

**After Recording Return To:**

Christopher B. Matheny  
Matheny Law, LLC  
1644 Liberty Street SE  
Salem, OR 97302

**All tax statements shall be sent to:**

No Change

**Consideration:**

Not Applicable

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**RECORDING COVER SHEET**

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This cover sheet has been prepared for attachment to the accompanying document as provided by Oregon Revised Statutes 205.234. Any errors in this cover sheet do not affect the transactions(s) contained in the document itself.

**A.** Name(s) of the transaction(s) described in the attached instrument:

1. Successor Trustee's Notice of Sale;
2. Affidavit of Mailing and Service of "Danger Notice" and Copy of Notice to Grantor Under ORS 86.756 (Danger Notice);
3. Affidavit of Mailing Successor Trustee's Notice of Sale;
4. Affidavit of Non-Occupancy;
5. Affidavit of Publication;
6. Affidavit of Compliance ("Dual Track" Notice); and
7. Affidavits of Non-Military Status.

**B.** Name(s) of the grantor(s) and grantee(s) to the transaction:

Current Borrower: Samuel S. Shaw and Ronita R. Shaw

**C.** Indirect Party/Assignee(s) ORS 205.125(1)(a) and 2015.160:

Lender: IRS Services Trust Company CFBO:  
Jeffrey Thomas Hendricks, IRS Account #724348  
Tax ID: 26-2627205  
2900 NE 232<sup>nd</sup> Avenue  
Camas, WA 98607

**D.** Consideration/Loan Amount:

Not applicable

**E.** Send Tax Statements To:

No Change/Not Applicable

**F.** Satisfaction of Order or Warrant (ORS 205.125(1)(e)):

Not applicable

**G.** The person authorized to receive the instrument after recording, as provided by ORS 205.180(4) and 205.238 is:

Christopher B. Matheny  
Fetherston Edmonds, LLP  
960 Liberty Street SE Suite 110  
Salem, OR 97302

**H.** Tax statements to be sent to:

No Change

## SUCCESSOR TRUSTEE'S NOTICE OF SALE

The Successor Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

### 1. PARTIES:

Grantor: Samuel S. Shaw and Ronita R. Shaw  
4849 San Francisco St. NE, Apartment 27  
Salem, OR 97305-2691

Trustee: D. Eugene Pierson

Successor Trustee: Christopher B. Matheny, Attorney  
Matheny Law, LLC  
1644 Liberty Street SE  
Salem, OR 97302

Beneficiary: IRA Services Trust Company CFBO:  
Jeffrey Thomas Hendricks, IRA Account #724348  
(Tax ID: 26-2627205)  
2900 NE 232nd Avenue  
Camas WA 98607

**2. DESCRIPTION OF PROPERTY:** The real property is commonly known as 315 N. Baker Avenue, Chiloquin and located in Klamath County, Oregon and further described as follows:

Lots 2, 3, 4, 5, 6, 8, 11, 12, 13 and 14 of Block 1 and Lots 1, 9 and 10, Block 2, SECOND ADDITION to the City of Chiloquin, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

**3. RECORDING.** The Trust Deed was recorded on December 31, 2018, as Document No. 2018-015487, in the official records of Klamath County, Oregon. Re-recorded on January 3, 2019, as Document No. 2019-000046 in the official records of Klamath County, Oregon.

**4. DEFAULT.** The Grantor or any other person obligated on the Trust Deed is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to make payments as required by the Trust Deed and the Promissory Note secured thereby, as more particularly described below. Both the beneficiary and the Successor trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.752(3) of Oregon Revised Statutes.

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision The default for which foreclosure is made is grantor's failure to pay when due the following sum:

TOTAL REQUIRED TO REINSTATE: \$ \_\_\_\_\_  
TOTAL REQUIRED TO PAYOFF: \$118,447.90

Because of interest, late charges, and other charges that may vary from day-to-day. The amount due on the day you pay may be greater. It will be necessary for you to contact the Successor Trustee before the time you tender reinstatement of the payoff amount so that you may be advised of the exact amount you will be required to pay.

