

2020-003035

Klamath County, Oregon

03/10/2020 04:03:38 PM

Fee: \$267.00

**RECORDING COVER SHEET
FOR NOTICE OF SALE PROOF**

OF COMPLIANCE, PER ORS 205.234

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

**AFTER RECORDING RETURN
CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201**

This Space For County Recording Use Only

TRANSACTION INCLUDES:

AFFIDAVIT OF MAILING NOTICE OF SALE

AFFIDAVIT OF PUBLICATION NOTICE OF SALE

PROOF OF SERVICE

Original Grantor on Trust Deed

LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY

Beneficiary

**BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS
MANAGEMENT SERIES I TRUST**

Deed of Trust Instrument Number:

Instrument #: 2006-023687

Trustee

**CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201**

TS Number: 080381-OR



AFFIDAVIT OF MAILING

T.S. NO.: 080381-OR

State: OR

STATE OF CALIFORNIA

} SS

COUNTY OF SAN DIEGO

I, Shawn Schulz, certify as follows:

I am not a party to the action and at all time herein mentioned a citizen of the United States, over the age of eighteen years employed by Aldridge Pite, LLP, and a resident of San Diego, California:

That on 12/30/2019, I deposited in the United States Mail copies of the attached Oregon Notice of Default and Sale Homeowner, in separate, sealed envelopes, First Class, Electronic RR, postage prepaid, addressed respectively as follows:

SEE ATTACHED – Oregon Notice of Default and Sale Homeowner

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

Executed on DEC 31 2019 in San Diego, California.

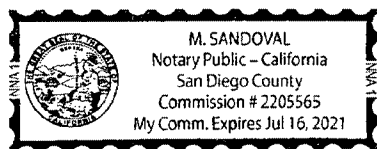
Affiant: Shawn Schulz Mail Service Administrative Support

PURSUANT TO CAL. CIVIL CODE § 1189:

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.

SUBSCRIBED AND SWORN to (or affirmed) before me this 31 day of December, 2019, by Shawn Schulz, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(Seal)



Signature: M. Schulz

Residing at: SAN DIEGO

BUSINESS ADDRESS OF AFFIANT: 4375 JUTLAND DRIVE, SAN DIEGO, CA 92117

CRCAFFOM 12222015

Celink

TRUSTEE'S NOTICE OF SALE

TS No.: 080381-OR
Loan No.: ***2293

Reference is made to that certain trust deed (the "Deed of Trust") executed by LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY, as Grantor, to TICOR TITLE INSURANCE COMPANY, as Trustee, in favor of FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDYMAC BANK, F.S.B., as Beneficiary, dated 11/20/2006, recorded 11/28/2006, as Instrument No. 2006-023687, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 22 IN BLOCK 1 OF TRACT 1022, FOURTH ADDITION TO SUNSET VILLAGE,
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE
COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

APN: R561699 / R-3909-012BC-09100-000

Commonly known as:
**3410 GRENADA WAY
KLAMATH FALLS, OREGON 97603**

The current beneficiary is:
**BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS
MANAGEMENT SERIES I TRUST**

Both the beneficiary and the trustee have elected to sell the above-described real property to satisfy the obligations secured by the Deed of Trust and notice has been recorded pursuant to ORS 86.752(3). The default for which the foreclosure is made is caused by the death of the borrower.

TOTAL REQUIRED TO PAYOFF: \$167,263.35

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including: the principal sum of \$142,023.50 together with interest thereon at the rate of 3.09 % per annum, from 11/8/2018 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust

Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP, whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on **4/30/2020**, at the hour of **10:00 AM**, standard time, as established by ORS 187.110, **ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**, sell at public auction to the highest bidder in the form of cash equivalent (certified funds or cashier's check) the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, 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 ORS 86.778 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by tendering the performance required under the Deed of Trust at any time not later than five days before the date last set for sale.

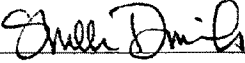
TS No.: 080381-OR
Loan No.: ***2293

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 the Deed of Trust, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 12/19/2019

CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201
Phone: 858-750-7600 or 866-931-0036



Shella Domilos, Authorized Signatory of Trustee

TS No.: 080381-OR
Loan No.: ***2293

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **4/30/2020 at ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601 at 10:00 AM**. 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.

TS No.: 080381-OR
Loan No.: ***2293

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.

