

2019-012190

Klamath County, Oregon

10/17/2019 11:57:01 AM

Fee: \$217.00

RECORDING COVER SHEET

Pursuant to ORS 205.234

After recording return to:

ZBS Law, LLP
One World Trade Center
121 Southwest Salmon Street, 11th Floor
Portland, OR 97204
Phone: (503) 946-6558
TS NO.: 18-52115

1. AFFIDAVIT OF MAILING – (s)
2. AFFIDAVIT OF MAILING – TRUSTEE’S NOTICE OF SALE
3. TRUSTEE’S NOTICE OF SALE & DANGER NOTICE
4. PROOF OF SERVICE
5. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed:

CAROL E STEPHENS

Beneficiary:

U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF THE IGLOO SERIES III TRUST

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

AFFIDAVIT OF MAILING

Zieve, Brodnax & Steele, LLP

Mailing Number 0128679-01

T.S. No.: 18-52115

Loan No.: 1461899838

STATE OF California }
COUNTY OF Orange

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in San Diego County at 9620 Ridgehaven Court, Suite A, San Diego, CA 92123; by iMailTracking, LLC acting on behalf of Zieve, Brodnax & Steele, LLP and that on 6/14/2019, (s)he caused to be mailed copies of the document titled Notice of Sale, Tenant Notice and Danger Notice via certified or registered mail and first class mail with postage prepaid, and that such envelope was sealed and deposited in the mail and addressed to the person(s) in attached Exhibit "A".

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

X

Jacob Smith

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

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On JUN 19 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared Jacob Smith, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed above and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on this 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.

Signature

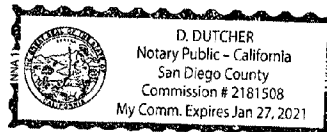


Exhibit A to Dec

Sender:

ZBS
30 Corporate Park Drive, Suite 450
Irvine CA 92606

Postal Class: First Class

Type of Mailing: OROCC

Attachment: 0128679-01 000 20190614 Zieve000336

Postal Number Sequence Recipient Name

11)9690024882386506
2 Occupant

11)9690024882386513
4 Occupant

Exhibit A to Declaration of Mailing

Postal Class:	Electronic - Ret	Sender:	ZBS
Type of Mailing:	OROC		30 Corporate Park Drive, Suite 450
Attachment:	0128679-01 000 20190614 Zieve000336		Irvine CA 92606
Postal Number	Sequence Recipient Name		Address Line 1/3
1969002484056769597		1	Occupant
			2730 CREST STREET
1969002484056769610		3	Occupant
			3704 BOARDMAN AVE

AFFIDAVIT OF MAILING

Zieve, Brodnax & Steele, LLP

Mailing Number 0128681-01

T.S. No.: 18-52115

Loan No.: 1461899838

STATE OF California }
COUNTY OF Orange

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STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

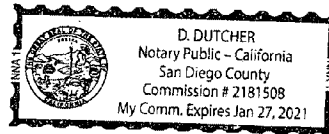
On JUN 19 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared Jacob Smith, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed above and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on this 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.

Signature

D. Dutcher



Sender: ZBS
30 Corporate Park Drive, Suite 450
Irvine CA 92606

Postal Class: First Class

Type of Mailing: ORNTSHO

Attachment: 0128681-01 000 20190614 Zieve000336

Postal Number Sequence Recipient Name

Address Line 1/3

Address Line 2/4

1)9690024882386551 2	CAROL E STEPHENS	2730 CREST ST	KLAMATH FALLS, OR 97603
1)9690024882386582 4	CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1)9690024882386605 6	CHERYL JANE SPELLMAN	2730 CREST ST	KLAMATH FALLS, OR 97603
1)9690024882386629 8	CHERYL JANE SPELLMAN	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1)9690024882386650 10	CHERYL JANE SPELLMAN	3211 DELAWARE	KLAMATH FALLS, OR 97603
1)9690024882386674 12	The Heirs and Devisees of CAROL E STEPHENS	2730 CREST STREET	KLAMATH FALLS, Oregon 97603
1)9690024882386704 14	The Heirs and Devisees of CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1)9690024882386728 16	The Estate of CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1)9690024882386766 18	The Estate of CAROL E STEPHENS	2730 CREST STREET	KLAMATH FALLS, Oregon 97603
1)9690024882386780 20	CAROL E STEPHENS	3211 DELAWARE	KLAMATH FALLS, OR 97603
1)9690024882386810 22	ESTATE OF CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1)9690024882386858 24	E CA	2730 CREST ST	KLAMATH FALLS, OR 97603

