

**2017-008974**

**Klamath County, Oregon**

**08/09/2017 02:18:00 PM**

**Fee: \$182.00**

Recording Requested By:

When Recorded Mail to:

Nathan F. Smith, Esq., OSB #120112  
c/o Trustee Corps  
17100 Gillette Ave  
Irvine, CA 92614

TS No. OR07000017-17-1

APN R134278

TO No. 170045032-OR-MSO

## AFFIDAVIT OF MAILING

<b>GRANTEE:</b>	<b>CIT Bank, N.A.</b>
<b>GRANTOR:</b>	<b>Ronald P Lovett, MARJORIE LOVETT</b>
<b>CURRENT TRUSTEE:</b>	<b>Nathan F. Smith, Esq., OSB #120112</b>



Exhibit A to Affidavit of Mailing

Sender: Trustee Corps  
17100 Gillette Ave.  
Irvine CA 95614

Postal Class: First Class

Type of Mailing: OR

Affidavit Attachment: 0015612-01 000 556832 Trustee\_000418

Postal Number	Sequence	Recipient Name	Address Line 1/3	Address Line 2/4
(11)9690024858722277	1	KAREN BEAMAN	PO BOX 119	UKIAH, CA 95482
(11)9690024858722284	2	MARJORIE LOVETT	1293 FORT JACKPINE DRIVE	GILCHRIST, OR 97737
(11)9690024858722291	3	MARJORIE LOVETT	51485 MRSON ST APT #123	LA PINE, OR 97739
(11)9690024858722307	4	MARJORIE LOVETT	PO BOX 2267	LA PINE, OR 97739
(11)9690024858722314	5	MARJORIE LOVETT	PO BOX 7335	BEND, OR 97708
(11)9690024858722321	6	RONALD P LOVETT	1293 FORT JACKPINE DRIVE	GILCHRIST, OR 97737
(11)9690024858722338	7	RONALD P LOVETT	PO BOX 2267	LA PINE, OR 97739
(11)9690024858722345	8	RONALD P LOVETT	PO BOX 7335	BEND, OR 97708
(11)9690024858722352	9	OCCUPANT	1293 FORT JACKPINE DRIVE	GILCHRIST, OR 97737
(11)9690024858722369	10	SECRETARY OF HOUSING AND URBAN DEVELOPMENT	451 SEVENTH STREET S.W.	WASHINGTON, DC 20410
(11)9690024858722376	11	SECRETARY OF HOUSING AND URBAN DEVELOPMENT	C/O FINANCIAL FREEDOM ACQUISITION LLC, A SUBSIDIARY OF ONEWEST BANK FSB	190 TECHNOLOGY PKWY NORCROSS, GA 30092

(11)9690024858722383

12

THE ESTATE OF RONALD P LOVETT, DECEASED

1293 FORT JACKPINE DRIVE

GILCHRIST, OR 97737

(11)9690024858722390

13

THE ESTATE OF RONALD P LOVETT, DECEASED

PO BOX 2267

LA PINE, OR 97739

(11)9690024858722406

14

THE ESTATE OF RONALD P LOVETT, DECEASED

PO BOX 7335

BEND, OR 97708

Exhibit A to Affidavit of Mailing

Sender: Trustee Corps  
17100 Gillette Ave.  
Irvine CA 95614

Postal Class: Electronic - Ret

Type of Mailing: OR

Affidavit Attachment: 0015612-01 000 55832 Trustee\_000418

Postal Number	Sequence	Recipient Name	Address Line 1/3	Address Line 2/4
71969002484046793632	1	KAREN BEAMAN	PO BOX 119	UKIAH, CA 95482
71969002484046793663	2	MARJORIE LOVETT	1293 FORT JACKPINE DRIVE	GILCHRIST, OR 97737
71969002484046793687	3	MARJORIE LOVETT	51485 MRSON ST APT #123	LA PINE, OR 97739
71969002484046793700	4	MARJORIE LOVETT	PO BOX 2267	LA PINE, OR 97739
71969002484046793724	5	MARJORIE LOVETT	PO BOX 7335	BEND, OR 97708
71969002484046793748	6	RONALD P LOVETT	1293 FORT JACKPINE DRIVE	GILCHRIST, OR 97737
71969002484046793779	7	RONALD P LOVETT	PO BOX 2267	LA PINE, OR 97739
71969002484046793793	8	RONALD P LOVETT	PO BOX 7335	BEND, OR 97708
71969002484046793816	9	OCCUPANT	1293 FORT JACKPINE DRIVE	GILCHRIST, OR 97737
71969002484046793847	10	SECRETARY OF HOUSING AND URBAN DEVELOPMENT	451 SEVENTH STREET S.W.	WASHINGTON, DC 20410
71969002484046793861	11	SECRETARY OF HOUSING AND URBAN DEVELOPMENT	C/O FINANCIAL FREEDOM ACQUISITION LLC, A SUBSIDIARY OF ONEWEST BANK FSB	190 TECHNOLOGY PKWY NORCROSS, GA 30092