Trustee: CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201

Oregon State Bar Lawyer Referral Service: (503)684-3763 or (800)452-7636
<http://www.osbar.org>; <http://www.osbar.org/public/ris/ris.html#referral>

Oregon Law Help: <http://oregonlawhelp.org/OR/index.cfm>

Free Legal Assistance: <http://www.oregonlawcenter.org/>
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

080381-OR

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:

**3410 GRENADA WAY
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 had to pay as of 12/19/2019 to bring your mortgage loan current was \$167,263.35. 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 **(858) 750-7600** 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:

**CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201
858-750-7600**

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

Date and time: 4/30/2020 at 10:00 AM

Place: ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH
COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR
97601

080381-OR

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 **Celink** at **800-761-0073** 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 phone number of an organization near you, call the statewide toll-free phone contact number at 855-480-1950. You may also wish to talk to a lawyer. If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service at 503-684- 3763 or toll-free in Oregon at 800-452-7636 or 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>.

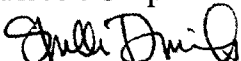
If you are a veteran of the armed forces, assistance may be available from a county veterans' service officer or community action agency. Contact information for a local county veterans' service officer and community action agency may be obtained by calling a 2-1-1 information service.

WARNING: You may get offers from people saying they can help you keep your property. 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: **12/19/2019**

Trustee name: Clear Recon Corp.

SHELLA DOMILOS
SENIOR FORECLOSURE SPECIALIST

Trustee signature: 

Trustee telephone number: 858-750-7600

Trustee Sale No.: 080381-OR

2019-014961
Klamath County, Oregon
 12/24/2019 12:28:01 PM
 Fee: \$92.00

When recorded mail document to:

Clear Recon Corp
 111 SW Columbia Street #950
 Portland, OR 97201
 Phone: 866-931-0036

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF DEFAULT AND ELECTION TO SELL

TS No.: 080381-OR

Loan No.: ***2293

Legal Authority: ORS 86.752, 86.771

Reference is made to that certain trust deed (the "Deed of Trust") executed by LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY, as Grantor, to TICOR TITLE INSURANCE COMPANY, as Trustee, in favor of FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDYMAC BANK, F.S.B., as Beneficiary, dated 11/20/2006, recorded 11/28/2006, as Instrument No. 2006-023687, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 22 IN BLOCK 1 OF TRACT 1022, FOURTH ADDITION TO SUNSET VILLAGE,
 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF
 THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

APN: R561699 / R-3909-012BC-09100-000

Commonly known as:
**3410 GRENADA WAY
 KLAMATH FALLS, OREGON 97603**

The current beneficiary is:
**BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE
 ASSETS MANAGEMENT SERIES I TRUST**

The undersigned hereby certifies that no assignments of the Deed of Trust by the trustee or by the beneficiary 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 Deed of Trust, or, if such action has been instituted, the action has been dismissed, except as permitted by ORS 86.752(7), 86.010.

There is a default by grantor or other person owing an obligation, or by their successor-in-interest, the performance of which is secured by the Deed of Trust with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is caused by the death of the borrower.

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, those sums being the following: \$167,263.35

Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the Deed of Trust 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 grantor executed the Deed of Trust, together with any interest grantor or grantor's successor in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

CRC NOD 04172014

TS No.: 080381-OR
Loan No.: ***2293

The Sale will be held at the hour of 10:00 AM., standard time, as established by ORS 187.110, on 4/30/2020, at the following place:

ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601

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 the sale, to have the foreclosure proceeding dismissed and the Deed of Trust 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 or Deed of Trust, and in addition to paying the sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust, together with trustee's and attorneys' fees not exceeding the amounts provided by ORS 86.778.

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 includes the plural, the word "grantor" includes any successor in interest to this grantor as well as any other person owing an obligation, the performance of which is secured by the Deed of Trust, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 12/19/2019

CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201
Phone: 858-750-7600 or 866-931-0036

Sheila Domilos

Sheila Domilos, Authorized Signatory of 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.

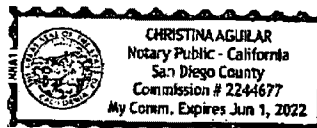
State of California)
) ss.
County of San Diego)

On DEC 19 2019 before me, Christina Aguilar, Notary Public, personally appeared SHELLA DOMILOS who proved to me on the basis of satisfactory evidence to be the person(s) whose name(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.

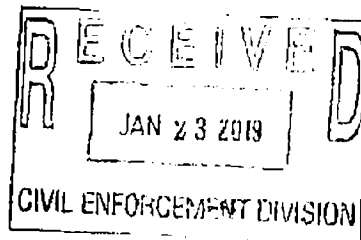
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Christina Aguilar (Seal)



After recording, return to:



**OREGON FORECLOSURE AVOIDANCE PROGRAM
BENEFICIARY EXEMPTION AFFIDAVIT**

Lender/Beneficiary:	Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust
Jurisdiction*	1875 Connecticut Avenue 10 th Floor Washington DC 20009

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

I, Juan Morales (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).