(11)9690024882386889 26	HEIRS & DEVISEES OF CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
(11)9690024882386919 28	HEIRS & DEVISEES OF CAROL E STEPHENS	2730 CREST ST	KLAMATH FALLS, OR 97603
(11)9690024882386933 30	CHERYL JANE SPELLMAN, PR OF THE ESTATE OF CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
(11)9690024882386964 32	CHERYL JANE SPELLMAN, PR OF THE ESTATE OF CAROL E STEPHENS	2730 CREST ST	KLAMATH FALLS, OR 97603
(11)9690024882386995 34	CHERYL JANE SPELLMAN, PR OF THE ESTATE OF CAROL E STEPHENS	3211 DELAWARE	KLAMATH FALLS, OR 97603

Exhibit A to Declaration of Mailing

Postal Class: Electronic - Ret		Sender:	ZBS 30 Corporate Park Drive, Suite 450 Irvine CA 92606
Type of Mailing: ORNTSHO			
Attachment: 0128681-01 000 20190614 Zieve000336			
Postal Number	Sequence Recipient Name	Address Line 1/3	Address Line 2/4
1969002484056769672	1 CAROL E STEPHENS	2730 CREST ST	KLAMATH FALLS, OR 97603
1969002484056769696	3 CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1969002484056769719	5 CHERYL JANE SPELLMAN	2730 CREST ST	KLAMATH FALLS, OR 97603
1969002484056769733	7 CHERYL JANE SPELLMAN	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1969002484056769757	9 CHERYL JANE SPELLMAN	3211 DELAWARE	KLAMATH FALLS, OR 97603
1969002484056769771	11 The Heirs and Devisees of CAROL E STEPHENS	2730 CREST STREET	KLAMATH FALLS, Oregon 97603
1969002484056769795	13 The Heirs and Devisees of CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1969002484056769818	15 The Estate of CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1969002484056769832	17 The Estate of CAROL E STEPHENS	2730 CREST STREET	KLAMATH FALLS, Oregon 97603
1969002484056769856	19 CAROL E STEPHENS	3211 DELAWARE	KLAMATH FALLS, OR 97603
1969002484056769870	21 ESTATE OF CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
1969002484056769894	23 ESTATE OF CAROL E STEPHENS	2730 CREST ST	

71969002484056769917 25	HEIRS & DEVISEES OF CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
71969002484056769931 27	HEIRS & DEVISEES OF CAROL E STEPHENS	2730 CREST ST	KLAMATH FALLS, OR 97603
71969002484056769955 29	CHERYL JANE SPELLMAN, PR OF THE ESTATE OF CAROL E STEPHENS	3704 BOARDMAN AVE	KLAMATH FALLS, OR 97603
71969002484056769979 31	CHERYL JANE SPELLMAN, PR OF THE ESTATE OF CAROL E STEPHENS	2730 CREST ST	KLAMATH FALLS, OR 97603
71969002484056769993 33	CHERYL JANE SPELLMAN, PR OF THE ESTATE OF CAROL E STEPHENS	3211 DELAWARE	KLAMATH FALLS, OR 97603

AFFIDAVIT OF MAILING

Zieve, Brodnax & Steele, LLP

Mailing Number 0128682-01

T.S. No.: 18-52115

Loan No.: 1461899838

STATE OF California }
COUNTY OF Orange

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in San Diego County at 9620 Ridgehaven Court, Suite A, San Diego, CA 92123; by iMailTracking, LLC acting on behalf of **Zieve, Brodnax & Steele, LLP** and that on 6/14/2019, (s)he caused to be mailed copies of the document titled Notice of Sale and Tenant Notice via certified or registered mail and first class mail with postage prepaid, and that such envelope was sealed and deposited in the mail and addressed to the person(s) in attached Exhibit "A".

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

X

Jacob Smith

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STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On JUN 19 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared Jacob Smith, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed above and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on this 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.

