

**2023-005308**

**Klamath County, Oregon**

**06/29/2023 03:59:02 PM**

**Fee: \$187.00**

**RECORDING COVER SHEET**  
**Pursuant to ORS 205.234**

**After recording return to:**

ZBS Law, LLP  
5 Centerpointe Dr., Suite 400  
Lake Oswego, OR 97035  
Phone: (503) 946-6558  
TS NO.: 23-64334

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:**  
JAIME E. SMITH

**Beneficiary:**  
FLAGSTAR BANK, NA

**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



ZBS Law, LLP

Mailing Number 0160710-01

T.S. No.: 23-64334

Loan No.:

STATE OF California }  
COUNTY OF San Diego

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 ZBS Law, LLP and that on 3/7/2023, (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".

Additional Services provided during the production of this mail order (if any):

None

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

X

  
Charlene Broussard

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

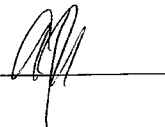
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

On March 8 2023 before me, Adelina R. Larson, personally appeared Charlene Broussard, 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 this 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 \_\_\_\_\_



(Seal)

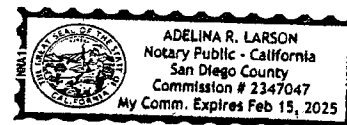


Exhibit A to Declaration of Mailing

Postal Class: Electronic - Ret  
Mail Date: 03/07/2023  
Type of Mailing: OROCC  
Attachment: 0160710-01 000 20230307 Zieve000336

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

1

71969002484074950403  
OCCUPANT  
34410 JUNIPERWOOD PL  
CHILOQUIN, OR 97624-5709

Exhibit A to Declaration of Mailing

Postal Class: First Class  
Mail Date: 03/07/2023  
Type of Mailing: OROCC  
Attachment: 0160710-01 000 20230307 Zieve000336

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

2

(11)9690024846773822  
OCCUPANT  
34410 JUNIPERWOOD PL  
CHILOQUIN, OR 97624-5709

## AFFIDAVIT OF MAILING



ZBS Law, LLP

Mailing Number 0160711-01

T.S. No.: 23-64334

Loan No.:

STATE OF California }  
COUNTY OF San Diego

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 ZBS Law, LLP and that on 3/7/2023, (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".

Additional Services provided during the production of this mail order (if any):

None

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

X

  
Charlene Broussard

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STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

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WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

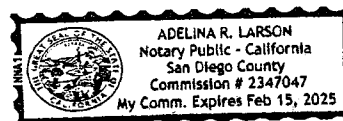


Exhibit A to Declaration of Mailing

Postal Class: Electronic - Ret  
Mail Date: 03/07/2023  
Type of Mailing: ORRES  
Attachment: 0160711-01 000 20230307 Zieve000336

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

1

71969002484074950458  
RESIDENTIAL TENANTS  
34410 JUNIPERWOOD PL  
CHILOQUIN, OR 97624-5709

Exhibit A to Declaration of Mailing

Postal Class: First Class  
Mail Date: 03/07/2023  
Type of Mailing: ORRES  
Attachment: 0160711-01 000 20230307 Zieve000336

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

2

(11)9690024846773853  
RESIDENTIAL TENANTS  
34410 JUNIPERWOOD PL  
CHILOQUIN, OR 97624-5709

## AFFIDAVIT OF MAILING



ZBS Law, LLP

Mailing Number 0160712-01

T.S. No.: 23-64334

Loan No.:

STATE OF California }  
COUNTY OF San Diego

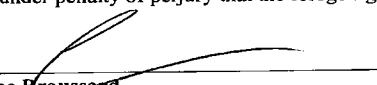
The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in San Diego County at 9620 Ridgehaven Court, Suite A, San Diego, CA 92123; by iMailTracking, LLC acting on behalf of ZBS Law, LLP and that on 3/7/2023, (s)he caused to be mailed copies 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".