**5. AMOUNT DUE.** The amount due on the Promissory Note which is secured by the Trust Deed referred to herein is \$118,447.90 as of June 25, 2023. See below itemized calculations:

Unpaid Principal:	\$89,018.84
Unpaid Interest:	\$18,222.83
Escrow Fees:	\$4,821.75
Attorney Fees:	\$5,354.74
Costs:	\$1,029.74
Total:	\$118,447.90

The payments and late charges continue to accrue and additional advances may be made. The sums stated above are estimates only. Before attempting to pay the amounts due hereunder, call the Successor Trustee at (503) 581-1542 to determine the exact amounts of monetary defaults and actions required to cure possible other defaults.

**6. SALE OF PROPERTY.** The Beneficiary hereby elects to sell the property and states that the property will be sold to satisfy the obligations secured by the Trust Deed.

**7. TIME OF SALE.** Date: December 1, 2023, Time: 10:00 a.m. Place: Klamath County Courthouse, main entrance, 316 Main Street, Klamath Falls, OR 97204.

The Successor Trustee will sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.778 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale

**8. OTHER INTERESTED PARTIES.** Other than as shown of record, neither the beneficiary nor the Successor Trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address and Nature of Right, Lien or Interest:

Samuel S. Shaw and Ronita R. Shaw  
4849 San Francisco St. NE, Apartment 27  
Salem, OR 97305-2691

**8. RIGHT TO REINSTATE.** Any person named in ORS 86.778 has the right, at any time that is not later than five (5) days before the Trustee conducts the sale, to have this foreclosure dismissed and the Trust Deed reinstated by payment to the Beneficiary of the entire amount then due, other than such portion of the principal as would not then be due had no default occurred, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.778.

**9. TRUSTEE'S CERTIFICATION.** The undersigned hereby certifies that based upon business records there are no known written assignments of the trust deed by the trustee or by the beneficiary, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.752(7).

**10. FOR SALE INFORMATION.** For sale information, call Christopher Matheny of Matheny Law, LLC at (503) 581-1542.

**11. CONSTRUCTION OF NOTICE.** 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 trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

**12. FINALITY OF SALE.** Pursuant to Oregon Law, this sale will not be deemed final until the Trustee's deed has been issued by the Successor Trustee. If any irregularities are discovered within 10 days of the date of this sale, the trustee will rescind the sale, return the buyer's money and take further action as necessary.

If the sale is set aside for any reason, including if the Trustee is unable to convey title, the Purchaser at the sale shall be entitled only to a return of the monies paid to the Trustee. This shall be the Purchaser's sole and exclusive remedy. The purchaser shall have no further recourse against the Trustor, the Trustee, the Beneficiary, the Beneficiary's Agent, or the Beneficiary's Attorney.


**13. BANKRUPTCY.** If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holder's right's against the real property only. As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit report agency if you fail to fulfill the terms of your credit obligations.

**14. NOTICE.** Without limiting the successor trustee's disclaimer of representation or warranties, Oregon law requires that 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.

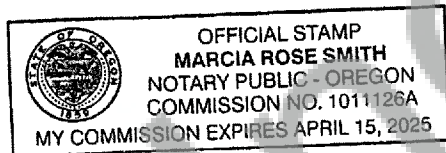
**15. NOTICE TO TENANTS.** TENANTS OF THE SUBJECT REAL PROPERTY HAVE CERTAIN PROTECTIONS AFFORDED TO THEM UNDER ORS 86.782 AND POSSIBLY UNDER FEDERAL LAW. ATTACHED TO THIS NOTICE OF DEFAULT, AND INCORPORATED HEREIN, IS A NOTICE TO TENANTS THAT SETS FORTH SOME OF THE PROTECTIONS THAT ARE AVAILABLE TO A TENANT OF THE SUBJECT REAL PROPERTY AND WHICH SETS FORTH CERTAIN REQUIREMENTS THAT MUST BE COMPLIED WITH BY ANY TENANT IN ORDER TO OBTAIN THE AFFORDED PROTECTION, AS REQUIRED UNDER ORS 86.771.