Signature

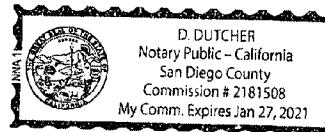


Exhibit A to Declaration of Mailing

Sender: ZBS
30 Corporate Park Drive, Suite 450
Irvine CA 92606

Postal Class: First Class

Type of Mailing: ORNTS

Attachment: 0126882-01 000 20190614 Zieve000336

Postal Number Sequence Recipient Name

11)9690024882387039
2

SOUTHERN OREGON CREDIT SERVICE

PO BOX 1806

Address Line 1/3

Address Line 2/4

MEDFORD, OR 97501

11)9690024882387053
4

SOUTHERN OREGON CREDIT SERVICE

201 W 6TH

MEDFORD, OR 97501

11)9690024882387091
6

SOUTHERN OREGON CREDIT SERVICE, INC.

C/O MATTHEW SUTTON
MEDFORD, OR 97501

205 CRATER LAKE AVE

11)9690024882387114
8

CARTER-JONES COLLECTION SERVICE, INC.

1143 PINE ST.

KLAMATH FALLS, OR 97601

11)9690024882387145
10

KLAMATH IRRIGATION DISTRICT

6640 KID LANE

KLAMATH FALLS, OR 97601

11)9690024882387169
12

MATTHEW A CASPER, BK ATTORNEY C/O Cheryl Jane Spellman
POB 12829

Salem, OR 97309

11)9690024882387190
14

Naliko Markel, Office of the Standing Chapter 13 Trustee C/O Cheryl Jane Spellman
400 E. 2nd Ave, Ste 200

Eugene, OR 97401

Exhibit A to Declaration of Mailing

Sender: ZBS 30 Corporate Park Drive, Suite 450 Irvine CA 92606		Address Line 1/3	Address Line 2/4
Postal Class: Electronic - Ret			
Type of Mailing: ORNTS			
Attachment: 0128682-01 000 20190614 Zieve000336			
Postal Number	Sequence Recipient Name		
1969002484056770029 1	SOUTHERN OREGON CREDIT SERVICE	PO BOX 1806	MEDFORD, OR 97501
1969002484056770036 3	SOUTHERN OREGON CREDIT SERVICE	201 W 6TH	MEDFORD, OR 97501
1969002484056770050 5	SOUTHERN OREGON CREDIT SERVICE, INC.	C/O MATTHEW SUTTON MEDFORD, OR 97501	205 CRATER LAKE AVI
1969002484056770074 7	CARTER-JONES COLLECTION SERVICE, INC.	1143 PINE ST.	KLAMATH FALLS, OR
1969002484056770098 9	KLAMATH IRRIGATION DISTRICT	6640 KID LANE	KLAMATH FALLS, OR
1969002484056770111 11	MATTHEW A CASPER, BK ATTORNEY C/O Cheryl Jane Spellman POB 12829		Salem, OR 97309
1969002484056770135 13	Naliko Markel, Office of the Standing Chapter 13 Trustee C/O Cheryl Jane Spellman 400 E. 2nd Ave, Ste 200		Eugene, OR 97401

AFFIDAVIT OF MAILING

Zieve, Brodnax & Steele, LLP

Mailing Number 0128680-01

T.S. No.: 18-52115

Loan No.: 1461899838

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COUNTY OF Orange

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

X _____
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STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On JUN 19 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared Jacob Smith, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed above and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on this 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.

Signature D. Dutcher

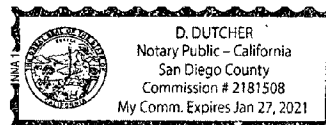


Exhibit A to Declaration of Mailing

Sender: ZBS
30 Corporate Park Drive, Suite 450
Irvine CA 92606

Postal Class: First Class

Type of Mailing: ORRES

Attachment: 0128680-01 000 20190614 Zieve000336

Postal Number Sequence Recipient Name Address Line 1/3

11)9690024882386520 2 Residential Tenants 2730 CREST STF

11)9690024882386544 4 Residential Tenants 3704 BOARDMAN

Exhibit A to Dec

Sender:

ZBS
30 Corporate Park Drive, Suite 450
Irvine CA 92606

Postal Class: Electronic - Ret

Type of Mailing: ORRES

Attachment: 0128680-01 000 20190614 Zieve0000336

Postal Number Sequence Recipient Name

71969002484056769641
1 Residential Tenants

71969002484056769658
3 Residential Tenants

**RECORDING COVER SHEET
FOR NOTICE OF SALE PROOF
OF COMPLIANCE PER ORS 205.234**

Original Beneficiary Name:

KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION

Current Beneficiary Name:

U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF THE IGLOO SERIES III TRUST

Trustor Name:

CAROL E STEPHENS

Original Trustee Name:

PACIFIC CASCADES FINANCIAL, INC.

