

2024-005504

Klamath County, Oregon



00330392202400055040140143

06/28/2024 02:52:26 PM

Fee: \$157.00

NOTICE AFFIDAVITS

Re: Notice of Default recorded as
Instrument No. 2024-000894 in the
records of Klamath County, Oregon

Grantor: Erick Vianey Castillo Vasquez

Beneficiary: Daniel Lamont Forest,
Trustee of the Daniel Lamont Forest Living Trust

Original Trustee: AmeriTitle

Current Trustee: Douglas A. Kincaid,
OSB #121032

After recording return to:
Kincaid Law LLC
409 Pine Street
Klamath Falls, OR 97601
Dated: June 28, 2024

COVER PAGE

1. AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
2. AFFIDAVIT OF PUBLICATION, TRUSTEE'S NOTICE OF SALE
3. CERTIFICATE OF NONMILITARY SERVICE
4. AFFIDAVIT OF NONOCCUPANCY

After Recording Return to:
Kincaid Law LLC
409 Pine Street
Klamath Falls, OR 97601

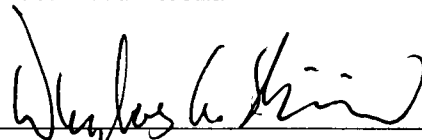
AFFIDAVIT OF MAILING: TRUSTEE'S NOTICE OF SALE

I, Douglas A. Kincaid, under penalty of perjury, state as follows:

1. Attached as Exhibit '1' is a true and correct copy of the Trustee's Notice of Sale pertaining to the Trust Deed referenced therein.
2. The Trustee's Notice of Sale was mailed by both first-class and certified mail with return receipt requested at the following address(es) on February 27, 2024:

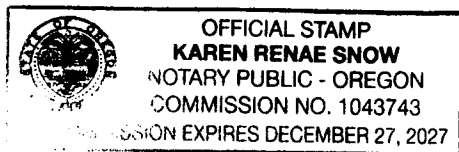
Erick Vianey Castillo Vasquez	23663 Hoag Rd	Corning CA	96021
Erick Vianey Castillo Vasquez	5055 Woodson Ave	Corning CA	96021
Erick Vianey Castillo Vasquez	6092 Alameda Rd	Corning CA	96021

3. Attached as Exhibit '2' is a copy of the Certified Mailing Receipt(s).
4. I make this affidavit as Successor Trustee under the Trust Deed herein.


Douglas A. Kincaid, OSB #121032
Successor Trustee

STATE OF OREGON)
) ss.
County of Klamath)

THE FOREGOING INSTRUMENT was acknowledged before me on the June 28, 2024,
by Douglas A. Kincaid.



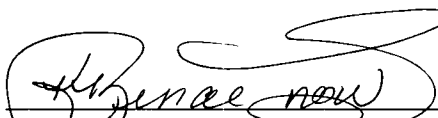

NOTARY PUBLIC FOR OREGON
My commission expires: 12-27-27

EXHIBIT 1

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by, Erick Vianey Castillo Vasquez, as Grantor to AmeriTitle, as Trustee, in favor of Daniel Lamont Forest, Trustee of the Daniel Lamont Forest Living Trust, Beneficiary of the security instrument, its successors and assigns, dated as of November 25, 2019, and recorded on November 27, 2019, as Instrument No. 2019-013866 in the official records Klamath County, Oregon to-wit:

APN: 696107/3610-02000-01400, 324651/3610-02000-01500, 324679/3610-02000-01800, 324688/3610-02000-01900

SEE ATTACHED LEGAL DESCRIPTION

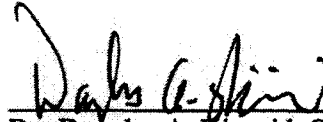
Both the Beneficiary, Daniel Lamont Forest, Trustee of the Daniel Lamont Forest Living Trust, and the Successor Trustee, Douglas A. Kincaid, OSB #121032, have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and notice has been recorded pursuant to Section 86.752(3) of Oregon Revised Statutes. The default for which the foreclosure is made is the Grantor's failure to pay: \$1,165.47 for 12/1/2023 and 1/1/2024, pursuant to paragraph 2 under the Note, and pursuant paragraph 3 of the Deed of Trust. By the reason of said default the Beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit: The sum of \$68,054.20 together with interest thereon from December 1, 2023, until paid; and all Trustee's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the terms of said Trust Deed.

Wherefore, notice is hereby given that, the undersigned Trustee will on Monday, July 1, 2024, at the hour of 10:00 AM, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at the Main Street entrance steps to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, 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 86.753 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 or 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.

