



2017-014429

Klamath County, Oregon

12/19/2017 03:09:01 PM

Fee: \$72.00

RECORDING COVER SHEET
AFTER RECORDING RETURN TO:
Hershner Hunter, LLP
Attn: Lisa Summers
PO Box 1475
Eugene, OR 97440

1. NAME OR TITLE OF THE TRANSACTION(S) -- ORS 205.234:

Affidavit of Mailing Amended Trustee's Notice of Sale After Termination of Stay

2. GRANTEE (ORIGINAL GRANTOR ON TRUST DEED):

TERESA M JONES
816 Roseway Drive
Klamath Falls, OR 97601

3. GRANTOR- SUCCESSOR TRUSTEE:

NANCY K. CARY
PO Box 1475
Eugene, OR 97440

4. BENEFICIARY:

UMPQUA BANK, SUCCESSOR BY MERGER TO STERLING SAVINGS BANK,
SUCCESSOR BY MERGER TO KLAMATH FIRST FEDERAL SAVINGS AND
LOAN ASSOCIATION
PO Box 230727
Tigard, OR 97281

5. ORIGINAL TRUST DEED INFORMATION:

Date Recorded: August 28, 1998, as Recording: Volume M98, Page 31810
Re-Recorded October 2, 1998, as Recording: Volume M98, Page 36338
Official Records of Klamath County, Oregon

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

AFFIDAVIT OF MAILING OF AMENDED NOTICE OF SALE

STATE OF OREGON)
) ss.
COUNTY OF LANE)

I, Nancy K. Cary, being first duly sworn, depose and say:

1. I am the Successor Trustee of the Trust Deed described in the attached Amended Trustee's Notice of Sale After Termination of Stay.

2. I served the attached Amended Trustee's Notice of Sale After Termination of Stay upon the following parties by depositing true copies thereof in the United States Mail at Eugene, Oregon, on December 15, 2017:

Occupants
716 Roseway Drive
Klamath Falls OR 97601

Teresa M. Keffer
fka Teresa M. Jones
716 Roseway Drive
Klamath Falls OR 97601

Teresa M. Keffer
fka Teresa M. Jones
428 Jefferson Street
Klamath Falls OR 97601

Teresa M. Keffer
fka Teresa M. Jones
6502 S. 6th St.
Klamath Falls OR 97603

Teresa M. Keffer
fka Teresa M. Jones
3333 Shasta Way, Space #65
Klamath Falls OR 97603

The Klamath Tribes Housing
Department
PO Box 436
Chiloquin OR 97624

The Klamath Tribes Housing Department
501 S. Chiloquin Blvd.
Chiloquin OR 97624

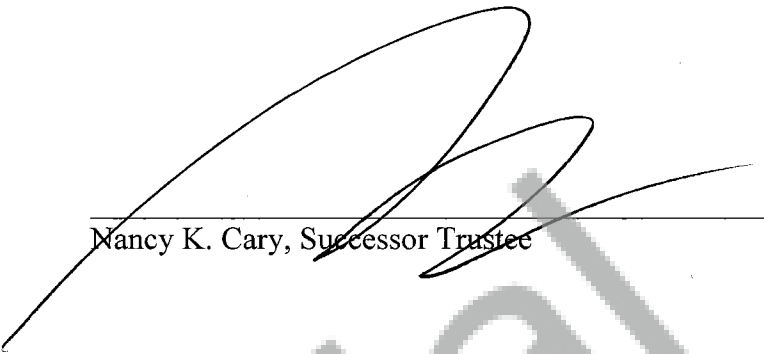
Carter-Jones Collection Service, Inc.
c/o Kent Pederson, Registered Agent
1143 Pine Street
Klamath Falls OR 97601

Karen M. Oakes
Attorney for Keffers
6502 S. 6th St.
Klamath Falls OR 97603

Naliko Markel
Trustee
POB 467
Eugene OR 97440

3. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below their names which, to the best of my knowledge,

were their last known addresses as of the date of mailing. The copies were mailed by first class mail and certified mail, return receipt requested, with postage prepaid.



Nancy K. Cary, Successor Trustee

Signed and sworn to before me on December 15, 2017, by Nancy K. Cary, Successor Trustee.





Notary Public for Oregon
My Commission Expires: 10/4/2019
(TS #30057.30805)

The following Trustee's Notice of Sale is served on you by certified mail, return receipt requested pursuant to ORS Chapter 86, requiring notice of the foreclosure to be given to the grantor of the trust deed, to certain successors in interest of the grantor and junior lien holders, and to the occupants of the property.

TO:

AMENDED TRUSTEE'S NOTICE OF SALE AFTER TERMINATION OF STAY

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.771, the following information is provided:

1. PARTIES:
Grantor: TERESA M JONES
Trustee: WILLIAM L. SISEMORE
Successor Trustee: NANCY K. CARY
Beneficiary: UMPQUA BANK, SUCCESSOR BY MERGER TO STERLING SAVINGS BANK, SUCCESSOR BY MERGER TO KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION
2. RECORDING. The Trust Deed was recorded as follows:
Date Recorded: August 28, 1998, as Recording: Volume M98, Page 31810
Re-Recorded October 2, 1998, as Recording: Volume M98, Page 36338
Official Records of Klamath County, Oregon
3. DESCRIPTION OF PROPERTY: The real property is described as follows:

The East 31 feet of Lot 43 and the West 25 feet of Lot 42 in ROSELAWN SUBDIVISION OF Block 70 of BUENA VISTA ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, TOGETHER WITH that portion of alley vacated by Ordinance 5038, recorded in Book 307 Page 405, deed records of Klamath County, Oregon, which inured thereto.
4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments in the amount of \$695.45 each, due the first of each month, for the months of September 2015 through December 2017; plus late charges and advances; plus any unpaid real property taxes, plus interest.
5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$11,044.94; plus interest at the rate of the rate of 6.875% per annum from August 1, 2015; plus late charges of \$478.98; plus advances and foreclosure attorney fees and costs.
6. SALE OF PROPERTY. The Trustee hereby states that the property will be sold to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon. The Notice of Default and original Notice of Sale stated that the sale would be held on December 11, 2015 at 10:00 a.m., at Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon (by Northwest Trustee Services, Inc.). The original sale proceedings were stayed by order of the Bankruptcy Court and the stay was terminated by order entered November 29, 2017, and effective on December 13, 2017.
7. TIME OF SALE.
Date: January 4, 2018
Time: 11:00 a.m.
Place: Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon

8. RIGHT TO REINSTATE. Any person named in ORS 86.778 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.778.

NOTICE REGARDING POTENTIAL HAZARDS

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.

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for January 4, 2018. 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.

You may reach 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 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>.

Any questions regarding this matter should be directed to Lisa Summers, Paralegal, (541) 686-0344

DATED: December 15, 2017.

Nancy K. Cary, Successor Trustee
HERSHNER HUNTER, LLP
P.O. Box 1475
Eugene, OR 97440

(TS #30057.30805)

FAIR DEBT COLLECTION PRACTICES ACT NOTICE
This communication is from a debt collector.

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