

2017-007193

Klamath County, Oregon

06/30/2017 09:27:00 AM

Fee: \$112.00

**RECORDING COVER SHEET**

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

**AFTER RECORDING RETURN TO:**

Shapiro & Sutherland, LLC

7632 SW Durham Road, Suite 350

Tigard, Oregon 97224

S&S File No. 15-116244

**1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)**



Other: Notice of Postponement of Trustee's Sale

**2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160**

Philip L. & Patti L. Googins

**3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160**

Carrington Mortgage Services, LLC

Wilmington Savings Fund Society, FSB,  
as trustee of Upland Mortgage Loan Trust  
A

**4) TRUE AND ACTUAL CONSIDERATION | 5) SEND TAX STATEMENTS TO:**

ORS 93.030(5) – Amount in dollars or other

\$0.00 Other

**6) SATISFACTION of ORDER or WARRANT | 7) The amount of the monetary**  
ORS 205.125(1)(e) | **obligation imposed by the order**  
CHECK ONE: FULL | **or warrant. ORS 205.125(1)(c)**  
(If applicable) PARTIAL |

\_\_\_\_\_ | \$ \_\_\_\_\_

**8) If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244:**

## NOTICE OF POSTPONEMENT OF TRUSTEE'S SALE

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S&S #:15-116244

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee, SHAPIRO & SUTHERLAND, LLC had recorded a Notice of Default and Election to Sell on June 17, 2016, establishing the date, time and location of the Trustee's Sale as November 2, 2016 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon. On February 8, 2017 the Trustee, SHAPIRO & SUTHERLAND, LLC, appeared and continued the scheduled Trustee's Sale by oral proclamation to March 10, 2017 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon. On March 10, 2017 the Trustee, SHAPIRO & SUTHERLAND, LLC, appeared and continued the scheduled Trustee's Sale by oral proclamation to April 10, 2017 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon. On April 10, 2017 the Trustee, SHAPIRO & SUTHERLAND, LLC, appeared and continued the scheduled Trustee's Sale by oral proclamation to May 1, 2017 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon. On May 1, 2017 the Trustee, SHAPIRO & SUTHERLAND, LLC, appeared and continued the scheduled Trustee's Sale by oral proclamation to June 1, 2017 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon. On June 1, 2017 the Trustee, SHAPIRO & SUTHERLAND, LLC, appeared and continued the scheduled Trustee's Sale by oral proclamation to June 30, 2017 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon at which time the trustee will sell at public auction to the highest and best bidder, payable at time of sale, the following described real property, situated in the County of Klamath, State of Oregon, to-wit:

Located in KLAMATH COUNTY, OREGON:

See complete Legal Description attached hereto as Exhibit "A"

Commonly known as: 7612 Jacks Way Klamath Falls, OR 97603

which is the subject of that certain Deed of Trust dated October 11, 2005 recorded October 12, 2005 in Vol M05, at Page 66384, records of Klamath County County, Oregon, from Philip L Googins, and Patti L Googins, as Grantor, to Amerititle as Trustee, to secure an obligation in favor of ABN Amro Mortgage Group, Inc, as named Beneficiary. Ditech Financial LLC is the present Beneficiary as defined by ORS 86.705(2).

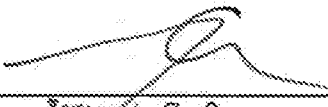
A list of the persons this Notice was sent to is attached hereto as exhibit "A".

FAIR DEBT COLLECTION PRACTICES ACT NOTICE: SHAPIRO & SUTHERLAND, LLC, is attempting to collect a debt and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings, this shall not be construed to be an attempt to collect the outstanding indebtedness or to hold you personally liable for the debt.

The Successor Trustee, Shapiro & Sutherland, LLC, has authorized the undersigned Attorney to execute the document on the Successor Trustee's behalf as allowed under ORS 86.713(9).

Shapiro & Sutherland, LLC  
Successor Trustee

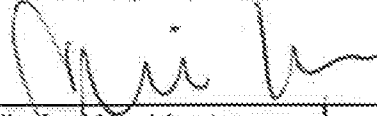
Dated: 6-20-17

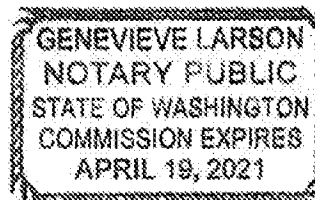
By:   
James A. Craft  
Associate Attorney

OSB # 090146

STATE OF WASHINGTON )  
COUNTY OF CLARK ) SS.