71969002484046793892

12 THE ESTATE OF RONALD P LOVETT, DECEASED 1293 FORT JACKPINE DRIVE

GILCHRIST, OR 97737

71969002484046793915  
13

THE ESTATE OF RONALD P LOVETT, DECEASED PO BOX 2267

LA PINE, OR 97739

71969002484046793922  
14

THE ESTATE OF RONALD P LOVETT, DECEASED PO BOX 7335

BEND, OR 97708

DECLARATION OF MAILING

Reference No: OR05000021-17  
Mailing Number: 0015042-01

STATE OF CALIFORNIA                    }  
  }  
  }SS  
COUNTY OF SAN DIEGO                }

I,   **Eduardo Silva**   declare as follows:


I am and at all times herein mentioned a citizen of the United States, over the age of eighteen years and a resident of San Diego County, California:

That at the request of Trustee Corps on 4/5/2017, I deposited in the United States mail a copy of the attached document, in separate sealed envelopes, in accordance with the checked mailing classes defined below, postage prepaid, to the address list on exhibit A, attached hereto and made a part hereof.

- |   |                                     |   |
|---|-------------------------------------|---|
| <input checked="" type="checkbox"/> First Class | <input type="checkbox"/> Certified  | <input checked="" type="checkbox"/> Certified Electronic Return Receipt |
| <input type="checkbox"/> Certified Return       | <input type="checkbox"/> Registered | <input type="checkbox"/> Registered International                       |

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

4/5/2017 San Diego, California  
Date and Place

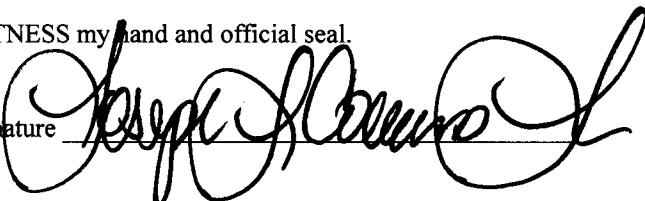
  
\_\_\_\_\_  
Declarant

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  
COUNTY OF SAN DIEGO

On                   **APR 06 2017**                   before me, the undersigned, a Notary Public in and for said State, personally appeared   **EDUARDO SILVA**   personally known to me (or proved to me on the basis of satisfactory evidence) to the person(s) whose names(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.

WITNESS my hand and official seal.

Signature                                     

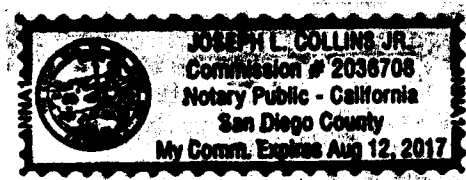


Exhibit A to Affidavit of Mailing

Sender: Trustee Corps  
17100 Gillette Ave.  
Irvine CA 95614

Postal Class: First Class

Type of Mailing: OR

Affidavit Attachment: 0015042-01 000 53910 Trustee\_000418

Postal Number Sequence Recipient Name

Address Line 1/3

Address Line 2/4

(11)9690024858666137  
1

FLOYD EMANUEL CARLSON JR

3024 TIMOTHY AVENUE

MEDFORD, OR 97504

(11)9690024858666144  
2

CHRIS CARLSON

3024 TIMOTHY AVENUE

MEDFORD, OR 97504

(11)9690024858666151  
3

ELIZABETH L CARLSONC/O BRYAN E BLODGETTGRANTLAND BLODGETT SHAW & ABEL LLP  
1818 E MCANDREWS RD

MEDFORD, OR 97504

(11)9690024858666168  
4

FLOYD E. CARLSON, JR

3024 TIMOTHY AVE

MEDFORD, OR 97501

(11)9690024858666175  
5

FLOYD E. CARLSON, JR.