Original trust deed recorded:

6/22/2001, in Book M01, Page 30175,

TS NO. 18-52115

After recording return to:

Zieve, Brodnax & Steele, LLP

One World Trade Center

121 Southwest Salmon Street, 11th Floor

Portland, OR 97204

(503) 946-6558

RECORDING COVER SHEET

TRUSTEE'S NOTICE OF SALE

TS NO.: 18-52115

Reference is made to that certain Deed of Trust (hereinafter referred as the Trust Deed) made by CAROL E STEPHENS as Grantor to PACIFIC CASCADES FINANCIAL, INC., as trustee, in favor of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, as Beneficiary, dated 6/21/2001, recorded 6/22/2001, in Book M01, Page 30175, in mortgage records of Klamath County, Oregon covering the following described real property situated in said County and State, to-wit:

LOT 19, BLOCK 4, ALTAMONT ACRES, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

The street address or other common designation, if any for the real property described above is purported to be:
2730 CREST STREET, 3704 BOARDMAN AVE
KLAMATH FALLS, Oregon 97603

The Tax Assessor's Account ID for the Real Property is purported to be: **R-3909-003DC-00200-000 / R529020**

Both the beneficiary and the trustee, Zieve, Brodnax & Steele, LLP have elected to foreclose the above referenced Trust Deed and sell the said real property to satisfy the obligations secured by the Trust Deed and a Notice of Default and Election to Sell has been recorded pursuant to ORS 86.752(3). All right, title, and interest in the said described property which the grantors had, or had power to convey, at the time of execution of the Trust Deed, together with any interest the grantors or their successors in interest acquired after execution of the Trust Deed shall be sold at public auction to the highest bidder for cash to satisfy the obligations secured by the Trust Deed and the expenses of sale, including the compensation of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The default for which the foreclosure is made is:

The monthly installment of principal and interest which became due on 3/1/2015, late charges, and all subsequent monthly installments of principal and interest.

You are responsible to pay all payments and charges due under the terms and conditions of the loan documents which come due subsequent to the date of this notice, including, but not limited to, foreclosure trustee fees and costs, advances and late charges.

Furthermore, as a condition to bring your account in good standing, you must provide the undersigned with written proof that you are not in default on any senior encumbrance and provide proof of insurance.

Nothing in this notice of default should be construed as a waiver of any fees owing to the beneficiary under the deed of trust, pursuant to the terms and provisions of the loan documents.

The amount required to cure the default in payments to date is calculated as follows as of 5/31/2019:

From: 3/1/2015

Total of past due payments: \$40,556.75

Late Charges: \$942.90

Additional charges (Taxes, Insurance, Corporate Advances, Other Fees): \$3,722.76

Trustee's Fees and Costs: \$515.75

Total necessary to cure: \$45,738.16

Please note the amounts stated herein are subject to confirmation and review and are likely to change during the next 30 days. Please contact the successor trustee Zieve, Brodnax & Steele, LLP, to obtain a "reinstatement" and or "payoff" quote prior to remitting funds.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the Trust Deed due and payable. The amount required to discharge this lien in its entirety as of 5/31/2019 was: **\$98,162.11**

Said sale shall be held at the hour of **10:00 AM** on **10/23/2019** in accord with the standard of time established by ORS 187.110, and pursuant to ORS 86.771(7) shall occur at the following designated place:

On the front steps of the Circuit Court, 316 Main Street. in the City of Klamath Falls, County of Klamath, OR 97601

Other than as shown of record, neither the said beneficiary nor the said trustee have 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(s) in interest to the grantors or of any lessee or other person in possession of or occupying the property, except:

NONE

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 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) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation(s) of the Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure the default, 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 amounts provided by ORS 86.778.

The mailing address of the trustee is:
Zieve, Brodnax & Steele, LLP
One World Trade Center
121 Southwest Salmon Street, 11th Floor
Portland, OR 97204
(503) 946-6558

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" include their respective successors in interest, if any.

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.

