

## Year in Review: November

•Simon Hare abstains from RR ban vote: Ordinance No. 2017-001, which aims to ban the production of commercial cannabis on Rural Residential (RR) land, went through its second first reading at the Nov. 1 Weekly Business Session and passed 2-0. Commissioner Simon Hare abstained his vote and announced that he's recused himself entirely from all further deliberations on the ordinance, citing perceived conflicts of interest. The second reading is scheduled for Nov. 29 at the Anne Basker Auditorium at 9 a.m. Before being signed, the proposed rule regarding the prohibition of work being performed at cannabis production sites on Sundays was stricken. Lawful hours of operation outlined in 2017-001 remain from dawn to dusk.

•Unsubstantiated Statements: In an article published by the Curry Coastal Pilot Oct. 20, Josephine County's community development director Julie Schmelzer and Commissioner Lily Morgan claimed that, in addition to 3,000 legal cannabis operations, Josephine County is host to an estimated 5,000 illegal ones. In anticipation for the potential ban regarding commercial cannabis farming on Rural Residential (RR) land, as reported in the Oct. 17 issue of the Curry Coastal Pilot, Schmelzer said that she warned the Curry County Commissioners that unscrupulous growers may move over into their county should the ban force them out. She further recommended that they develop rules to make sure that the industry develops in an equitable manner that would be safe for all residents. When asked for the source that suggests Josephine County has 5,000 illegal grow sites, Schmelzer said that her information came from a state agency though she refused to specify which one. Wally Hicks, Josephine County's Attorney, said that the county possesses no documents pertinent to such a statement.

•City recorder Becky Patton confirmed that Cave Junction received \$6,304 cannabis tax dollars Oct. 5 in the state's first quarterly distribution since recreational cannabis sales began back in 2015.

•Bad year for mushrooms, local mycologist predicts: A local mycologist, who prefers to go by his online name, Matsiman, specializes in the growth and lifecycle of wild mushrooms and predicts, with 95 percent certainty that 2017 has been and will be a bad year for hunters and buyers alike.

•County releases records with little time before vote: Chris Hall, president of the Cave Junction Farmers' Market and local community activist, received the second part of his public records request which demanded that all emails

made to or from the commissioners regarding the ban on cannabis from Sept. 22, 2016, to Oct. 10, 2017, be handed over. The purpose of the investigation is to determine whether or not farming cannabis on Rural Residential (RR) properties is as widespread and unenforceable a problem as the commissioner's claim it is. The county took 48 days to complete the process and all identifiable information regarding members of the public who voiced their opinions has been redacted. As such, there's no way of determining if any one person sent two or more complaints regarding the proposed regulations.

•Cannabis debate continues: Passions are running high with the marijuana growing restrictions debate for Rural Residential (RR) properties in Josephine County. A few weeks back a couple young ladies representing a pro-grow community group aptly named "Growmunity," met with Commissioner Dan DeYoung. During that meeting Cassie Cooper claims DeYoung used strong arm tactics to get her to back down. Cooper stated in an email to the *Illinois Valley News* that DeYoung said the following: "This ordinance is gonna happen. And if you keep fighting me on it you will get an outright ban. There are folks in the community who have put a petition together and are very close to having all the signatures required to get it on the ballot in May." DeYoung views the conversation differently, "I was trying to explain to her what I felt would happen if we just stopped working on this ordinance."

•Josephine County declares housing emergency: On Nov. 21, the Board of Commissioners officially declared that the unincorporated areas of Josephine County are suffering from a housing emergency. According to Commissioner Simon Hare, the declaration is designed to put pressure on the state and hopefully encourage them to make legislative adjustments to Oregon's "cumbersome" land use processes which are prohibiting the development of affordable housing.

•Santa will leave his reindeer and sleigh at the North Pole Nov. 25 when he visits Cave Junction for the annual community Christmas Tree Lighting ceremony.

•Food & Friends Senior Meals Program will be serving lunch at their new location in Cave Junction at the Illinois Valley Senior Center, 520 E. River Street starting Wednesday, Nov. 15. "Monday the 13th is the last day we will be serving in the Old County Building," explained Kristi Welburn, Food & Friends Nutrition Supervisor. "Meals on Wheels and the Meals Program will stay the same - just be at a different place."