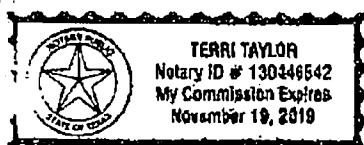
- The above named individual or entity commenced or caused an affiliate or agent of the individual or entity to commence the following number of actions to foreclose a residential trust deed by advertisement and sale under ORS 86.752 or by suit under ORS 88.010 during the calendar year preceding the date of this affidavit: 69 [not to exceed 175];
- 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 Attorney-in-Fact [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.

Juan Morales Assistant Secretary
(Signature) Bank of New York Mellon Trust Company, N.A. as Trustee
for Mortgage Assets Management Series I Trust
By Compu-link Corporation d/b/a CeLink as its Attorney-in-Fact

State of Texas)
County of Travis) ss.

Signed and sworn to (or affirmed) before me this JAN 22 2019 day of
by Juan Morales

Terri Taylor
Notary Public for Terri Taylor
My commission expires: NOV 19 2019



Recipient List (addresses)

Client: Celinek

808743

GENE DAVID STOKLEY, SUCCESSOR PERSONAL REPRESENTATIVE FOR THE
ESTATE OF LELAND C. MITTS, DECEASED
3410 GRENADA WAY
KLAMATH FALLS, OREGON 97603
9214890144258236636607 (Electronic Return Receipt)

808743

GENE DAVID STOKLEY, SUCCESSOR PERSONAL REPRESENTATIVE FOR THE
ESTATE OF LELAND C. MITTS, DECEASED
3410 GRENADA WAY
KLAMATH FALLS, OREGON 97603

808743

GENE DAVID STOKLEY, SUCCESSOR PERSONAL REPRESENTATIVE FOR THE
ESTATE OF LELAND C. MITTS, DECEASED
4121 RICE STREET #2013
LIHUE, HI 96766
9214890144258236636621 (Electronic Return Receipt)

808743

GENE DAVID STOKLEY, SUCCESSOR PERSONAL REPRESENTATIVE FOR THE
ESTATE OF LELAND C. MITTS, DECEASED
4121 RICE STREET #2013
LIHUE, HI 96766

808743

TH HEIRS AND DEVISEES OF REBECCA S. MITTS, DECEASED
3410 GRENADA WAY
KLAMATH FALLS, OR 97603
9214890144258236636645 (Electronic Return Receipt)

808743

TH HEIRS AND DEVISEES OF REBECCA S. MITTS, DECEASED
3410 GRENADA WAY
KLAMATH FALLS, OR 97603

808743

LELAND C MITTS
3410 GRENADA WAY
KLAMATH FALLS, OR 97603
9214890144258236636669 (Electronic Return Receipt)

808743

LELAND C MITTS
3410 GRENADA WAY
KLAMATH FALLS, OR 97603

808743

MARY KNAPP
PO BOX 504
KENO, OR 97624
9214890144258236636683 (Electronic Return Receipt)

808743

MARY KNAPP
PO BOX 504
KENO, OR 97624

808743

MARY KNAPP C/O LAW OFFICE OF VALERIE B. HEDRICK, P.C.
533 MAIN STREET
KLAMATH FALLS, OR 97601
9214890144258236636720 (Electronic Return Receipt)

808743

MARY KNAPP C/O LAW OFFICE OF VALERIE B. HEDRICK, P.C.
533 MAIN STREET
KLAMATH FALLS, OR 97601

808743
PARTIES IN POSSESSION OR CLAIMING THE RIGHT OF POSSESSION
3410 GRENADA WAY
KLAMATH FALLS, OR 97603
9214890144258236636775 (Electronic Return Receipt)

808743
PARTIES IN POSSESSION OR CLAIMING THE RIGHT OF POSSESSION
3410 GRENADA WAY
KLAMATH FALLS, OR 97603

808743
REBECCA S. MITTS
3410 GRENADA WAY
KLAMATH FALLS, OR 97603
9214890144258236636812 (Electronic Return Receipt)

808743
REBECCA S. MITTS
3410 GRENADA WAY
KLAMATH FALLS, OR 97603

808743
THE ESTATE OF REBECCA S. MITTS, DECEASED
3410 GRENADA WAY
KLAMATH FALLS, OR 97603
9214890144258236636850 (Electronic Return Receipt)

808743
THE ESTATE OF REBECCA S. MITTS, DECEASED

3410 GRENADA WAY
KLAMATH FALLS, OR 97603

808743
THE HEIRS AND DEVISEES OF THE ESTATE OF LELAND C. MITTS CASE
#19PB01279 C/O VALERIE B. HEDRICK, ATTORNEY
533 MAIN STREET
KLAMATH FALLS, OR 97601
9214890144258236636898 (Electronic Return Receipt)