SUBSCRIBED AND SWORN to before me this 20th day of June,  
2017, by James A. Craft

  
Notary Public for Washington  
My commission expires 4/19/21



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL I:**

A tract of land situated in the SW1/4 NW1/4, Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89° 47' 40" East along the Westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence North 70° 49' 32" East 102.63 feet to a point on the arc of a 50-foot radius curve; thence Southeasterly along the arc of said curve (central angle = 102° 21' 44") 90.25 feet; thence South 31° 36' 12" East 104.55 feet; thence South 65° 48' 00" West 10.00 feet; thence South 24° 12' 00" East 180.00 feet; thence South 65° 48' 00" West 91.43 feet to the beginning of a curve; thence along the arc of said curve to the left (central angle = 42° 41' 30" and radius = 135.77 feet) 101.16 feet; thence South 23° 06' 30" West 74.72 feet; thence along the arc of a curve to the right (central angle = 113° 45' 00" and radius = 100 feet) 198.53 feet; thence North 43° 08' 30" West 185.00 feet to the true point of beginning of this description; thence North 46° 51' 30" East 118.75 feet; thence North 43° 08' 30" West 49.88 feet; thence on the arc of a curve to the left (central angle = 16° 33' 45" and radius = 220 feet) 63.60 feet; thence South 30° 17' 45" West 114.36 feet; thence South 43° 08' 30" East 80.00 feet to the true point of beginning of this description.

TOGETHER WITH a perpetual and non-exclusive easement for access as described in deed recorded April 3, 1979 in Volume M79 page 7265, Deed records of Klamath County, Oregon.

**PARCEL II:**

A tract of land situated in the SW1/4 NW1/4, Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89° 47' 40" East along the Westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence North 70° 49' 32" East 102.63 feet to a point on the arc of a 50-foot radius curve; thence Southeasterly along the arc of said curve (central angle = 102° 21' 44") 90.25 feet; thence South 31° 36' 12" East 104.55 feet; thence South 65° 48' 00" West 10.00 feet; thence South 24° 12' 00" East 180.00 feet;

- Continued -

(Legal description continued)

thence South 65° 48' 00" West 91.43 feet to the beginning of a curve; thence along the arc of said curve to the left (central angle = 42° 41' 30" and radius = 135.77 feet) 101.16 feet; thence South 23° 06' 30" West 74.72 feet; thence along the arc of a curve to the right (central angle = 113° 45' 00" and radius = 100 feet) 193.53 feet; thence North 43° 08' 30" West 265.00 feet to the true point of beginning of this description; thence continuing North 43° 08' 30" West 74.64 feet; thence North 65° 09' 30" West 116.01 feet; thence North 00° 16' 00" West 25.21 feet; thence North 89° 47' 40" East 102.35 feet; thence along the arc of a curve to the right (central angle = 30° 30' 05" and radius = 220.00 feet) 117.12 feet; thence South 30° 17' 45" West 114.36 feet to the true point of beginning of this description.

TOGETHER WITH a perpetual and non-exclusive easement for access as described in deed recorded May 2, 1979 in Volume M79 page 10005, Deed records of Klamath County, Oregon.

Tax Account No: 3910-018B0-01400-000

Key No: 598026

**EXHIBIT "A"**

**Philip L. Googins a/k/a Philip Lawrence  
Googins  
7612 Jacks Way  
Klamath Falls, OR 97603**

**Philip L. Googins a/k/a Philip Lawrence  
Googins  
12473 Overland Drive  
Klamath Falls, OR 97603**

**Patti L. Googins a/k/a Patricia Lorraine  
Googins  
7612 Jacks Way  
Klamath Falls, OR 97603**

**Patti L. Googins a/k/a Patricia Lorraine  
Googins  
12473 Overland Drive  
Klamath Falls, OR 97603**

**ABN AMRO Mortgage Group, Inc.  
2600 W. Big Beaver Road  
Troy, MI 48084**

**ABN AMRO Mortgage Group, Inc.  
Attn: Final/Trailing Documents  
1201 East Lincoln  
Madison Heights, MI 48071**

**ABN AMRO Mortgage Group, Inc.  
Attn: R/A: C T Corporation System  
388 State Street Ste 420  
Salem, OR 97301**

**ABN AMRO Mortgage Group, Inc.  
Attn: Tom Rosiello, Secretary  
135 S LaSalle St Room 925  
Chicago, IL 60603**

**Webster Bank, N.A.  
609 West Johnson Avenue  
Cheshire, CT 06410**

**Webster Bank, N.A.  
C/O RCO Legal, P.C.  
13555 SE 36th Street #300  
Bellevue, WA 98006**

**Webster Bank, N.A.  
C/O RCO Legal, P.C.  
Attn: R/A: Corporation Service Company  
1127 Broadway Street NE Ste 310  
Salem, OR 97301**