Additional Services provided during the production of this mail order (if any):

None

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

X

  
Charlene Broussard

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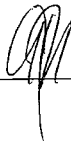
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

On March 8 2023 before me, Adelina R. Larson, personally appeared Charlene Broussard, 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 this 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 \_\_\_\_\_



(Seal)

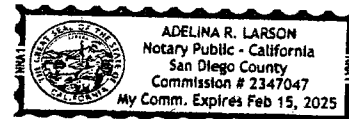




Exhibit A to Declaration of Mailing

Postal Class:  
Mail Date:  
Type of Mailing:  
Attachment:

Electronic - Ret  
03/07/2023  
ORNTSHO  
0160712-01 000 20230307 Zieve000336

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

1

71969002484074953596  
JAIME E. SMITH  
34410 JUNIPERWOOD PL  
CHILOQUIN, OR 97624-5709

3

71969002484074953602  
SPOUSE OF JAIME E SMITH  
34410 JUNIPERWOOD PL  
CHILOQUIN, OR 97624-5709

Exhibit A to Declaration of Mailing

Postal Class: First Class  
Mail Date: 03/07/2023  
Type of Mailing: ORNTSHO  
Attachment: 0160712-01 000 20230307 Zieve000336

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

2	(11)9690024846782602 JAIME E. SMITH 34410 JUNIPERWOOD PL CHILOQUIN, OR 97624-5709
4	(11)9690024846782626 SPOUSE OF JAIME E SMITH 34410 JUNIPERWOOD PL CHILOQUIN, OR 97624-5709

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

**Original Beneficiary Name:**  
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"),  
AS DESIGNATED NOMINEE FOR BCK CAPITAL INC.,  
BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS

**Current Beneficiary Name:**  
FLAGSTAR BANK, N.A.

**Trustor Name:**  
JAIME E. SMITH

**Original Trustee Name:**  
AMERITITLE, INC

**Original trust deed recorded:**  
7/11/2018, as Instrument No. 2018-008278

**TS NO. 23-64334**

**After recording return to:**  
ZBS Law, LLP  
5 Centerpointe Dr., Suite 400  
Lake Oswego, OR 97035  
(503) 946-6558

**RECORDING COVER SHEET**

## TRUSTEE'S NOTICE OF SALE

TS NO.: 23-64334

Reference is made to that certain Deed of Trust (hereinafter referred as the Trust Deed) made by JAIME E. SMITH as Grantor to AMERITITLE, INC, as trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS DESIGNATED NOMINEE FOR BCK CAPITAL INC., BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS, as Beneficiary, dated 7/11/2018, recorded 7/11/2018, as Instrument No. 2018-008278, in mortgage records of Klamath County, Oregon covering the following described real property situated in said County and State, to-wit:

LOT 28 IN BLOCK 31 OF TRACT 1184 - OREGON SHORES - UNIT 2, FIRST ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK, KLAMATH COUNTY, OREGON.

The street address or other common designation, if any for the real property described above is purported to be:  
**34410 JUNIPERWOOD PL  
CHILOQUIN, OREGON 97624-5709**

The Tax Assessor's Account ID for the Real Property is purported to be: **R-3507-017CB-00900-000 / 237862**

Both the beneficiary and the trustee, ZBS Law, 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 12/1/2021, 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 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:

**From: 12/1/2021**

**Total of past due payments: \$19,761.32**

**Late Charges: \$137.38**

**Additional charges (Taxes, Insurance, Corporate Advances, Other Fees): \$726.00**

**Trustee's Fees and Costs: \$2,069.00**

**Total necessary to cure: \$22,693.70**

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 ZBS Law, 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 to date is: **\$198,412.46**

Said sale shall be held at the hour of **1:00 PM** on **7/13/2023** 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:

**Front Steps of the Klamath County Circuit Court, 316 Main Street, Klamath Falls, 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.

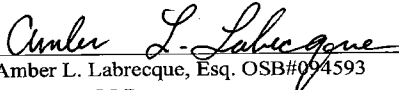
The mailing address of the trustee is:  
ZBS Law, LLP  
5 Centerpointe Dr., Suite 400  
Lake Oswego, OR 97035  
(503) 946-6558

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: 2/27/2023

**ZBS Law, LLP**

By:   
Amber L. Labrecque, Esq. OSB#094593  
ZBS Law, 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:  
34410 JUNIPERWOOD PL  
CHILOQUIN, OREGON 97624-5709

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 3/2/2023 to bring your mortgage loan current was \$22,693.70. (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:

ZBS Law, LLP  
5 Centerpointe Dr., Suite 400  
Lake Oswego, OR 97035  
(503) 946-6558

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

Sale Date: 7/13/2023      Time: 1:00 PM

Place: Front Steps of the Klamath County Circuit Court, 316 Main Street, Klamath Falls,  
OR 97601

**THIS IS WHAT YOU CAN DO TO STOP THE SALE:**

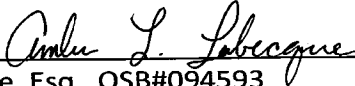
1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call Flagstar Bank, N.A. at 800-393-4887 to find out if your lender is willing to give you more time or change 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](http://www.osbar.org)**. Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to **<http://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 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: 2/27/2023

Trustee Name: ZBS Law, LLP

Trustee Signature:   
Amber L. Labrecque, Esq., OSB#094593  
ZBS Law, 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 **7/13/2023**. 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

2364334 / SMITH  
ASAP# 4776967

**LESZIEVE**

**AFFIDAVIT OF SERVICE**

STATE OF OREGON  
County of Klamath

ss.