## Year in Review: December

•Late November, the Josephine County Parks Department received a report that 10 largemouth bass were found dead around the lake's dam which is currently being rebuilt. So far, as of the last estimate, more than 100 bass have mysteriously perished. No other species of fish living in the lake have been affected. As it turns out in December state biologists confirmed it was a lack of oxygen that has since corrected itself.

•The Illinois Valley Fire District's (IVFD) four new career firefighter EMTs, paid for with money from the levy which passed during the May special election, recently finished up the department's two week orientation process before being deployed Monday, Dec. 18. The levy, and subsequently the new team members, aim to bolster the district's manpower resources following a chronic and longstanding shortage of volunteers for which it relied on almost exclusively for many years. "We're glad to have them on board," Fire Chief Dennis Hoke said. "I think we've made a great decision and they're excited to be out here. It's going to be a definite improvement in our ability to respond to calls in the Illinois Valley." Two of the new firefighters were volunteers within the district while the second two were working for Jackson County Fire District No. 5 as part of Rogue Community College's Fire Science program. The IVFD, asking only those who were both certified firefighters and state licensed EMTs to apply, initially received 15 viable applications but whittled it down to eight after a vetting process that included a physical agility and written test. Panel interviews made the final decision as to who would be the best for the job.

•The indomitable Valley Girls have completed another successful year of quilt-making and fundraising for the youth of the Illinois Valley. In a presentation Nov. 27, three nonprofit organizations dedicated to improving the lives of Illinois Valley youth were each awarded \$2,000. Representatives from I.V. Boys and Girls Club, the Evergreen Elementary School Life Skills program and I.V. High School baseball team received checks for their respective programs. The funds were raised from raffling the 2017 Opportunity Quilt throughout the year, as well as silent auction sales and admission fees for the Valley Girls' ninth annual quilt show in October. The presentation took place during a regularly scheduled Valley Girls meeting at the I.V. Senior Center. Valley Girls co-founder Carol Dickson said, "It's amazing that a non-profit not affiliated with a national organization has stood the test of time. I think the community and the small core of ladies who make this all possible. It says something, too, that when people hear that proceeds go to benefit kids in the Valley, they're very supportive and often donate more toward the cause." The show features all new quilts each year, games and door prizes and a "country

store" offering quilt kits, magazines, materials and donated quilts. About 600 people attended this year's quilt show, the second highest attendance after the 2015 show. Over the past nine years, the group has raised close to \$40,000.

•Community development director Julie Schmelzer, speaking on the county's side of cannabis in an *Illinois Valley News* interview, laid out how the industry has affected the area. Schmelzer reports that the county's workload has substantially increased since legalization and although there are no official statistics on the topic, she says that cannabis is inundating the system for very little reward. The county recently received its first state level cannabis tax dollar payout, but, according to Schmelzer, it's simply not enough to cover the cost. The next distribution of cannabis tax dollars has the potential to be more substantial because it'll be based entirely on a new formula which appears to be more considerate of cannabis growing counties. However, the county has not been informed as to what future installments may be.

•On Nov. 29 Commissioners Lily Morgan and Dan DeYoung voted to continue deliberations regarding Ordinance No. 2017-002, which aims to regulate the production of commercial cannabis on Rural Residential (RR) land, and will reconvene for another potential vote Dec. 6. The amount of existing grow sites that will be affected by the ordinance, since most of them are Oregon Medical Marijuana Program (OMMP) farms whose location is protected under privacy laws, is currently unknown. Oregon Liquor Control Commission (OLCC) farms do not have such protections and the county has admitted on several occasions that they're not the source of citizen complaints.

•DeYoung initially voted to pass the bill as written after Morgan voted to continue deliberations but Commissioner Simon Hare reminded DeYoung that he's recused himself from all political involvement on the matter and that if the vote went one to one, the ordinance would be dead in the water. After hearing this he agreed to continue deliberations.

•After a week delay, Dec. 6 the Josephine County Board of County Commissioners approved Ordinance No. 2017-002 while Simon Hare abstained and both Lily Morgan and Dan DeYoung voted in favor. The county expects a series of lawsuits in response to the new laws, most specifically from Farm & Agricultural Rights Management, a collective of affected parties rallied under Ross Day, a decorated land use attorney.

•Ordinances in Josephine County have a 90 grace period before becoming effective during which time citizens have the opportunity to circulate a petition which, should it gain the required amount of signatures, will refer the issue to the voters.