3024 TIMOTHY AVENUE

MEDFORD, OR 97504

(11)9690024858666182  
6

FLOYD E. CARLSON, JR.

185 ORR DRIVE

CENTRAL POINT, OR 97502

(11)9690024858666199  
7

LVNV FUNDING LLC/O ALISON C NISBETMACHOL & JOHANNES LLC  
780 NW YORK DR STE 101

BEND, OR 97703

(11)9690024858666205  
8

OCCUPANT

3024 TIMOTHY AVENUE

MEDFORD, OR 97504

(11)9690024858666212  
9

OCCUPANT

3024 TIMOTHY AVE

MEDFORD, OR 97501

(11)9690024858666229  
10

SECRETARY OF HOUSING AND URBAN DEVELOPMENT  
451 SEVENTH STREET, S.W.

WASHINGTON, DC 20410

(11)9690024858666236  
11

SECRETARY OF HOUSING AND URBAN DEVELOPMENT C/O FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, ASUBSIDIARY OF INDY MAC BANK, F.S.B.  
3009 DOUGLAS BLVD STE 210

ROSEVILLE, CA 95661



(11)969002485866243

12

SPRINGLEAF FINANCIAL SERVICES, INC. C/O DAVID B SCHUMACHER  
3439 NE SANDY BLVD #239

PORTLAND, OR 97232

Exhibit A to Affidavit of Mailing

Sender: Trustee Corps  
17100 Gillette Ave.  
Irvine CA 95614

Postal Class: Electronic - Ret

Type of Mailing: OR

Affidavit Attachment: 0015042-01 000 53910 Trustee\_000418

Postal Number

Sequence Recipient Name

Address Line 1/3

Address Line 2/4

71969002484046753513

1 FLOYD EMANUEL CARLSON JR

3024 TIMOTHY AVENUE

MEDFORD, OR 97504

71969002484046753537

2 CHRIS CARLSON

3024 TIMOTHY AVENUE

MEDFORD, OR 97504

71969002484046753551

3 ELIZABETH L CARLSONC/O BRYAN E BLODGETTGRANTLAND BLODGETT SHAW & ABEL LLP  
1818 E MCANDREWS RD

MEDFORD, OR 97504

71969002484046753575

4 FLOYD E. CARLSON, JR

3024 TIMOTHY AVE

MEDFORD, OR 97501

71969002484046753582

5 FLOYD E. CARLSON, JR.

3024 TIMOTHY AVENUE

MEDFORD, OR 97504

71969002484046753599

6 FLOYD E. CARLSON, JR.

185 ORR DRIVE

CENTRAL POINT, OR 97502

71969002484046753612

7 LVNV FUNDING LLC/O ALISON C NISBETMACHOL & JOHANNES LLC  
780 NW YORK DR STE 101

BEND, OR 97703

71969002484046753636

8 OCCUPANT

3024 TIMOTHY AVENUE

MEDFORD, OR 97504

71969002484046753643

9 OCCUPANT

3024 TIMOTHY AVE

MEDFORD, OR 97501

71969002484046753650

10 SECRETARY OF HOUSING AND URBAN DEVELOPMENT

451 SEVENTH STREET, S.W.

WASHINGTON, DC 20410

71969002484046753667

11

SECRETARY OF HOUSING AND URBAN DEVELOPMENT C/O FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, ASUBSIDIARY OF INDY MAC BANK, F.S.B.  
3009 DOUGLAS BLVD STE 210

ROSEVILLE, CA 95661

71969002484046753674

12

SPRINGLEAF FINANCIAL SERVICES, INC./C/O DAVID B SCHUMACHER  
3439 NE SANDY BLVD #239

PORTLAND, OR 97232

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by, Ronald P Lovett, MARJORIE LOVETT as Grantor to AMERITITLE as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as designated nominee for FINANCIAL FREEDOM ACQUISITION LLC, A SUBSIDIARY OF ONEWEST BANK, FSB , Beneficiary of the security instrument, its successors and assigns, dated as of August 17, 2009 and recorded on August 21, 2009 as Instrument No. 2009-011261 and the beneficial interest was assigned to CIT Bank, N.A. and recorded November 22, 2016 as Instrument Number 2016-012443 of official records in the Office of the Recorder of Klamath County, Oregon to-wit:

APN: R134278

**LOT 4 IN BLOCK 3 OF JACK PINE VILLAGE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

Commonly known as: **1293 FORT JACKPINE DRIVE, GILCHRIST, OR 97737**

Both the Beneficiary, CIT Bank, N.A., and the Trustee, Nathan F. Smith, Esq., OSB #120112, have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes. The default for which the foreclosure is made is the Grantor's failure to pay: **Failed to pay the principal balance which became all due and payable based upon the failure to pay taxes and/or insurance**

By this reason of said default the Beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit: The sum of **\$78,835.96** together with interest thereon from **August 22, 2009** until paid; and all Trustee's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the terms of said Trust Deed.