808743
THE HEIRS AND DEVISEES OF THE ESTATE OF LELAND C. MITTS CASE
#19PB01279 C/O VALERIE B. HEDRICK, ATTORNEY
533 MAIN STREET
KLAMATH FALLS, OR 97601

808743
Valerie B. Hedrick, Attorney / Case: 19PB 01279 / The Estate of Leland C. Mitts
533 Main Street
Klamath Falls, OR 97601
9214890144258236636935 (Electronic Return Receipt)

808743
Valerie B. Hedrick, Attorney / Case: 19PB 01279 / The Estate of Leland C. Mitts
533 Main Street
Klamath Falls, OR 97601

808743
BRYAN MITTS C/O LAW OFFICE OF VALERIE B. HEDRICK
533 MAIN STREET
KLAMATH FALLS, OR 97601
9214890144258236636973 (Electronic Return Receipt)

808743

BRYAN MITTS C/O LAW OFFICE OF VALERIE B. HEDRICK
533 MAIN STREET
KLAMATH FALLS, OR 97601

808743
BRYAN MITTS
3410 GRENADA WAY
KLAMATH FALLS, OR 97603
9214890144258236637000 (Electronic Return Receipt)

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BRYAN MITTS
3410 GRENADA WAY
KLAMATH FALLS, OR 97603

808743
BRYAN MITTS C/O LAW OFFICE OF VALERIE B. HEDRICK, P.C.
533 MAIN STREET
KLAMATH FALLS, OR 97601
9214890144258236637024 (Electronic Return Receipt)

808743
BRYAN MITTS C/O LAW OFFICE OF VALERIE B. HEDRICK, P.C.
533 MAIN STREET
KLAMATH FALLS, OR 97601



AFFIDAVIT OF MAILING

T.S. NO.: 080381-OR

State: OR

STATE OF CALIFORNIA

} SS

COUNTY OF SAN DIEGO

I, Christian Aguilar, certify as follows:

I am not a party to the action and at all time herein mentioned a citizen of the United States, over the age of eighteen years employed by Aldridge Pite, LLP, and a resident of San Diego, California:

That on 12/30/2019, I deposited in the United States Mail copies of the attached Oregon Notice of Default and Sale, in separate, sealed envelopes, First Class, Electronic RR, postage prepaid, addressed respectively as follows:

SEE ATTACHED – Oregon Notice of Default and Sale

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

Executed on DEC 31 2019 in San Diego, California.

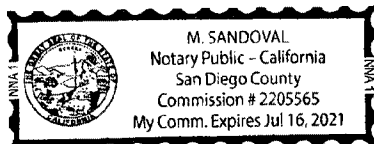
CJA
Affiant: Christian Aguilar Mail Clerk

PURSUANT TO CAL. CIVIL CODE § 1189:

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.

SUBSCRIBED AND SWORN to (or affirmed) before me this 31st day of December, 2019, by Christian Aguilar, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(Seal)



Signature: M. Sandoval
Residing at: SAN DIEGO

BUSINESS ADDRESS OF AFFIANT: 4375 JUTLAND DRIVE, SAN DIEGO, CA 92117

CRCAFFOM 12222015
Celinek

TRUSTEE'S NOTICE OF SALE

TS No.: 080381-OR
Loan No.: ***2293

Reference is made to that certain trust deed (the "Deed of Trust") executed by LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY, as Grantor, to TICOR TITLE INSURANCE COMPANY, as Trustee, in favor of FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDYMAC BANK, F.S.B., as Beneficiary, dated 11/20/2006, recorded 11/28/2006, as Instrument No. 2006-023687, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 22 IN BLOCK 1 OF TRACT 1022, FOURTH ADDITION TO SUNSET VILLAGE,
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE
COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

APN: R561699 / R-3909-012BC-09100-000

Commonly known as:
**3410 GRENADA WAY
KLAMATH FALLS, OREGON 97603**

The current beneficiary is:
**BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS
MANAGEMENT SERIES I TRUST**

Both the beneficiary and the trustee have elected to sell the above-described real property to satisfy the obligations secured by the Deed of Trust and notice has been recorded pursuant to ORS 86.752(3). The default for which the foreclosure is made is caused by the death of the borrower.

TOTAL REQUIRED TO PAYOFF: \$167,263.35

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including: the principal sum of \$142,023.50 together with interest thereon at the rate of 3.09 % per annum, from 11/8/2018 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust

Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP, whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on 4/30/2020, at the hour of 10:00 AM, standard time, as established by ORS 187.110, **ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**, sell at public auction to the highest bidder in the form of cash equivalent (certified funds or cashier's check) the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, 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 ORS 86.778 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by tendering the performance required under the Deed of Trust at any time not later than five days before the date last set for sale.