### PUBLIC NOTICE

NOTICE OF DEFAULT AND FORECLOSURE SALE Trustee Sale No: 129856-OR Loan No: 431-4837745 Title Order No: 8716834 APN R316595/36-05-29-D0-002500-00 WHEREAS, on 08/27/2009, a certain Deed of Trust was executed by OLAND C. JANUARY AND VERLIE M. JANUARY, TRUSTEES OF THE JANUARY FAMILY TRUST U.A.D. OCTOBER 27, 1993, as trustee in favor of WELLS FARGO BANK, N.A. as beneficiary and FIDELITY NATIONAL TITLE INSURA as trustee, and was recorded on 09/02/2009 as Document No. 2009-014227, and WHEREAS, the Deed of Trust was insured by the United States Secretary of Housing and Urban Development (the Secretary) pursuant to the National Housing Act for the purpose of providing single family housing; and WHEREAS the beneficial interest in the Deed of Trust is now owned by the Secretary, pursuant to an assignment recorded 10/19/2015 in document no. 2015-013838, of Official records in the office of the Recorder of JOSEPHINE County, OR, and WHEREAS a default has been made in the covenants and conditions of the Deed of Trust PURSUANT TO SECTION 9(b)(iii), OF THE LOAN DOCUMENTS "DUE AND PAYABLE WITH SECRETARY APPROVAL. AS DEFINED, THE LENDER WILL REQUIRE IMMEDIATE PAYMENT IN FULL OF ALL OUTSTANDING PRINCIPAL AND ACCRUED INTEREST IF; AN OBLIGATION OF THE BORROWER UNDER THIS SECURITY AGREEMENT IS NOT PERFORMED, AS PER THE REPAIR RIDER AGREEMENT" INCLUDING ALL FORECLOSURE FEES, ATTORNEY FEES AND ADVANCES TO SENIOR LIENS, INSURANCE, TAXES AND ASSESSMENTS WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Deed of Trust to be immediately due and payable; NOW THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on 05/11/2017 as Instrument No. 2017-006383, \*\*THE SALE DESCRIBED BELOW HAS BEEN POSTPONED TO 01/09/18, SAME TIME AND LOCATION AS FURTHER DESCRIBED BELOW\*\* notice is hereby given that on 12/06/2017,\*\* at 01:00PM local time, all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder: AS MORE FULLY DESCRIBED IN SAID DEED OF TRUST Commonly known as: 2650 CLOVERLAWN DR., GRANTS PASS, OR 97527 The sale will be held: Inside the main lobby of the Josephine County Courthouse, 500 NW 6th St, Grants Pass, OR 97526 The Secretary of Housing and Urban Development will bid \$180,536.84. There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his pro rata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale. When making their bids, all bidders except the Secretary must submit a deposit totaling \$18,053.68 [10% of the Secretary's bid] in the form of a certified check or cashier's check made out to the Secretary of HUD. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$18,053.68 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits,

must be delivered in the form of a certified or cashier's check. If the Secretary is the highest bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveying fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them. The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for a 15-day increments for a fee of \$500.00, paid in advance. The extension fee will be in the form of a certified or cashier's check made payable to the Secretary of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due. If the high bidder is unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to HUD for any costs incurred as a result of such failure. The commissioner may, at the direction of the HUD representative, offer the property to the second highest bidder for an amount equal to the highest price offered by that bidder. There is no right of redemption, or right of possession based upon a right of redemption, in the mortgage or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant. The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgage to the Foreclosure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the Secretary of HUD, before public auction of the property is completed. The amount that must be paid if the mortgage is to be reinstated prior to the scheduled sale is \$180,507.75 as of 12/05/2017, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement. Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below. DATE: 10/03/2017 FORECLOSURE COMMISSIONER: MORTGAGE LENDER SERVICES, INC. 11707 Fair Oaks Blvd., Ste 202 Fair Oaks, CA 95628 (916) 962-3453 Fax: (916) 962-1334 Sale Information Line: 916-939-0772 or www.nationwideposting.com TARA CAMPBELL, FORECLOSURE COMMISSIONER OFFICER NPP0321890 To: ILLINOIS VALLEY NEWS 12/13/2017, 12/20/2017, 12/27/2017.