Wherefore, notice is hereby given that, the undersigned Trustee will on **August 21, 2017** at the hour of **10:00 AM**, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, **on the Main Street entrance steps to the Klamath County Circuit Court, 316 Main St, Klamath Falls, OR 97601** County of Klamath, sell at public auction to the highest bidder for cash the interest in the said described real property which the Grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the Grantor or his successors in interest acquired after the execution of said Trust Deed, 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 Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the Beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, Trustee's or attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or Trust Deed, at any time prior to 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.

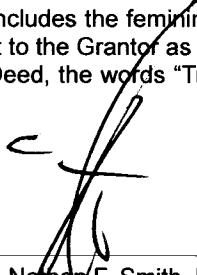
TS No. OR07000017-17-1

APN R134278

TO No 170045032-OR-MSO

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 said Trust Deed, the words "Trustee" and "Beneficiary" includes their respective successors in interest, if any.

Dated: April 4, 2017



By: Nathan F. Smith, Esq., OSB #120112  
Successor 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.

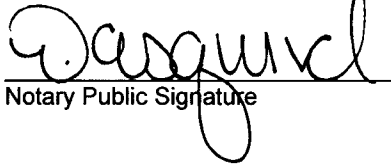
STATE OF CALIFORNIA

COUNTY OF ORANGE

On April 4, 2017 before me, VERONICA LEIGH ESQUIVEL, Notary Public, personally appeared NATHAN F. SMITH, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person 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.

  
Notary Public Signature



Malcolm & Cisneros, A Law Corporation  
Attention: Nathan F. Smith, Esq., OSB #120112  
c/o TRUSTEE CORPS  
17100 Gillette Ave, Irvine, CA 92614  
949-252-8300

FOR SALE INFORMATION PLEASE CALL:  
In Source Logic at 702-659-7766  
Website for Trustee's Sale Information: [www.insourcelogic.com](http://www.insourcelogic.com)

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

**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:  
1293 FORT JACKPINE DRIVE, GILCHRIST, Oregon 97737.

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 April 3, 2017 to bring your mortgage loan current was \$3,295.89. The amount you must now pay to bring your loan current 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 800-441-4428 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:

Malcolm & Cisneros, A Law Corporation  
Attention: Nathan F. Smith, Esq., OSB #120112  
c/o Trustee Corps  
17100 Gillette Ave.  
Irvine, CA 92614  
949-252-8300

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

Date and Time: August 21, 2017 at 10:00 AM  
Place: on the Main Street entrance steps to the Klamath County  
Circuit Court, 316 Main St, Klamath Falls, OR 97601,  
County of Klamath

**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 Financial Freedom, a division of CIT Bank, N.A. at phone no 800-441-4428 to find out if your lender is willing to give you more time or change the terms of your loan.

4. 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. If you need help finding 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 can visit its website at <http://www.osbar.org>. Legal assistance may be available to you 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: April 4, 2017

  
By: Nathan F. Smith, Esq., OSB #120112  
Successor Trustee

## **NOTICE TO RESIDENTIAL TENANTS**

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **August 21, 2017**. 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 go through 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 goes through, 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:

- 60 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE, IF YOU HAVE A FIXED TERM LEASE; OR
- AT LEAST 30 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE, IF YOU HAVE A MONTH-TO-MONTH OR WEEK-TO- WEEK RENTAL AGREEMENT.

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 30 days, even though you have a fixed term lease with more than 30 days left.

You must be provided with at least 30 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 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.

### **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 30 or 60 days. 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 30 or 60 days. 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.