Dated: 6/11/2019

Zieve, Brodnax & Steele, LLP

By: _____

Jeffrey A. Myers, Esq., OSB#094561

Zieve, Brodnax & Steele, LLP

Authorized to sign on behalf of the trustee

**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:
2730 CREST STREET, 3704 BOARDMAN AVE
KLAMATH FALLS, Oregon 97603

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 to pay as of 5/31/2019 to bring your mortgage loan current was \$45,738.16. (See enclosed Notice of Sale for additional details regarding this amount.) 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 (503) 946-6558 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:

Zieve, Brodnax & Steele, LLP
One World Trade Center
121 Southwest Salmon Street, 11th Floor
Portland, OR 92704
(503) 946-6558

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

Sale Date: 10/23/2019 Time: 10:00 AM

Place: On the front steps of the Circuit Court, 316 Main Street. in the City of Klamath Falls, County of Klamath, 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 BSI FINANCIAL SERVICES at 814-827-3241 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 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>**

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 questions, talk to a lawyer or one of the organizations mentioned above before signing.

Dated: 6/11/2019

Trustee Name: Zieve, Brodnax & Steele, LLP

Trustee Signature: _____

Jeffrey A. Myers, Esq., O88#094561

Zieve, Brodnax & Steele, LLP

Authorized to sign on behalf of the trustee

Trustee telephone number: 503-946-6558

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **10/23/2019**. 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:

- 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 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 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.

If this property includes a dwelling unit that is subject to ORS chapter 90 and an individual occupies the unit under a bona fide tenancy, the purchaser may obtain possession by following the procedures set forth in ORS 105.105 to 105.168 and by using the complaint form provided in ORS 105.124 or 105.126.

Oregon State Bar Lawyer Referral Service: 503-684-3763 or toll-free in Oregon at 800-452-7636
Legal Aid Services of Oregon: 1-800-520-5292

18-52115 / STEPHENS
ASAP# 4696888

LESZIEVE

AFFIDAVIT OF SERVICES

STATE OF OREGON }
County of Klamath } ss.

I, Ezekiel Johnson, hereby certify and swear that at all times herein mentioned I was and am now a competent person 18 years of age or older and a resident of Oregon; that I am not the beneficiary or trustee named in the original Trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the *Trustee's Notice of Sale*, together with *Notice to Residential Tenant*, upon the individuals named below, by delivering a copy of the aforementioned documents upon an **OCCUPANT** at the subject property comprising the legal description of *LOT 19, BLOCK 4, ALTAMONT ACRES, IN THE COUNTY OF KLAMATH, STATE OF OREGON* and commonly known as:

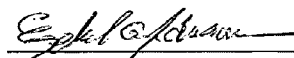
2730 Crest Street, Klamath Falls, OR 97603
and
3704 Boardman Avenue, Klamath Falls, OR 97603

As follows:

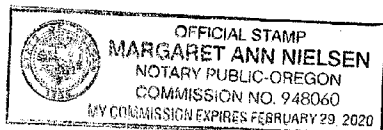
By delivering such copy, personally and in person, to **Chris McCord** at **2730 Crest Street, Klamath Falls, Oregon 97603** on June 19, 2019 at 5:02 p.m.

By delivering such copy, personally and in person, to **Kenny Tally** at **3704 Boardman Avenue, Klamath Falls, Oregon 97603** on June 19, 2019 at 4:57 p.m.

I declare under penalty of perjury that the above statements are true and correct.


Ezekiel Johnson (4740.345024)

SUBSCRIBED AND SWORN TO before me this 31st day of July, 2019, by Ezekiel Johnson.




Notary Public for Oregon

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

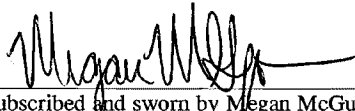
I, Megan McGuffee, Legal Specialist, being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News, a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97603 in the aforesaid county and state; that I know from my personal knowledge that the Legal#19035 SALE

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

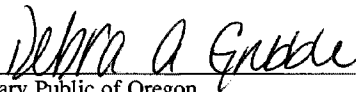
Insertion(s) in the following issues:

07/09/2019 07/16/2019 07/23/2019 07/30/2019

Total Cost: \$1592.12

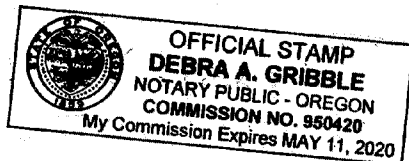


Subscribed and sworn by Megan McGuffee before me on:
30th day of July in the year of 2019