DATED: July 21, 2023.

  
\_\_\_\_\_  
Christopher B. Matheny, Successor Trustee

STATE OF OREGON            )  
  ) ss.  
County of Marion         )

The foregoing instrument was acknowledged before me this 21 day of July, 2023, by Christopher B. Matheny.



  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: 4-15-2025

## **NOTICE TO RESIDENTIAL TENANTS**

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for December 1, 2023 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.

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## ABOUT YOUR TENANCY BETWEEN NOW AND THE FORECLOSURE SALE:

### 1. **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.

### 2. **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.

### 3. **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.

You may reach the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at: [www.osbar.org](http://www.osbar.org).

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. For more information and a directory of legal aid programs, go to <http://www.oregonlawhelp.org>.

Finally, you may contact the Successor Trustee at (503) 581-1542.

**Notice pursuant to the Federal Fair Debt Collection Practices Act:**

If you have received a discharge of the debt referenced herein in a bankruptcy proceeding, this letter is not an attempt to impose personal liability upon you for payment of that debt. In the event that you have received a bankruptcy discharge, any action to enforce the debt will be taken against the property only. If you are the consumer who originally contracted the debt or if you assumed the debt, then you are notified that:

1. As of the date of this notice, you owed \$118,447.90. Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence if you pay the amount above, an adjustment may be necessary after payment is received.
2. The creditor to whom the debt is owed is IRA Services Trust Company CFBO: Jeffrey Thomas Hendricks, IRA Account #724348, (Tax ID: 26-2627205).
3. Unless within 30 days after receipt of the Notice of Default you dispute the debt or any portion of it, we will assume the debt to be valid. The Fair Debt Collection Practices Act does not require that we wait until 30 days from the date you receive this letter before or continuing foreclosure proceedings.
4. If you notice us within 30 days after receipt of this notice that you dispute the debt or any part of it, we will request that the creditor obtain verification of the debt and mail it to you.
5. If you request within 30 days after receipt of this notice, we will request that the creditor provide you with the name and address of the original creditor, if different from the current creditor.
6. Written requests should be addressed to the Successor Trustee as listed above.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

**AFFIDAVIT OF MAILING AND SERVICE  
FOR  
"DANGER NOTICE"**


STATE OF OREGON            )  
  ) ss.  
County of Marion            )

I, Christopher B. Matheny, being first duly sworn, do hereby depose and say: I am employed in the County of Marion, State of Oregon. I am over the age of 18 and not the beneficiary or its successor in interest and not a party to the action. My business address is 1644 Liberty Street SE, Salem, Oregon 97302.

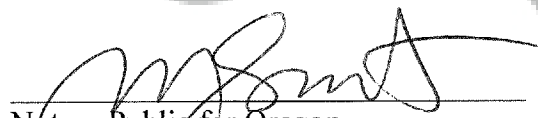
On July 21, 2023, I caused a copy of the attached "Danger Notice" for the property at 315 N. Baker Avenue, Chiloquin, Klamath County, Oregon, to be served upon Samuel S. Shaw and Ronita R. Shaw, by placing a true and correct copy thereof, duly certified to be such by me, in a sealed envelope, postage fully prepaid, both First Class Mail and Certified Mail, Return Receipt Requested and depositing the same in the U.S. Post Office at Salem, Marion County, Oregon, on the dates stated above.

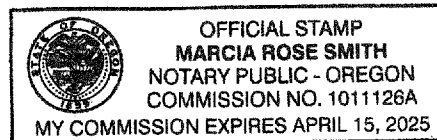
I declare under penalty of perjury under the laws of the State of Oregon that the above is true and correct.

Dated this 3<sup>rd</sup> day of November, 2023.

  
\_\_\_\_\_  
Christopher B. Matheny

SUBSCRIBED AND SWORN TO before me  
this 3<sup>rd</sup> day of November, 2023.