**Webster Bank, National Association  
145 Bank Street  
Webster Plaza  
Waterbury, CT 06702**

SHAPIRO & SUTHERLAND, LLC

DECLARATION OF MAILING - NOTICE OF POSTPONEMENT

I, Tierney Butler, state that I am now and at all time herein mentioned was a citizen of the United States and over the age of eighteen years, and not the beneficiary or his successors in interest named in the attached original Notice of Continuance.

That at the direction and under the supervision of the Trustee I gave notice of default under the terms of the Deed of Trust identified in the attached Notice of Postponement by mailing a copy thereof by first class mail and by mailing a copy certified mail with return receipt requested to each of the following named persons as the grantor or any successor in interest in the property described in said Deed of Trust at their respective addresses, to-wit:

Philip L. Googins a/k/a Philip Lawrence  
Googins  
7612 Jacks Way  
Klamath Falls, OR 97603

Philip L. Googins a/k/a Philip Lawrence  
Googins  
12473 Overland Drive  
Klamath Falls, OR 97603

Patti L. Googins a/k/a Patricia Lorraine  
Googins  
7612 Jacks Way  
Klamath Falls, OR 97603

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ABN AMRO Mortgage Group, Inc.  
2600 W. Big Beaver Road  
Troy, MI 48084

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Attn: Final/Trailing Documents  
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Madison Heights, MI 48071

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388 State Street Ste 420  
Salem, OR 97301

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Attn: Tom Rosiello, Secretary  
135 S LaSalle St Room 925  
Chicago, IL 60603

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Cheshire, CT 06410

Webster Bank, N.A.  
C/O RCO Legal, P.C.  
13555 SE 36th Street #300  
Bellevue, WA 98006

Webster Bank, N.A.

C/O RCO Legal, P.C.

Attn: R/A: Corporation Service Company

1127 Broadway Street NE Ste 310

Salem, OR 97301

Webster Bank, National Association

145 Bank Street

Webster Plaza

Waterbury, CT 06702

Each of the notices so mailed was a true copy of the original Notice of Postponement, each copy was contained in a sealed envelope, with postage therein fully prepaid, and was deposited by me in a United States post office on June 20, 2017.

SHAPIRO & SUTHERLAND, LLC

Declarant

Tunay Butler

S&S #: 15-116244



## NOTICE OF POSTPONEMENT OF TRUSTEE'S SALE

---

S&S #:15-116244

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee, SHAPIRO & SUTHERLAND, LLC had recorded a Notice of Default and Election to Sell on June 17, 2016, establishing the date, time and location of the Trustee's Sale as November 2, 2016 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon. On February 8, 2017 the Trustee, SHAPIRO & SUTHERLAND, LLC, appeared and continued the scheduled Trustee's Sale by oral proclamation to March 10, 2017 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon. On March 10, 2017 the Trustee, SHAPIRO & SUTHERLAND, LLC, appeared and continued the scheduled Trustee's Sale by oral proclamation to April 10, 2017 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon. On April 10, 2017 the Trustee, SHAPIRO & SUTHERLAND, LLC, appeared and continued the scheduled Trustee's Sale by oral proclamation to May 1, 2017 at the hour of 10:00AM, at the main entrance of the Klamath County Courthouse, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon at which time the trustee will sell at public auction to the highest and best bidder, payable at time of sale, the following described real property, situated in the County of Klamath, State of Oregon, to-wit:

Located in KLAMATH COUNTY, OREGON:

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A list of the persons this Notice was sent to is attached hereto as exhibit "A".

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The Successor Trustee, Shapiro & Sutherland, LLC, has authorized the undersigned Attorney to execute the document on the Successor Trustee's behalf as allowed under ORS 86.713(9).

Shapiro & Sutherland, LLC  
Successor Trustee

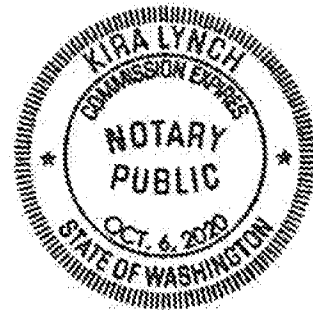
Dated: 4-12-17

By: [Signature]  
James Craft  
OSB # 090146

STATE OF WASHINGTON )  
COUNTY OF CLARK ) SS.