TS No.: 080381-OR
Loan No.: ***2293

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 the Deed of Trust, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 12/19/2019

CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201
Phone: 858-750-7600 or 866-931-0036



Shella Domilos, Authorized Signatory of Trustee

TS No.: 080381-OR
Loan No.: ***2293

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **4/30/2020 at ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601** at 10:00 AM. 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.

TS No.: 080381-OR
Loan No.: ***2293

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.

Trustee: CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201

Oregon State Bar Lawyer Referral Service: (503)684-3763 or (800)452-7636
<http://www.osbar.org>; <http://www.osbar.org/public/ris/ris.html#referral>

Oregon Law Help: <http://oregonlawhelp.org/OR/index.cfm>

Free Legal Assistance: <http://www.oregonlawcenter.org/>
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

2019-014961
Klamath County, Oregon
 12/24/2019 12:28:01 PM
 Fee: \$92.00

When recorded mail document to:

Clear Recon Corp
 111 SW Columbia Street #950
 Portland, OR 97201
 Phone: 866-931-0036

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF DEFAULT AND ELECTION TO SELL

TS No.: 080381-OR

Loan No.: ***2293

Legal Authority: ORS 86.752, 86.771

Reference is made to that certain trust deed (the "Deed of Trust") executed by LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY, as Grantor, to TICOR TITLE INSURANCE COMPANY, as Trustee, in favor of FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDYMAC BANK, F.S.B., as Beneficiary, dated 11/20/2006, recorded 11/28/2006, as Instrument No. 2006-023687, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 22 IN BLOCK 1 OF TRACT 1022, FOURTH ADDITION TO SUNSET VILLAGE,
 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF
 THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

APN: R561699 / R-3909-012BC-09100-000

Commonly known as:
 3410 GRENADA WAY
 KLAMATH FALLS, OREGON 97603

The current beneficiary is:
 BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE
 ASSETS MANAGEMENT SERIES I TRUST

The undersigned hereby certifies that no assignments of the Deed of Trust by the trustee or by the beneficiary 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 Deed of Trust, or, if such action has been instituted, the action has been dismissed, except as permitted by ORS 86.752(7), 86.010.

There is a default by grantor or other person owing an obligation, or by their successor-in-interest, the performance of which is secured by the Deed of Trust with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is caused by the death of the borrower.

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, those sums being the following: \$167,263.35

Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the Deed of Trust 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 grantor executed the Deed of Trust, together with any interest grantor or grantor's successor in interest acquired after the execution of the Deed of Trust, to satisfy the obligations secured by the Deed of Trust and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

CRC NOD 04172014

TS No.: 080381-OR
Loan No.: ***2293

The Sale will be held at the hour of 10:00 AM., standard time, as established by ORS 187.110, on 4/30/2020, at the following place:

ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601

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 the sale, to have the foreclosure proceeding dismissed and the Deed of Trust 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 or Deed of Trust, and in addition to paying the sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust, together with trustee's and attorneys' fees not exceeding the amounts provided by ORS 86.778.

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 includes the plural, the word "grantor" includes any successor in interest to this grantor as well as any other person owing an obligation, the performance of which is secured by the Deed of Trust, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 12/19/2019

CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201
Phone: 858-750-7600 or 866-931-0036

Sheila Domilos

Sheila Domilos, Authorized Signatory of 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.

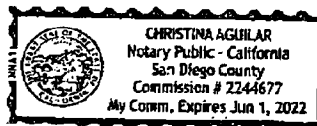
State of California)
) ss.
County of San Diego)

On DEC 19 2019 before me, Christina Aguilar, Notary Public, personally appeared SHELLA DOMILOS who proved to me on the basis of satisfactory evidence to be the person(s) whose name(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.

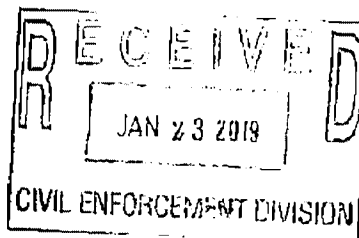
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Christina Aguilar (Seal)



After recording, return to:



**OREGON FORECLOSURE AVOIDANCE PROGRAM
BENEFICIARY EXEMPTION AFFIDAVIT**

Lender/Beneficiary:	Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust
Jurisdiction*	1875 Connecticut Avenue 10 th Floor Washington DC 20009

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

I, Juan Morales (printed name) being first duly sworn, depose, and state that:

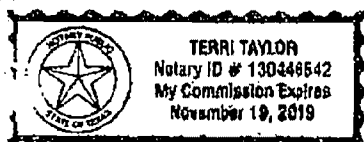
This affidavit is submitted for a claim of exemption to the Office of the Attorney General of Oregon under Oregon Laws 2013, chapter 304, §2(1)(b).

- 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: 69 (not to exceed 175).
- 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 Attorney-in-Fact (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.