  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: 4-15-2025



**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:

315 N. Baker Avenue, Chiloquin, Klamath County, Oregon.

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 June 15, 2023 to bring your mortgage loan current was \$21,946.33. 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 can call 888-818-6032 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 details by sending a request by mail to:

Access GT Mortgage  
945 Alder Drive NE  
Keizer, OR 97303

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

Date and Time: December 1, 2023 at 10:00 AM  
Place: On the outside steps of the main entrance of the Klamath  
County Courthouse, located at 316 Main Street, Klamath Falls, OR 97204.

**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 any time before the sale.
3. You can call Access GT Mortgage at (503) 463-1548 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 phone contact number at 855-480-1950. You may also

want 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](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 the 2-1-1 information service. Additionally, contact information for a service officer appointed under ORS 408.410 for the county in which you live and contact information for a community action agency that serves your area can be found by visiting the following link:

<https://www.oregon.gov/odva/services/pages/county-services.aspx> and selecting your county. You can also access a list of Veterans Services for all Oregon counties by visiting the following link:

<https://www.oregon.gov/odva/Services/Pages/All-Services-Statewide.aspx>.

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

DATED: July 21, 2023.



Christopher B. Matheny, Successor Trustee

**AFFIDAVIT OF MAILING AND SERVICE**  
**for**  
**Successor Trustee's Notice of Sale**

STATE OF OREGON            )  
  ) ss.  
County of Marion            )


I, Christopher B. Matheny, being first duly sworn, do hereby depose and say: I am employed in the County of Marion, State of Oregon. I am over the age of 18 and not the beneficiary or its successor in interest and not a party to the action. My business address is 1644 Liberty Street SE, Salem, Oregon 97302.

On February 24, 2023, I caused a copy of the Successor Trustee's Notice of Sale for the property at 315 N. Baker Avenue, Chiloquin, Klamath County, Oregon, to be served on Samuel S. Shaw and Ronita R. Shaw by First-Class Mail and Certified Return Receipt Requested.

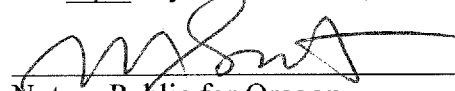
On July 21, 2023, I caused a copy of the Successor Trustee's Notice of Sale to be served on Samuel S. Shaw and Ronita R. Shaw by placing a true and correct copy thereof, duly certified to be such by me, in a sealed envelope, postage fully prepaid, both First Class Mail and Certified Mail, Return Receipt Requested and depositing the same in the U.S. Post Office at Salem, Marion County, Oregon, on the date stated below.

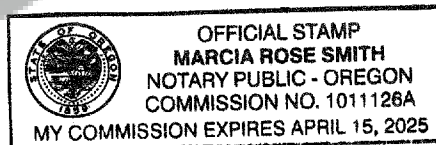
I declare under penalty of perjury under the laws of the State of Oregon that the above is true and correct.

Dated this 7<sup>th</sup> day of November, 2023.

  
\_\_\_\_\_  
Christopher B. Matheny

SUBSCRIBED AND SWORN TO before me  
this 7<sup>th</sup> day of November, 2023.

  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: 4-15-2025



**AFFIDAVIT OF MAILING AND SERVICE**  
**of**  
**Non-Occupancy**


STATE OF OREGON            )  
  ) ss.  
County of Marion            )

I, Christopher B. Matheny, being first duly sworn, do hereby depose and say: I am employed in the County of Marion, State of Oregon. I am over the age of 18 and not the beneficiary or its successor in interest and not a party to the action. My business address is 1644 Liberty Street SE, Salem, Oregon 97302.


It is my understanding that the Premises is unoccupied. On November 3, 2023, I reviewed the online property listing for the property at 315 N. Baker Avenue, Chiloquin, Klamath County, Oregon. The listing shows that the mobile home is unoccupied and not being rented. Furthermore, based on communications with the Grantor, Samuel S. Shaw and Ronita R. Shaw, they do not reside in the premises and reside in Salem, Oregon.