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 any other persons owing an obligation, the performance of which is secured by said Trust Deed, the words "Trustee" and "Beneficiary" includes their respective successors in interest, if any.

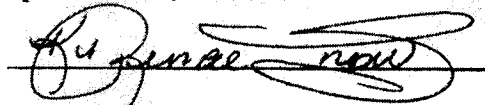
Dated: February 27, 2024



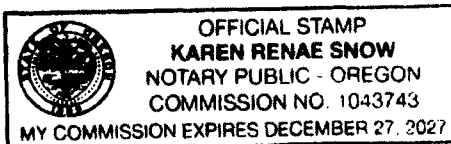
By: Douglas A. Kincaid, OSB #121032
Successor Trustee

State of Oregon)
) ss.
County of Klamath)

On February 27, 2024, before me, Douglas Kincaid, Notary Public, personally appeared Douglas A. Kincaid, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



Notary Public for Oregon
Commission Expires: 12-27-27



Kincaid Law LLC
Attention: Douglas A. Kincaid, Esq., OSB #121032
409 Pine Street
Klamath Falls, OR 97601
541-345-1381

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

EXHIBIT 'A'

File No. 621347AM

Parcel 1

**SW1/4 of the SW1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian,
Klamath County, Oregon.**

Parcel 2

**SE1/4 of the SW1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian,
Klamath County, Oregon.**

Parcel 3

**W1/2 of the SE1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian,
Klamath County, Oregon.**

Parcel 4

**E1/2 of the SE1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian,
Klamath County, Oregon.**

EXHIBIT 2

Date Printed	Amount Paid	Name	Address 1	City	State/Province	Postal Code	Country	Origin Zip	Weight	Carrier	Service	Extra Services	Ship Date
2/27/24	0.64	Erick Vianey Castillo Vasquez	23663 Hoag Rd	Corning	CA	96021	US	97601	0lb 1oz	USPS	USPS First-Class Mail®		2/27/24
2/27/24	7.36	Erick Vianey Castillo Vasquez	23663 Hoag Rd	Corning	CA	96021	US	97601	0lb 1oz	USPS	USPS First-Class Mail®	Certified Mail, Return Receipt Electronic	2/27/24
2/27/24	7.36	Erick Vianey Castillo Vasquez	5055 Woodson Ave	Corning	CA	96021	US	97601	0lb 1oz	USPS	USPS First-Class Mail®	Certified Mail, Return Receipt Electronic	2/27/24
2/27/24	0.64	Erick Vianey Castillo Vasquez	5055 Woodson Ave	Corning	CA	96021	US	97601	0lb 1oz	USPS	USPS First-Class Mail®		2/27/24
2/27/24	7.36	Erick Vianey Castillo Vasquez	6092 Alameda Rd	Corning	CA	96021	US	97601	0lb 1oz	USPS	USPS First-Class Mail®	Certified Mail, Return Receipt Electronic	2/27/24
2/27/24	0.64	Erick Vianey Castillo Vasquez	6092 Alameda Rd	Corning	CA	96021	US	97601	0lb 1oz	USPS	USPS First-Class Mail®		2/27/24

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee
 \$ 4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input checked="" type="checkbox"/> Return Receipt (electronic)	\$	<u>2.32</u>
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage
 \$.64

Total Postage and Fees
 \$ 7.36

Sent To
Erick Vianay Castillo Vasquez
 Street and Apt. No., or PO Box No.
23663 Hays Rd
 City, State, ZIP+4®
Carmichael CA 96021-9603

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 1290 0001 8492 5459

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee
 \$ 4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input checked="" type="checkbox"/> Return Receipt (electronic)	\$	<u>2.32</u>
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage
 \$.64

Total Postage and Fees
 \$ 7.36

Sent To
Erick Vianay Castillo Vasquez
 Street and Apt. No., or PO Box No.
5055 Woodson Ave
 City, State, ZIP+4®
Carmichael CA 96021-9657

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 1290 0001 8492 5442

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee
 \$ 4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input checked="" type="checkbox"/> Return Receipt (electronic)	\$	<u>2.32</u>
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage
 \$.64

Total Postage and Fees
 \$ 7.36

Sent To
Erick Vianay Castillo Vasquez
 Street and Apt. No., or PO Box No.
6092 Alameda Rd
 City, State, ZIP+4®
Carmichael CA 96021-9270

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Kincaid Law LLC
409 Pine St
Klamath Falls OR 97601-6020