**Oregon Law Center**  
**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**  
**<http://www.oregonlawcenter.org/>**

**Oregon State Bar's Lawyer Referral Service** at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit the 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://oregonlawhelp.org>

For the name and telephone number of an organization near you, please call the statewide telephone contact number at 800-SAFENET (800-723-3638)

2017-003607

Klamath County, Oregon

04/05/2017 03:23:00 PM

Fee: \$62.00

**NOTICE OF DEFAULT  
AND ELECTION TO SELL**

RE: Trust Deed from:  
Ronald P Lovett, MARJORIE LOVETT,  
Grantor  
To:  
Nathan F. Smith, Esq., OSB #120112

After recording return to:

Malcolm & Cisneros, A Law Corporation  
Attention: Nathan F. Smith, Esq., OSB  
#120112  
c/o TRUSTEE CORPS  
17100 Gillette Ave  
Irvine, CA 92614

TS No. OR07000017-17-1

APN R134278

TO No 170045032-OR-MSO

Reference is made to that certain Trust Deed made by Ronald P Lovett, MARJORIE LOVETT as Grantor, to AMERITITLE as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as designated nominee for FINANCIAL FREEDOM ACQUISITION LLC, A SUBSIDIARY OF ONEWEST BANK, FSB, Beneficiary of the security instrument, its successors and assigns, dated as of August 17, 2009 and recorded August 21, 2009 in the records of Klamath County, Oregon as Instrument No. 2009-011261 and the beneficial interest was assigned to CIT Bank, N.A. and recorded November 22, 2016 as Instrument Number 2016-012443 covering the following described real property situated in the above-mentioned county and state, to wit:

APN: R134278

**LOT 4 IN BLOCK 3 OF JACK PINE VILLAGE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

The undersigned hereby certifies that no assignments of the Trust Deed by the Trustee, Nathan F. Smith, Esq., OSB #120112, or by the Beneficiary, CIT Bank, N.A., 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 Trust Deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by Grantor or other person owing an obligation, performance of which is secured by the Trust Deed or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is: **Failed to pay the principal balance which became all due and payable based upon the failure to pay taxes and/or insurance**

By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following:

1. Principal balance of **\$78,835.96**
2. **\$43,256.96** in Unpaid Interest through April 7, 2017.
3. **\$2,790.00** in Monthly Servicing Fees.
4. **\$6,329.99** in MIP/PMI Advances.
5. **\$1,574.34** in Unpaid Attorney Costs.
6. Together with title expenses, costs, Trustees fees and attorney fees incurred here in by reason of said default and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest there in.

Notice hereby is given that the Beneficiary and Trustee, by reason of default, have elected and do hereby elect to foreclose the Trust Deed 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 of the execution by Grantor of the Trust Deed, together with any interest Grantor or Grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the Trust Deed 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**, in accord with the standard of time established by ORS 187.110, on **August 21, 2017** at the following place: **on the Main Street entrance steps to the Klamath County Circuit Court, 316 Main St, Klamath Falls, OR 97601**

Other than as shown of record, neither the Beneficiary nor the Trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the Trustee in the Trust Deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property except:

MARJORIE LOVETT  
1293 FORT JACKPINE DRIVE, GILCHRIST, OR 97737

RONALD P LOVETT  
1293 FORT JACKPINE DRIVE, GILCHRIST, OR 97737

RONALD P LOVETT  
PO BOX 7335, BEND, OR 97708

OCCUPANT  
1293 FORT JACKPINE DRIVE, GILCHRIST, OR 97737

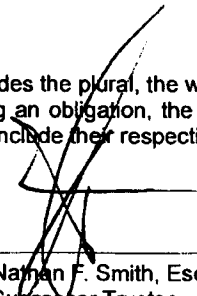
THE ESTATE OF RONALD P LOVETT, DECEASED  
1293 FORT JACKPINE DRIVE, GILCHRIST, OR 97737

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust Deed 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), together with costs, Trustee's and attorney's fees, 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, at any time prior to 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 singular gender 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 said Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated: April 4, 2017

  
By: Nathan F. Smith, Esq., OSB #120112  
Successor 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  
COUNTY OF ORANGE

On April 4, 2017 before me, VERONICA LEIGH ESQUIVEL, Notary Public, personally appeared NATHAN F. SMITH, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person 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.