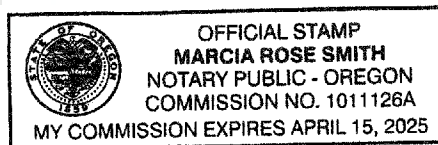
I declare under penalty of perjury under the laws of the State of Oregon that the above is true and correct.

Dated this 7<sup>th</sup> day of November, 2023.

  
\_\_\_\_\_  
Christopher B. Matheny

SUBSCRIBED AND SWORN TO before me  
this 7<sup>th</sup> day of November, 2023.

  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: 4-15-2025



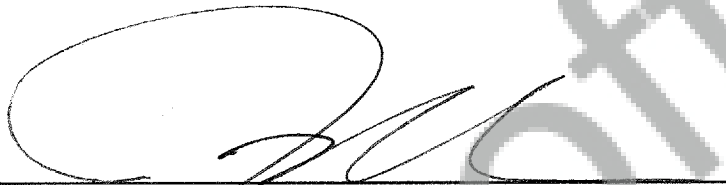


**AFFIDAVIT OF PUBLICATION  
STATE OF OREGON,  
COUNTY OF KLAMATH**

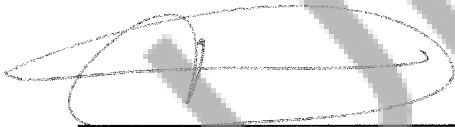
I, Joseph Hudon, General Manager being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97601 in the aforesaid county and state: that I know from my personal knowledge that the Legal # 23441 315 N Baker Ave 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: 09/23/23, 09/30/23, 10/07/23, 10/14/23

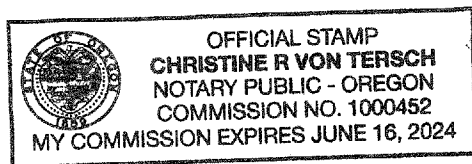
Total Cost: \$1,284.25



Subscribed and sworn by Joseph Hudon before me on: On 19th day of October, in the year of 2023



Notary Public of Oregon  
My commission expires June 16, 2024



**SUCCESSOR TRUSTEE'S NOTICE OF SALE**

The Successor Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. **PARTIES:** Grantor: Samuel S. Shaw and Ronita R. Shaw. Trustee: D. Eugene Pierson. Successor Trustee: Christopher B. Matheny, Attorney, Matheny Law, LLC. Beneficiary: IRA Services Trust Company CFBO: Jeffrey Thomas Hendricks, IRA Account #724348 (Tax ID: 26-2627205).

2. **DESCRIPTION OF PROPERTY:** The real property is commonly known as 315 N. Baker Avenue, Chiloquin, and located in Klamath County, Oregon and further described as follows:

Lots 2, 3, 4, 5, 6, 8, 11, 12, 13 and 14 of Block 1 and Lots 1, 9 and 10, Block 2, SECOND ADDITION to the City of Chiloquin, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

3. **RECORDING.** The Trust Deed was recorded on December 31, 2018, as Document No. 2018-015487, in the official records of Klamath County, Oregon. Re-recorded on January 3, 2019, as Document No. 2019-000046 in the official records of Klamath County, Oregon.

4. **DEFAULT.** The Grantor or any other person obligated on the Trust Deed is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to make payments as required by the Trust Deed and the Promissory Note secured thereby, as more particularly described below.

5. **AMOUNT DUE.** The amount due on the Promissory Note which is secured by the Trust Deed referred to herein is \$118,447.90 as of June 15, 2023. See below itemized calculations:

Unpaid Principal: \$89,018.84  
Unpaid Interest: \$18,222.83  
Escrow Fees: \$4,821.75  
Attorney Fees: \$5,354.74  
Costs: \$1,029.74

The payments and late charges continue to accrue and additional advances may be made. The sums stated above are estimates only. Before attempting to pay the amounts due hereunder, call the Successor Trustee at (503) 581-1542 to determine the exact amounts of monetary defaults and actions required to cure possible other defaults.

6. **SALE OF PROPERTY.** The Successor Trustee hereby elects to sell the property and states that the property will be sold to satisfy the obligations secured by the Trust Deed.