\$0.640
US POSTAGE
FIRST CLASS
FROM 97601
02272024
Klamath Falls
OR 97601

Erick Vianey Castillo Vasquez
5055 Woodson Ave
CORNING CA 96021-9457

Kincaid Law LLC
409 Pine St
Klamath Falls OR 97601-6020

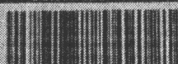


\$0.640
US POSTAGE
FIRST CLASS
FROM 97601
02272024
Klamath Falls
OR 97601

Erick Vianey Castillo Vasquez
23663 Hoag Rd
CORNING CA 96021-9803

Kincaid Law LLC
409 Pine St
Klamath Falls OR 97601-6020

CERTIFIED MAIL



7020 1270 0001 8492 5457



\$7.380
US POSTAGE
FIRST CLASS
FROM 97601
02272024
Klamath Falls
OR 97601

Erick Vianey Castillo Vasquez
5055 Woodson Ave
CORNING CA 96021-9457

Kincaid Law LLC
409 Pine St
Klamath Falls OR 97601-6020

CERTIFIED MAIL



7020 1270 0001 8492 5466



\$7.380
US POSTAGE
FIRST CLASS
FROM 97601
02272024
Klamath Falls
OR 97601

Erick Vianey Castillo Vasquez
23663 Hoag Rd
CORNING CA 96021-9803

Kincaid Law LLC
409 Pine St
Klamath Falls OR 97601-6020



\$0.640
US POSTAGE
FIRST CLASS
FROM 97601
02272024
Klamath Falls
OR 97601

Erick Vianey Castillo Vasquez
6092 Alameda Rd
CORNING CA 96021-9270

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT

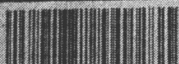
Official Use Form for Certified Mail Receipt. Includes fields for recipient name, address, and signature. Handwritten information: Erick Vianey Castillo Vasquez, 5055 Woodson Ave, Corning, CA 96021-9457.

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT

Official Use Form for Certified Mail Receipt. Includes fields for recipient name, address, and signature. Handwritten information: Erick Vianey Castillo Vasquez, 5055 Woodson Ave, Corning, CA 96021-9457.

Kincaid Law LLC
409 Pine St
Klamath Falls OR 97601-6020

CERTIFIED MAIL



7020 1270 0001 8492 5442



\$7.380
US POSTAGE
FIRST CLASS
FROM 97601
02272024
Klamath Falls
OR 97601

Erick Vianey Castillo Vasquez
6092 Alameda Rd
CORNING CA 96021-9270

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT

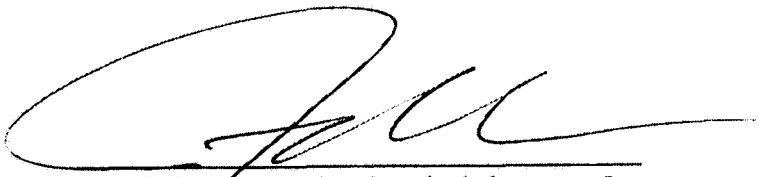
Official Use Form for Certified Mail Receipt. Includes fields for recipient name, address, and signature. Handwritten information: Erick Vianey Castillo Vasquez, 6092 Alameda Rd, Corning, CA 96021-9270.

**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 # 24114 Daniel Lamont Forest 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: 03/23/24, 03/30/24,
04/06/24, 04/13/24

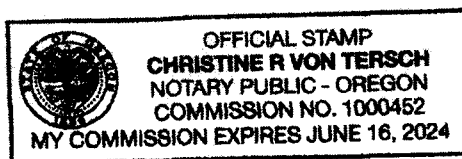
Total Cost: \$1,840.12



Subscribed and sworn by Joseph Hudon before me on: On
18th day of April, in the year of 2024



Notary Public of Oregon
My commission expires June 16, 2024



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by, Erick Vinaey Castillo Vasquez, as Grantor to AmeriTitle, as Trustee, in favor of Daniel Lamont Forest, Trustee of the Daniel Lamont Forest Living Trust, Beneficiary of the security instrument, its successors and assigns, dated as of November 25, 2019, and recorded on November 27, 2019, as Instrument No. 2019-013866 in the official records Klamath County, Oregon to-wit:

APN: 696107/3610-02000-01400, 324651/3610-02000-01500, 324679/3610-02000-01800, 324688/3610-02000-01900

SEE ATTACHED LEGAL DESCRIPTION

Both the Beneficiary, Danielle Lamont Forest, Trustee of the Daniel Lamont Forest Living Trust, and the Successor Trustee, Douglas Kincaid, OSB #121032, 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. The default to which the foreclosure is made is the Grantor's failure to pay: \$1,165.47 for 12/1/2023 and 1/1/2024, pursuant to paragraph 2 under the Note, and pursuant paragraph 3 of the 4 Deed of Trust.