State of Texas)
) ss.
County of Travis)
Signed and sworn to (or affirmed) before me this JAN 22 2019 day of _____
by Juan Morales

Juan Morales Assistant Secretary
(Signature) Bank of New York Mellon Trust Company, N.A. as Trustee
for Mortgage Assets Management Series I Trust
By CompuLink Corporation d/b/a CeLink as its Attorney-in-Fact

Notary Public for Terril Taylor
My commission expires: NOV 19 2019



Recipient List (addresses)

Client: Celink

808742
DREW A HUMPHREY C/O DAVID STOKLEY
BRANDSNESS BRANDSNESS & RUDD, P.C.
411 PINE ST
KLAMATH FALLS, OR 97601
9214890144258236636690 (Electronic Return Receipt)

808742
DREW A HUMPHREY C/O DAVID STOKLEY
BRANDSNESS BRANDSNESS & RUDD, P.C.
411 PINE ST
KLAMATH FALLS, OR 97601

808742
FINANCIAL FREEDOM SENIOR FUNDING CORPORATION A SUBSIDIARY OF
INDY MAC BANK, F.S.B.
500 NORTH RIDGE ROAD STE. 500
ATLANTA, GA 30350
9214890144258236636737 (Electronic Return Receipt)

808742
FINANCIAL FREEDOM SENIOR FUNDING CORPORATION A SUBSIDIARY OF
INDY MAC BANK, F.S.B.
500 NORTH RIDGE ROAD STE. 500
ATLANTA, GA 30350

808742
DREW A HUMPHREY C/O DAVID STOKLEY
BRANDSNESS BRANDSNESS & RUDD, P.C.
411 PINE ST
KLAMATH FALLS, OR 97601
9214890144258236636768 (Electronic Return Receipt)

808742
DREW A HUMPHREY C/O DAVID STOKLEY
BRANDSNESS BRANDSNESS & RUDD, P.C.
411 PINE ST
KLAMATH FALLS, OR 97601

808742
Occupants/Tenants
3410 GRENADA WAY
KLAMATH FALLS, OREGON 97603
9214890144258236636805 (Electronic Return Receipt)

808742
Occupants/Tenants
3410 GRENADA WAY
KLAMATH FALLS, OREGON 97603

808742
OREGON DEPARTMENT OF HUMAN SERVICES, ESTATE ADMINISTRATION
UNIT
PO BOX 14021
SALEM, OR 97309

9214890144258236636843 (Electronic Return Receipt)

808742
OREGON DEPARTMENT OF HUMAN SERVICES, ESTATE ADMINISTRATION
UNIT
PO BOX 14021
SALEM, OR 97309

808742
OREGON HEALTH AUTHORITY
500 SUMMER ST. NE, E-20

SALEM, OR 97301

9214890144258236636881 (Electronic Return Receipt)

808742

OREGON HEALTH AUTHORITY
500 SUMMER ST. NE, E-20
SALEM, OR 97301

808742

SECRETARY OF HOUSING AND URBAN DEVELOPMENT
451 SEVENTH STREET S.W.
WASHINGTON, DC 20410
9214890144258236636928 (Electronic Return Receipt)

808742

SECRETARY OF HOUSING AND URBAN DEVELOPMENT
451 SEVENTH STREET S.W.
WASHINGTON, DC 20410

808742

SECRETARY OF HOUSING AND URBAN DEVELOPMENT C/O FINANCIAL
FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDY MAC
BANK, F.S.B.
500 NORTH RIDGE ROAD STE. 500
ATLANTA, GA 30350
9214890144258236636966 (Electronic Return Receipt)

808742

SECRETARY OF HOUSING AND URBAN DEVELOPMENT C/O FINANCIAL
FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDY MAC
BANK, F.S.B.
500 NORTH RIDGE ROAD STE. 500
ATLANTA, GA 30350

Affidavit of Service/Posting

Trustee's Notice of Sale Upon Occupant; Notice to Tenants; Notice- Danger of Losing Property

Case Number: 080381-OR

Grantor:

LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY

For:

Attn: POSTINGS

The Stox Group

2030 EAST 4TH STREET

SUITE 230 B

SANTA ANA, CA 92705

Received by MALSTROM'S PROCESS SERVING CO. on the 30th day of December, 2019 at 3:33 pm to be served on **LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY and/or ALL OCCUPANTS, 3410 GRENADA WAY, KLAMATH FALLS, OR 97603.**

I, Ron Miller, Process Server, being duly sworn, depose and say that on the **1st day of January, 2020 at 2:30 pm,**
I:

made service of the attached Trustee's Notice of Sale Upon Occupant; Notice to Tenants; Notice- Danger of Losing Property upon the individuals and/or entities named below by delivering a copy of the aforementioned documents at the following ("**Property Address**"):

3410 GRENADA WAY, KLAMATH FALLS, OR 97603

As follows:

PERSONALLY SERVED a true copy of the Trustee's Notice of Sale Upon Occupant; Notice to Tenants; Notice- Danger of Losing Property on **MICHAEL PENKA, CO-OCCUPANT** at the address stated above Pursuant to State Statutes.