  
Notary Public Signature



Malcolm & Cisneros, A Law Corporation  
Attention: Nathan F. Smith, Esq., OSB #120112  
c/o TRUSTEE CORPS  
17100 Gillette Ave, Irvine, CA 92614  
949-252-8300

FOR SALE INFORMATION PLEASE CALL:  
In Source Logic at 702-659-7766  
Website for Trustee's Sale Information: [www.insourcelogic.com](http://www.insourcelogic.com)

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

**After recording, return to:**

CIT Bank, N.A.  
c/o Juan Lopez  
2900 Esperanza Crossing  
Austin, TX 78758

RECEIVED  
JAN 10 2017

DEPARTMENT OF JUSTICE  
PORTLAND LEGAL

**OREGON FORECLOSURE AVOIDANCE PROGRAM  
BENEFICIARY EXEMPTION AFFIDAVIT**

Lender/Beneficiary:	CIT Bank, N.A.
Jurisdiction*	National Association

\*If Lender/Beneficiary is not a natural person, provide the state or other jurisdiction in which the Lender/Beneficiary is organized.

I, Jon Dickerson (printed name) being first duly sworn, depose, and state that:

This affidavit is submitted for a claim of exemption to the Office of the Attorney General of Oregon under Oregon Laws 2013, chapter 304, §2(1)(b).

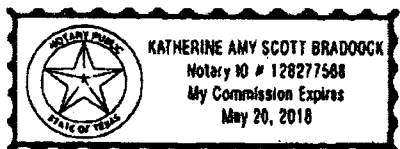
1. The above named individual or entity commenced or caused an affiliate or agent of the individual or entity to commence the following number of actions to foreclose a residential trust deed by advertisement and sale under ORS 86.752 or by suit under ORS 88.010 during the calendar year preceding the date of this affidavit: 120 [not to exceed 175];
2. The undersigned further certifies that she/he: [check only one of the following boxes]  
 is the individual claiming exemption from requirements established under Or Laws 2013, ch 304, or  
 is the Director \_\_\_\_\_ [insert title] of the entity claiming exemption from requirements established under Or Laws 2013, ch 304, and is authorized by such entity to execute this affidavit on its behalf.

(Signature)

State of Texas )  
 ) ss.  
County of Travis )

Signed and sworn to (or affirmed) before me this 10<sup>th</sup> day of January, 2017  
by Jon Dickerson

Katherine A. Braddock  
Notary Public for Texas Katherine A. Braddock  
My commission expires: 5-20-2018



Recording Requested By:

When Recorded Mail to:

Nathan F. Smith, Esq., OSB #120112  
c/o Trustee Corps  
17100 Gillette Ave  
Irvine, CA 92614

---

TS No. OR07000017-17-1

APN R134278

TO No. 170045032-OR-MSO

## AFFIDAVIT OF COMPLIANCE

AFTER RECORDING, RETURN TO:

Nathan F. Smith, Esq., OSB #120112  
c/o Trustee Corps  
17100 Gillette Ave  
Irvine, CA 92614

**AFFIDAVIT OF COMPLIANCE**  
With Oregon Laws 2013, chapter 304, section 9

<b>Grantor:</b>	Ronald P Lovett, Marjorie Lovett
<b>Beneficiary:</b>	CIT Bank, N.A.
<b>Trustee:</b>	Nathan F. Smith, Esq., OSB #120112
<b>Property Address:</b>	1293 FORT JACKPINE DRIVE, GILCHRIST, OR 97737
<b>Instrument Recording No.:</b>	2009-011261

I, the undersigned, being duly sworn, hereby depose and say that:

(1) I am the Assistant Secretary of CIT Bank, N.A.,  
who is the Beneficiary of the above referenced residential trust deed:

(2) The beneficiary has determined that the grantor(s) of the residential trust deed is/are:

not eligible for a foreclosure avoidance measure; or

has not complied with the terms of a foreclosure avoidance measure to which the grantor(s) has/have agreed; or

has not requested a foreclosure avoidance measure.

(3)

The beneficiary mailed written notice, in plain language explaining the basis for the beneficiary's determination above, to the grantor(s) within 10 days after making the determination; or

The borrower did not request a foreclosure avoidance measure.

(4) By reason of the above, the beneficiary has complied with the requirements of Oregon Laws 2013, chapter 304, section 9 to the extent such requirements may be applicable to the beneficiary as a federally chartered national bank.

*Carlee Hicks*

(Signature)

Carlee Hicks

(Printed Name)

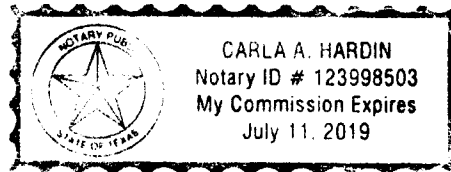
State of Texas )  
County of Travis )ss.