By the reason of said default the Beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit: The sum of Deed immediately due and payable, said sums being the following, to-wit: The sum of \$68,054.20 together with interest thereon from December 1, 2023, until paid; and all Trustee's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the terms of said Trust Deed.

Wherefore, notice is hereby given that, the undersigned Trustee will on Monday, July 1, 2024, at the hour of 10:00 AM, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at the Main Street entrance steps to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, 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 86.753 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 or 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. 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 other persons owing an obligation, the performance of which is secured by said Trust Deed, the words "Trustee" and "Beneficiary" includes their respective successors in interest, if any.

Dated February 27, 2024

/s/ Douglas A Kincaid, OSB #121032
Successor Trustee

LEGAL DESCRIPTION**Parcel 1**

SW1/4 of the SW 1/4 of the SE 1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 2

SE 1/4 of the SW 1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 3

W1/2 of the SE 1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 4

E 1/2 of the SE 1/4 of the SE 1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

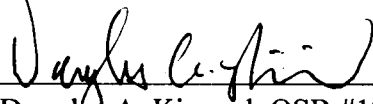
#24114 March 23, 2024

After Recording Return to:
Kincaid Law LLC
409 Pine Street
Klamath Falls, OR 97601

CERTIFICATE OF NON-MILITARY SERVICE

I, Douglas A. Kincaid, under penalty of perjury, state as follows:

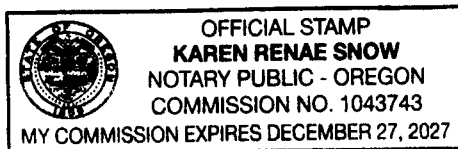
1. I personal knowledge of the events stated herein and if called to testify I would do so competently and truthfully.
2. The Beneficiary under the Trust Deed herein does not have access to the social security number for the Granter, Erick Vianey Castillo Vasquez, and cannot search for Mr. Vasquez's active military status on the website of the Department of Defense (<https://www.dmdc.osd.mil/appj/scra/scraHome.dod>). The Beneficiary has received no knowledge or indication that the Grantor is an active member of the United States military.
3. I make this affidavit as attorney for and on behalf of the Beneficiary, Daniel Lamont Forest, Trustee of the Daniel Lamont Forest Living Trust,

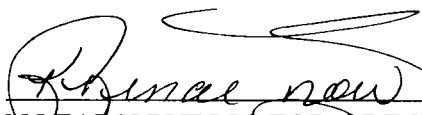


Douglas A. Kincaid, OSB #121032
Attorney for the Beneficiary

STATE OF OREGON)
) ss.
County of Klamath)

THE FOREGOING INSTRUMENT was acknowledged before me on the June 28, 2024,
by Douglas A. Kincaid.





NOTARY PUBLIC FOR OREGON
My commission expires: 12-27-27

After Recording Return to:
Kincaid Law LLC
409 Pine Street
Klamath Falls, OR 97601

AFFIDAVIT OF NON-OCCUPANCY

I, Douglas A. Kincaid, under penalty of perjury, state as follows:

1. I have confirmed to the best of my knowledge that the unimproved property located near the 21100 block of Bliss Road with a legal description of

Parcel 1

SW1/4 of the SW1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 2

SE1/4 of the SW1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 3

W1/2 of the SE1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 4

E1/2 of the SE1/4 of the SE1/4 of Section 20, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

("the Property") is unoccupied.

2. The Property does not contain a residence unit and consists only of vacant land.

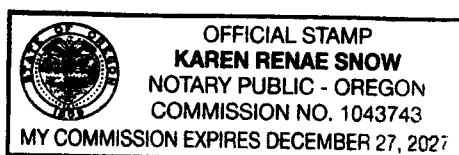
3. I make this affidavit as attorney for the beneficiary.



Douglas A. Kincaid, OSB #121032
Attorney for Beneficiary

STATE OF OREGON)
) ss.
County of Klamath)

THE FOREGOING INSTRUMENT was acknowledged before me on June 28, 2024 by Douglas A. Kincaid.



NOTARY PUBLIC FOR OREGON

My commission expires: 12-27-27