7. **TIME OF SALE.** Date: December 1, 2023, Time: 10:00 a.m. Place: Klamath County Courthouse, main entrance, 316 Main Street, Klamath Falls, Oregon 97601.

8. **RIGHT TO REINSTATE.** Any person named in ORS 86.778 has the right, at any time that is not later than five (5) days before the Successor Trustee conducts the sale, to have this foreclosure dismissed by payment to the Beneficiary of the entire amount due, as set forth above, and by curing any other default that is capable of being cured by tendering the performance required under the Note and Trust Deed, and by paying all costs and expenses actually incurred in enforcing the Note and Trust Deed, together with the Successor Trustee's and attorney's fees not exceeding the amount provided in ORS 86.778.

You may contact the Successor Trustee at 503.581.1542.

DATED: September 23, 2023.

/s/ Christopher B. Matheny  
Christopher B. Matheny, Successor Trustee  
Matheny Law, LLC  
1644 Liberty Street SE  
Salem, OR 97302  
#23441 September 23, 30, October 7, 14, 2023

2022-013711

Klamath County, Oregon

11/28/2022 10:20:01 AM

Fee: \$82.00

**After recording, return to:**

Christopher B. Matheny  
Matheny Law, LLC  
1644 Liberty Street SE  
Salem, OR 97302

**OREGON FORECLOSURE AVOIDANCE PROGRAM  
BENEFICIARY EXEMPTION AFFIDAVIT**

<b>Lender/Beneficiary:</b>	IRA Services Trust Company CFBO: Jeffrey Thomas Hendricks, IRA Account #724348 (Tax ID: 26-2627205)
<b>Jurisdiction*</b>	Klamath County

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

I, Jeffrey Hendricks (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 ORS 86.726(1)(b).

1. The above named individual or entity commenced or caused an affiliate or agent of the individual or entity to commence the following number of actions to foreclose a residential trust deed by advertisement and sale under ORS 86.752 or by suit under ORS 88.010 during the 2021 calendar year: 0 [not to exceed 30];
2. The undersigned further certifies that she/he: [check only one of the following boxes]  
☒ is the individual claiming exemption from requirements established under ORS 86.705 to 86.815, or  
☐ is the \_\_\_\_\_ [insert title] of the entity claiming exemption from requirements established under ORS 86.705 to 86.815 and is authorized by such entity to execute this affidavit on its behalf.

(Signature)

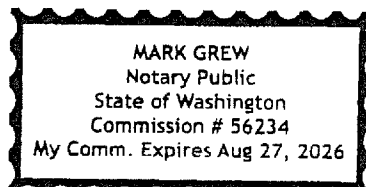
State of WA )

) ss.

County of CLARK )

Signed and sworn to (or affirmed) before me this 18 day of November, 2022

by Jeffrey Hendricks



Notary Public for

WASHINGTON

My commission expires:

8-27-2026



## Status Report Pursuant to Servicemembers Civil Relief Act

SSN: XXX-XX-4590  
Birth Date: Jul-XX-1955  
Last Name: SHAW  
First Name: RONITA  
Middle Name:  
Status As Of: Nov-07-2023  
Certificate ID: FW4VFJVGZR1X0PY

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, Space Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

*Sam Yousefzadeh*

Sam Yousefzadeh, Director  
Department of Defense - Manpower Data Center  
4800 Mark Center Drive, Suite 04E25  
Alexandria, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/#/faqs>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

## More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

## Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

**WARNING:** This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.



## Status Report Pursuant to Servicemembers Civil Relief Act

SSN: XXX-XX-3821  
Birth Date: Feb-XX-1941  
Last Name: SHAW  
First Name: SAMUEL  
Middle Name:  
Status As Of: Nov-07-2023  
Certificate ID: Y15GQR5M4XXDZ5P

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

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*Sam Youssefzadeh*

Sam Youssefzadeh, Director  
Department of Defense - Manpower Data Center  
4800 Mark Center Drive, Suite 04E25  
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