Signed and sworn to (or affirmed) before me this AUG 01 2017 day of AUG 01 2017, 2017, by Carlee Hicks, who is the Assistant Secretary of CIT Bank, N.A. (beneficiary).

*Carla A. Hardin*

Notary Signature

My commission expires: AUG 01 2017





Recording Requested By:

When Recorded Mail to:

Nathan F. Smith, Esq., OSB #120112  
c/o Trustee Corps  
17100 Gillette Ave  
Irvine, CA 92614

---

TS No. OR0700017-17-1

APN R134278

TO No. 170045032-OR-MSO

## AFFIDAVIT OF PUBLICATION

**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#17626 SALE LOVETT TS NO. OR07000017-17-1 AP a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 4

Insertion(s) in the following issues:  
05/23/2017 05/30/2017 06/06/2017 06/13/2017

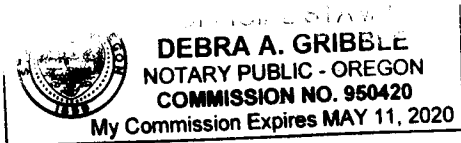
Total Cost: \$1239.08

*Pat Bergstrom*

Subscribed and sworn by Pat Bergstrom before me on:  
13th day of June in the year of 2017

*Debra A Gribble*

Notary Public of Oregon  
My commission expires on May 11, 2020



**TS No. OR07000017-17-1 APN R134278  
TO No 170045032-OR-MSO  
TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain Trust Deed made by, Ronald P Lovett, MARJORIE LOVETT as Grantor to AMERITITLE as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as designated nominee for FINANCIAL FREEDOM ACQUISITION LLC, A SUBSIDIARY OF ONEWEST BANK, FSB, Beneficiary of the security instrument, its successors and assigns, dated as of August 17, 2009 and recorded on August 21, 2009 as instrument No. 2009-011261 and the beneficial interest was assigned to CIT Bank, N.A. and recorded November 22, 2016 as Instrument Number 2016-012443 of official records in the Office of the Recorder of Klamath County, Oregon to-wit: APN: R134278 LOT 4 IN BLOCK 3 OF JACK PINE VILLAGE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. Commonly known as: 1293 FORT JACKPINE DRIVE, GILCHRIST, OR 97737

Both the Beneficiary, CIT Bank, N.A., and the Trustee, Nathan F. Smith, Esq., OSB #120112, have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes. The default for which the foreclosure is made is the Grantor's failure to pay: Failed to pay the principal balance which became all due and payable based upon the failure to pay taxes and/or insurance

By this reason of said default the Beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit: The sum of \$78,835.96 together with interest thereon from August 22, 2009 until paid; and all Trustee's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the terms of said Trust Deed.

Wherefore, notice is hereby given that, the undersigned Trustee will on August 21, 2017 at the hour of 10:00 AM, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, on the Main Street entrance steps to the Klamath County Circuit Court, 316 Main St, Klamath Falls, OR 97601 County of Klamath, sell at public auction to the highest bidder for cash the interest in the said described real property which the Grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the Grantor or his successors in interest acquired after the execution of said Trust Deed, 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 Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the Beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, Trustee's or attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or Trust Deed, at any time prior to 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 said Trust Deed, the words "Trustee" and "Beneficiary" includes their respective successors in interest, if any. Dated: April 4, 2017 By: Nathan F. Smith, Esq., OSB #120112 Successor Trustee Malcolm & Cisneros, A Law Corporation Attention: Nathan F. Smith, Esq., OSB #120112 c/o TRUSTEE CORPS 17100 Gillette Ave, Irvine, CA 92614 949-252-8300 FOR SALE INFORMATION PLEASE CALL: In Source Logic at 702-659-7766 Website for Trustee's Sale Information: [www.insourcelogic.com](http://www.insourcelogic.com) SL Number 29717, Pub Dates: 05/23/2017, 05/30/2017, 06/06/2017, 06/13/2017, HERALD & NEWS #17626 May 23, 30, June 06, 13, 2017.

Recording Requested By:

When Recorded Mail to:

Nathan F. Smith, Esq., OSB #120112  
c/o Trustee Corps  
17100 Gillette Ave  
Irvine, CA 92614

---

TS No. OR0700017-17-1

APN R134278

TO No. 170045032-OR-MSO

## AFFIDAVIT OF SERVICE