SUBSCRIBED AND SWORN to before me this 12 day of April,  
2017,  
by James Craft

[Signature]  
Notary Public for Washington  
My commission expires 10/6/2020



**EXHIBIT "A"**

**Philip L. Googins a/k/a Philip Lawrence  
Googins  
7612 Jacks Way  
Klamath Falls, OR 97603**

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Chicago, IL 60603**

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**Webster Bank, National Association  
145 Bank Street  
Webster Plaza  
Waterbury, CT 06702**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL I:**

A tract of land situated in the SW1/4 NW1/4, Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89° 47' 40" East along the Westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence North 70° 49' 32" East 102.63 feet to a point on the arc of a 50-foot radius curve; thence Southeasterly along the arc of said curve (central angle = 102° 21' 44") 90.25 feet; thence South 31° 36' 12" East 104.55 feet; thence South 65° 48' 00" West 10.00 feet; thence South 24° 12' 00" East 180.00 feet; thence South 65° 48' 00" West 91.43 feet to the beginning of a curve; thence along the arc of said curve to the left (central angle = 42° 41' 30" and radius = 135.77 feet) 101.16 feet; thence South 23° 06' 30" West 74.72 feet; thence along the arc of a curve to the right (central angle = 113° 45' 00" and radius = 100 feet) 198.53 feet; thence North 43° 08' 30" West 185.00 feet to the true point of beginning of this description; thence North 46° 51' 30" East 118.75 feet; thence North 43° 08' 30" West 49.88 feet; thence on the arc of a curve to the left (central angle = 16° 33' 45" and radius = 220 feet) 63.60 feet; thence South 30° 17' 45" West 114.36 feet; thence South 43° 08' 30" East 80.00 feet to the true point of beginning of this description.

TOGETHER WITH a perpetual and non-exclusive easement for access as described in deed recorded April 3, 1979 in Volume M79 page 7265, Deed records of Klamath County, Oregon.

**PARCEL II:**

A tract of land situated in the SW1/4 NW1/4, Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89° 47' 40" East along the Westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence North 70° 49' 32" East 102.63 feet to a point on the arc of a 50-foot radius curve; thence Southeasterly along the arc of said curve (central angle = 102° 21' 44") 90.25 feet; thence South 31° 36' 12" East 104.55 feet; thence South 65° 48' 00" West 10.00 feet; thence South 24° 12' 00" East 180.00 feet;

- Continued -

(Legal description continued)

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Tax Account No: 3910-018B0-01400-000

Key No: 598026

**SHAPIRO & SUTHERLAND, LLC**

**DECLARATION OF MAILING - NOTICE OF POSTPONEMENT**

I, Evelyn T., state that I am now and at all time herein mentioned was a citizen of the United States and over the age of eighteen years, and not the beneficiary or his successors in interest named in the attached original Notice of Continuance.

That at the direction and under the supervision of the Trustee I gave notice of default under the terms of the Deed of Trust identified in the attached Notice of Postponement by mailing a copy thereof by first class mail and by mailing a copy certified mail with return receipt requested to each of the following named persons as the grantor or any successor in interest in the property described in said Deed of Trust at their respective addresses, to-wit:

Philip L. Googins a/k/a Philip Lawrence  
Googins  
7612 Jacks Way  
Klamath Falls, OR 97603

Philip L. Googins a/k/a Philip Lawrence  
Googins  
12473 Overland Drive  
Klamath Falls, OR 97603

Patti L. Googins a/k/a Patricia Lorraine  
Googins  
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C/O RCO Legal, P.C.  
13555 SE 36th Street #300  
Bellevue, WA 98006

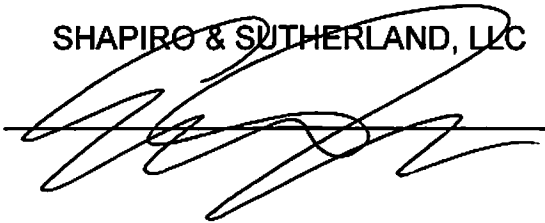
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Webster Bank, National Association  
145 Bank Street  
Webster Plaza  
Waterbury, CT 06702

Each of the notices so mailed was a true copy of the original Notice of Postponement, each copy was contained in a sealed envelope, with postage therein fully prepaid, and was deposited by me in a United States post office on April 13, 2017.

SHAPIRO & SUTHERLAND, LLC

Declarant



4/13/17

S&S #: 15-116244