Notary Public of Oregon

My commission expires on May 11, 2020



**TRUSTEE'S NOTICE OF SALE
TS NO.: 18-52115**

Reference is made to that certain Deed of Trust (hereinafter referred as the Trust Deed) made by CAROL E STEPHENS as Grantor to PACIFIC CASCADES FINANCIAL, INC. as trustee, in favor of KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, as Beneficiary, dated 6/21/2001, recorded 6/22/2001, in Book M01, Page 30175, in mortgage records of Klamath County, Oregon covering the following described real property situated in said County and State, to-wit: LOT 19, BLOCK 4, ALTAMONT ACRES, IN THE COUNTY OF KLAMATH, STATE OF OREGON. The street address or other common designation, if any for the real property described above is purported to be: 2730 CREST STREET, 3704 BOARDMAN AVE KLAMATH FALLS, Oregon 97603 The Tax Assessor's Account ID for the Real Property is purported to be: R-3909-003DC-00200-000 / R529020

Both the beneficiary and the trustee, Zieve, Brodnax and Steele, LLP have elected to foreclose the above referenced Trust Deed and sell the said real property to satisfy the obligations secured by the Trust Deed and a Notice of Default and Election to Sell has been recorded pursuant to ORS 86.752(3). All right, title, and interest in the said described property which the grantors had, or had power to convey, at the time of execution of the Trust Deed, together with any interest the grantors or their successors in interest acquired after execution of the Trust Deed shall be sold at public auction to the highest bidder for cash to satisfy the obligations secured by the Trust Deed and the expenses of sale, including the compensation of the trustee as provided by law, and the reasonable fees of trustee's attorneys. The default for which the foreclosure is made is: The monthly installment of principal and interest which became due on 3/1/2015, late charges, and all subsequent monthly installments of principal and interest. You are responsible to pay all payments and charges due under the terms and conditions of the loan documents which come due subsequent to the date of this notice, including, but not limited to, foreclosure trustee fees and costs, advances and late charges. Furthermore, as a condition to bring your account in good standing, you must provide the undersigned with written proof that you are not in default on any senior encumbrance and provide proof of insurance. Nothing in this notice of default should be construed as a waiver of any fees owing to the beneficiary under the deed of trust, pursuant to the terms and provisions of the loan documents. The amount required to cure the default in payments to date is calculated as follows as of 5/31/2019: From 3/1/2015 Total of past due payments: \$40,556.75 Late Charges: \$942.90 Additional charges (Taxes, Insurance, Corporate Advances, Other Fees): \$3,722.76 Trustee's Fees and Costs: \$515.75 Total necessary to cure: \$45,738.16 Please note the amounts stated herein are subject to confirmation and review and are likely to change during the next 30 days. Please contact the successor trustee, Zieve, Brodnax and Steele, LLP, to obtain a reinstatement and/or payoff quote prior to remitting funds.

4696888

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the Trust Deed due and payable. The amount required to discharge this lien in its entirety as of 5/31/2019 was: \$98,162.11. Said sale shall be held at the hour of 10:00 AM on 10/23/2019 in accord with the standard of time established by ORS 187.110, and pursuant to ORS 86.771(7) shall occur at the following designated place: On the front steps of the Circuit Court, 316 Main Street, in the City of Klamath Falls, County of Klamath, OR 97601. Other than as shown of record, neither the said beneficiary nor the said trustee have 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(s) in interest to the grantors or of any lessee or other person in possession of or occupying the property, except: NONE. 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 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) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation(s) of the Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure the default, 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 amounts provided by ORS 86.778. The mailing address of the trustee is: Zieve, Brodnax and Steele, LLP One World Trade Center 121 Southwest Salmon Street, 11th Floor Portland, OR 97204 (503) 946-6558.

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" include their respective successors in interest, if any. 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. Dated: June 11, 2019 Zieve, Brodnax and Steele, LLP By: Jeffrey A. Myers, Esq. OSB#094561 Zieve, Brodnax and Steele, LLP Authorized to sign on behalf of the trustee A-4696888 07/09/2019, 07/16/2019, 07/23/2019, 07/30/2019, #19035 July 9, 16, 23, 30, 2019