PROPERTY:

"Real property in the County of Klamath, State of Oregon, described as follows:

A portion of the NE 1/4 of the SW 1/4 of Section 17, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Commencing at a point where the North-South center line of said Section 17 intersects the Northeasterly line of the highway right of way of Oregon State Highway 58; thence along said Northeasterly line of said right of way in a general Northwesterly direction, a distance of 650.0 feet to a point which is the true point of beginning; thence at right angles to said highway right of way in a generally Northeasterly direction, 250.0 feet to a point; thence at right angles to said last mentioned course in a generally Southeasterly direction, 250.0 feet to a point; thence at right angles to last mentioned course and in a generally Southwesterly direction, 250.0 feet, more or less, to said Northeasterly right of way line of said Oregon State Highway 58; thence along said Northeasterly line of said right of way in a generally Northwesterly direction, a distance of 250.0 feet, more or less, to the point of beginning."

C. ASSIGNMENT OF BENEFICIAL INTEREST: N/A

D. TRUST DEED INFORMATION:

Dated : May 18, 2007
Recording Date: May 18, 2007
Recorder's No.: 2007-009127
Recording Place: Deeds and Records of Klamath County, Oregon

E. DEFAULT: The Grantor is in default and the Beneficiary elects to foreclose the Trust Deed by reason of the Grantor's failure to pay the entire balance of the Promissory Note which became due in full on May 18, 2009, and for failure to pay real property taxes for 2012-2013 and each year thereafter plus interest.

F. **AMOUNT DUE:** By reason of the default, the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, those sums being the principal amount of \$45,000.00, plus interest at the rate of 12% per annum from November 28, 2009 until paid; plus late fees, amounts advanced by the Beneficiary, if any, pursuant to the Trust Deed or applicable law and attorney fees and foreclosure costs incurred.

G. **ELECTION TO SELL: NOTICE IS HEREBY GIVEN** that the Beneficiary and the Trustee, by reason of said default, have elected, and do hereby elect, to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes §86.705 et seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in said described property which Grantor had, or had the power to convey, at the time of the execution of the Trust Deed, together with any interest the Grantor acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of sale, including the compensation of the Trustee as provided by law, and the reasonable fees of the Trustee's attorney.

H. **DATE, TIME AND PLACE OF SALE:** Date & Time: November 2, 2016, at 11:00 a.m. Place: at the front entrance of the Klamath County Courthouse, 316 Main St., Klamath Falls, OR 97601.

I. **RIGHT TO REINSTATE: NOTICE IS FURTHER GIVEN** that at any time prior to five (5) days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee of the entire amount then due (other than a portion of the principal as would not then be due had no default occurred), and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or Trust Deed, and in addition to paying said sums or by tendering the performance necessary to cure the default, by paying all costs and expenses to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with the Trustee's fees and attorney's fees.

J. **NOTICE:** The Federal Fair Debt Practices Act requires we state that this is an attempt to collect a debt and any information obtained will be used for that purpose.

K. **LEGAL ASSISTANCE:** 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.

You may have additional rights under ORS 86.755(5) and under federal law.

Oregon State Bar
Lawyer Referral Service
16037 SW Upper Boones Ferry Road
Tigard, OR 97224

(503) 684 3763 / (800) 452-7636
Toll-free 9:00 a.m. to 5:00 p.m. weekdays

LASO Klamath Falls Regional Office
832 Klamath Avenue
Klamath Falls, OR 97601
(541) 273-0533, or 1 (800) 480-9160

Consumer queries and mortgage
foreclosure information: (855) 480-1950

Mailing address:
PO Box 231935
Tigard, OR 97281 1935

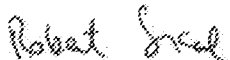
<http://www.osbar.org>
<http://www.oregonlawhelp.org>

Tuesday – Thursday, 10:00 a.m. – 4:00 p.m.;
clients can leave messages at all other hours,
including evenings and weekends. Also
available for appointments on other days
and times as needed.

Federal loan modification programs:
<http://www.makinghomeaffordable.gov>

L. **MISCELLANEOUS:** In construing this Notice, the singular includes the plural, the word "Grantor" includes any successor in interest to the Grantor, as well as any other person owing an obligation, the performance of which is secured by the Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

DATED this 27th day of June, 2016.



ROBERT A. SMEJKAL, Trustee
PO Box 1758
Eugene, OR 97440

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

I, Pat Bergstrom, Legal Specialist, 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#17298 SALE LARAE

TRUSTEE'S NOTICE OF SALE

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

Insertion(s) in the following issues:

09/08/2016 09/15/2016 09/22/2016 09/29/2016

Total Cost: \$1663.00

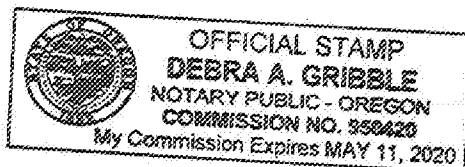
Pat Bergstrom

Subscribed and sworn by Pat Bergstrom before me on:
14th day of October in the year of 2016

Debra A. Gribble

Notary Public of Oregon

My commission expires on May 11, 2020



TRUSTEE'S NOTICE OF SALE

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Trustee: Robert A. Smejkal, Attorney at Law

Beneficiary: CHEWKO \$401(k) Profit Sharing Plan

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16037 SW Upper Boones Ferry Road,

Tigard, OR 97224 (503) 684-3763 1 (800) 452-7636

Toll-free 9:00 a.m. to 5:00 p.m. weekdays

Mailing address: PO Box 231935, Tigard, OR 97281-1935

<http://www.osbar.org> <http://www.oregonlawhelp.org>

•LASO Klamath Falls Regional Office

832 Klamath Avenue, Klamath Falls, OR 97601

(541) 273-0533, or 1 (800) 480-9160

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DATED this 27th day of June, 2016.

/s/ROBERT A. SMEJKAL, Trustee

PO Box 1758, Eugene, OR 97440

#17298 September 08, 15, 22, 29, 2016.