At the same time and place, I **SUBSTITUTE SERVED** a true copy of the same documents on **ALL OTHER OCCUPANTS** by leaving a true copy with MICHAEL PENKA who is a person over the age of 14 occupying the premises of 3410 GRENADA WAY, KLAMATH FALLS, OR 97603 .

CERTIFICATION OF MAILING: I Robin Robbins, Process Server certify that on **1/2/2020** a true copy of Trustee's Notice of Sale Upon Occupant; Notice to Tenants; Notice- Danger of Losing Property and a statement regarding service were mailed by First Class Mail postage paid addressed to:

"OCCUPANT" 3410 GRENADA WAY, KLAMATH FALLS, OR 97603

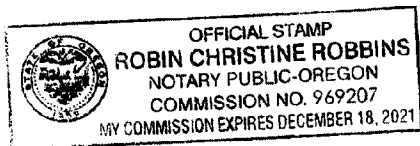
Affidavit of Service/Posting For 080381-OR

I declare I am a resident of the State of Oregon. I am a competent person 18 years of age or older and not a party to or attorney in this proceeding. I certify that the person, firm, or corporation served is the identical one named in this action. I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

STATE OF Oregon

County of Douglas
Subscribed and Sworn to before me on the 7th day
of Jan 2020 by the affiant who is
personally known to me or has provided identification.

Ron Miller
NOTARY PUBLIC



Ron Miller

Ron Miller, Process Server
Date: 1-7-20

MALSTROM'S PROCESS SERVING CO.
155 Culver Lane S
Salem, OR 97302
(503) 585-0234

Our Job Serial Number: ONE-2019006596
Ref: 923741

TRUSTEE'S NOTICE OF SALE

TS No.: 080381-OR

Loan No.: ***2293

Reference is made to that certain trust deed (the "Deed of Trust") executed by LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY, as Grantor, to TICOR TITLE INSURANCE COMPANY, as Trustee, in favor of FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDYMAC BANK, F.S.B., as Beneficiary, dated 11/20/2006, recorded 11/28/2006, as Instrument No. 2006-023687, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon:

**LOT 22 IN BLOCK 1 OF TRACT 1022, FOURTH ADDITION TO SUNSET VILLAGE,
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE
COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

APN: R561699 / R-3909-012BC-09100-000

Commonly known as:

3410 GRENADA WAY

KLAMATH FALLS, OREGON 97603

The current beneficiary is:

**BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS
MANAGEMENT SERIES I TRUST**

Both the beneficiary and the trustee have elected to sell the above-described real property to satisfy the obligations secured by the Deed of Trust and notice has been recorded pursuant to ORS 86.752(3). The default for which the foreclosure is made is caused by the death of the borrower.

TOTAL REQUIRED TO PAYOFF: \$167,263.35

By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including: the principal sum of \$142,023.50 together with interest thereon at the rate of 3.09 % per annum, from 11/8/2018 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust

Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP, whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on **4/30/2020**, at the hour of **10:00 AM**, standard time, as established by ORS 187.110, **ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601**, sell at public auction to the highest bidder in the form of cash equivalent (certified funds or cashier's check) the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, 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 ORS 86.778 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by tendering the performance required under the Deed of Trust at any time not later than five days before the date last set for sale.


TS No.: 080381-OR
Loan No.: ***2293

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 the Deed of Trust, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 12/19/2019

CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201
Phone: 858-750-7600 or 866-931-0036



Shella Domilos, Authorized Signatory of Trustee

TS No.: 080381-OR
Loan No.: ***2293

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for **4/30/2020 at ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601 at 10:00 AM**. 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.

TS No.: 080381-OR
Loan No.: ***2293

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.

Trustee: CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201

Oregon State Bar Lawyer Referral Service: (503)684-3763 or (800)452-7636
<http://www.osbar.org>; <http://www.osbar.org/public/ris/ris.html#referral>

Oregon Law Help: <http://oregonlawhelp.org/OR/index.cfm>

Free Legal Assistance: <http://www.oregonlawcenter.org/>
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

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:

**3410 GRENADA WAY
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 had to pay as of 12/19/2019 to bring your mortgage loan current was \$167,263.35. 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 **(858) 750-7600** 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:

**CLEAR RECON CORP
111 SW Columbia Street #950
Portland, OR 97201
858-750-7600**

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

Date and time: 4/30/2020 at 10:00 AM

Place: ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH
COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, 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 **Celink** at **800-761-0073** 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 phone number of an organization near you, call the statewide toll-free phone contact number at 855-480-1950. You may also wish to talk to a lawyer. If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service at 503-684- 3763 or toll-free in Oregon at 800-452-7636 or 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>.