I, Kent Pederson, hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; 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; Notice to Residential Tenants upon the individuals and/or entities named below, by delivering a copy of the aforementioned documents, upon an **OCCUPANT** at the following "**Property Address**":

**34410 Juniperwood Place  
Chiloquin, OR 97624**


By delivering such copy, personally and in person to **Jaime Smith**, at the above Property Address on March 13, 2023 at 4:58 PM.

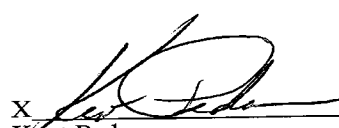
On 03/09/2023 at 12:00 PM, I attempted personal service at the Property Address. I received no answer at the front door and no one appeared to be home. At that time, I POSTED such true copy conspicuously on the front doort, pursuant to ORS 86.750 (1)(b)(A).

The effective date of service upon an occupant at the Property Address is **03/09/2023** as calculated pursuant to ORS 86.774 (1)(c).

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

SUBSCRIBED AND SWORN BEFORE ME  
this 14th day of March, 2023  
by Kent Pederson.

  
Notary Public for Oregon

X   
Kent Pederson  
Nationwide Process Service, Inc.  
315 W Mill Plain Blvd., Ste. 206  
Vancouver, WA 98660  
(503) 241-0636



\*362029\*

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

I, Joseph Hudon, General Manager 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 97601 in the aforesaid county and state: that I know from my personal knowledge that the Legal # 23148 TS# 23-64334 34410 Juniperwood Pl.

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: 04/26/23, 05/03/23,  
05/10/23, 05/17/23

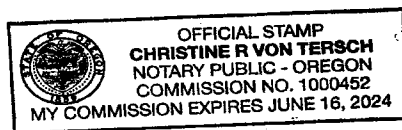
Total Cost: \$1,642.95



Subscribed and sworn by Joseph Hudon before me on: On  
18th day of May, in the year of 2023



Notary Public of Oregon  
My commission expires June 16, 2024



**TRUSTEE'S NOTICE OF SALE**

TS NO.: 23-64334 Reference is made to that certain Deed of Trust (hereinafter referred as the Trust Deed) made by JAIME E. SMITH as Grantor to AMERITITLE, INC. as trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS DESIGNATED NOMINEE FOR BCK CAPITAL INC., BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS, as Beneficiary, dated 7/11/2018, recorded 7/11/2018, as Instrument No. 2018-008278, in mortgage records of Klamath County, Oregon covering the following described real property situated in said County and State, to-wit: LOT 28 IN BLOCK 31 OF TRACT 1184 - OREGON SHORES - UNIT 2, FIRST ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK, KLAMATH COUNTY, OREGON. The street address or other common designation, if any for the real property described above is purported to be: 34410 JUNIPERWOOD PL. CHILOQUIN, OREGON 97624-5709 The Tax Assessor's Account ID for the Real Property is purported to be: R-3507417CB-00900-000 / 237882 Both the beneficiary and the trustee, ZBS Law, 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 12/1/2021, 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 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: From: 12/1/2021 Total of past due payments: \$19,761.32 Late Charges: \$137.38 Additional charges (Taxes, Insurance, Corporate Advances, Other Fees): \$726.00 Trustee's Fees and Costs: \$2,069.00 Total necessary to cure: \$22,693.70 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 ZBS Law, 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 to date is: \$198,412.46 Said sale shall be held at the hour of 1:00 PM on 7/13/2023 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: Front Steps of the Klamath County Circuit Court, 316 Main Street, Klamath Falls, 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 successors) 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: ZBS Law, LLP 5 Centerpointe Dr., Suite 400 Lake Oswego, OR 97035 (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 methamphetamine, 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. ZBS Law, LLP By: Amber L. Labrecque, Esq. OSB#094593 ZBS Law, LLP Authorized to sign on behalf of the trustee A-4776967 04/26/2023, 05/03/2023, 05/10/2023, 05/17/2023 #23148 April 26, May 3, 10, 17, 2023