If you are a veteran of the armed forces, assistance may be available from a county veterans' service officer or community action agency. Contact information for a local county veterans' service officer and community action agency may be obtained by calling a 2-1-1 information service.

WARNING: You may get offers from people saying they can help you keep your property. 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: 12/19/2019

Trustee name: Clear Recon Corp.

SHELLA DOMILOS
SENIOR FORECLOSURE SPECIALIST

Trustee signature: 

Trustee telephone number: 858-750-7600

Trustee Sale No.: 080381-OR

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Susan Belden, RAM,
being first duly sworn, depose and say
that I am the interim clerk of the
publisher of the Herald and News
a newspaper in general circulation, as
defined by Chapter 193 ORS, printed and
published at Klamath Falls in the
aforesaid county and state: that I know from my
Personal knowledge that the

#19324 - Trustee's Notice of Sale
T.S. No #080381-OR

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

Insertion(s) in the following issues:

1/09/20
1/16/20
1/23/20
1/30/20

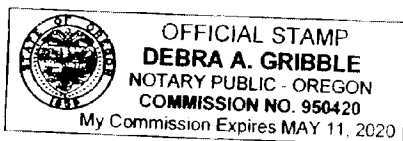
Total Cost: \$1,123.64

Susan Belden

Subscribed and sworn by Susan Belden
before me on: February 1, 2020

Debra A. Gribble
Notary Public of Oregon

My commission expires May 11, 2020



TRUSTEE'S NOTICE OF SALE

TS No.: 080381-OR
Loan No.: **2293

Reference is made to that certain trust deed (the "Deed of Trust") executed by LELAND C. MITTS AND REBECCA S. MITTS, AS TENANTS BY THE ENTIRETY, as Grantor, to TICOR TITLE INSURANCE COMPANY, as Trustee, in favor of FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDYMAC BANK, F.S.B., as Beneficiary, dated 11/20/2006, recorded 11/28/2006, as Instrument No. 2006-023687, in the Official Records of Klamath County, Oregon, which covers the following described real property situated in Klamath County, Oregon: LOT 22 IN BLOCK 1 OF TRACT 1022, FOURTH ADDITION TO SUNSET VILLAGE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. APN: R561699 / R-3909-012BC-09100-000. Commonly known as: 3410 GRENADA WAY KLAMATH FALLS, OREGON 97603. The current beneficiary is: BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS MANAGEMENT SERIES I TRUST. Both the beneficiary and the trustee have elected to sell the above-described real property to satisfy the obligations secured by the Deed of Trust and notice has been recorded pursuant to ORS 86.752(3). The default for which the foreclosure is made is caused by the death of the borrower. TOTAL REQUIRED TO PAYOFF: \$167,263.35. By reason of the default, the beneficiary has declared all obligations secured by the Deed of Trust immediately due and payable, including: the principal sum of \$142,023.50 together with interest thereon at the rate of 3.09 % per annum, from 11/8/2018 until paid, plus all accrued late charges, and all trustee's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms and conditions of the Deed of Trust. Whereof, notice hereby is given that the undersigned trustee, CLEAR RECON CORP, whose address is 111 SW Columbia Street #950, Portland, OR 97201, will on 4/30/2020, at the hour of 10:00 AM, standard time, as established by ORS 187.110, ON THE MAIN STREET ENTRANCE STEPS TO THE KLAMATH COUNTY CIRCUIT COURT, 316 MAIN ST, KLAMATH FALLS, OR 97601, sell at public auction to the highest bidder in the form of cash equivalent (certified funds or cashier's check) the interest in the above-described real property which the grantor had or had power to convey at the time it executed the Deed of Trust, together with any interest which the grantor or his successors in interest acquired after the execution of the Deed of Trust, 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 ORS 86.778 has the right to have the foreclosure proceeding dismissed and the Deed of Trust reinstated by payment to the beneficiary of the entire amount then due (other than the portion of principal that would not then be due had no default occurred), together with the costs, trustee's and attorneys' fees, and curing any other default complained of in the Notice of Default by tendering the performance required under the Deed of Trust at any time not later than 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 the Deed of Trust, the words "trustee" and "beneficiary" include their respective successors in interest, if any. Dated: 12/19/2019 CLEAR RECON CORP 111 SW Columbia Street #950 Portland, OR 97201 Phone: 858-750-7600 or 866-931-0036 Shella Domilos; Authorized Signatory of Trustee #19324 January 9, 16, 23, 30, 2020