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ES \$104.72 MISCELLANEOUS FEES \$51.50 RECOVERABLE BALANCE IN THE AMOUNT OF \$11.90 \$11.90 Sub-Total of Amounts in Arrears: \$6,392.06 Together with any default in the payment of recurring obligations as they become due. ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Trust Deed, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee. The street or other common designation if any, of the real property described above is purported to be: 125 ESTHER PL, IRRIGON, OR 97844 The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation. By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following, to wit: Principal \$120,538.63, together with interest as provided in the note or other instrument secured from 03/01/09, and such other costs and fees are due under the note or other instrument secured, and as are provided by statute. WHEREFORE, notice is hereby given that the undersigned trustee will, on December 21, 2009, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, INSIDE THE MAIN LOBBY OF THE MORROW COUNTY COURTHOUSE, 100 COURT STREET HEPPNER, County of MORROW, State of OREGON, (which is the new date, time and place set for said sale) 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 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 O.R.S. 86.753 has the right, at any time prior to five days before the date last set for the 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 herein that is capable of being cured by tendering the performance required under the obligation 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 trustee's and attorney's

fees not exceeding the amounts provided by said ORS 86.753. It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check. The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above. In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: (714) 480-5690 or you may access sales information at [www.ascentex.com/websales/](http://www.ascentex.com/websales/) DATED: 08/12/09 DAVID A. KUBAT, OSBA #84265 By DAVID A. KUBAT, ATTORNEY AT LAW DIRECT INQUIRIES TO: T.D. SERVICE COMPANY FORECLOSURE DEPARTMENT 1820 E. FIRST ST., SUITE 210 P.O. BOX 11988 SAN TAANA, CA 92711-1988 (800) 843-0260 TAC# 869763W Published: November 4, 11, 18, 25, 2009 Affidavit

### Sheriff's Report

The Morrow County Sheriff's Office reports handling the following business:

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loudly and had been for over two hours. A deputy was unable to locate anything. The subject called back and advised the dogs were still barking.

-MCSO received request for contact from a Boardman man concerning his neighbor's bull.

-MCSO received a request for a boat inspection in Irrigon.

-MCSO received report from an Irrigon subject that someone drove on his lawn and left tire marks. A deputy responded and took a report for criminal mischief.

-MCSO received report of fire-fighters speeding down 2<sup>nd</sup> St. on the way to the fire hall in Lone.

-MCSO deputy reported he was out with a disabled vehicle. He advised the tires came off and they were waiting for roadside service.

-MCSO received request for a deputy from an Irrigon woman regarding an RV at the RV park.

-MCSO received report from a Heppner subject that a small pickup dropped a flatbed with a

port-a-potty on it in their driveway on Spur Loop Rd. The vehicle was headed toward Sandhollow.

-Boardman Police Department officer reported he was out at Sam Boardman Elementary School on foot.

-BPD cited Cory Wayne Branstetter, 31, for Driving While Suspended-violation and Driving Uninsured. The vehicle was impounded.

-BPD officer reported he made contact with subjects regarding the misuse of 911.

-BPD cited Joseph Alan Gonzales, 25, for Violation of the Speed Limit, 46 mph in a 30 mph zone, Driving Uninsured. The owner of the vehicle was present and the officer advised him to leave the vehicle there until he got insurance and advised him that if he saw the subject driving it again it would be towed.

-BPD received report of a male subject who looked intoxicated and was urinating in the park. The subject was trespassed from the location.

-BPD received report of a black Honda running around and doing power slides in the area.

-BPD officer reported that he had given several verbal warnings.

-BPD received report from a Boardman woman of a loud noise outside her window.

-BPD officer reported he stopped to talk to a male and female and the female advised that the male would not leave her alone. She said she was walking home and he keeps bothering her. The male was advised to go home.

-BPD arrested Nick Lawrence Harrison, 20, for DUII. He was cited and released.

-BPD reported two dogs running at large.

-BPD received report of a man who had tried to pay at a pump at a Boardman station, but had problems with the card and left without paying \$126 worth of fuel.

-BPD officer advised he was out with a subject in the city park. The subject advised he was looking for night crawlers.

-Boardman Fire Department, Boardman Ambulance received report of a medical concern with a 50-year-old female.

-Boardman Ambulance received a report from a Boardman subject that had numerous medical problems, numbness, shortness of breath, bleeding and pain. The subject was transported.

-Boardman Ambulance received report from a Boardman subject that something was wrong with his mom who was not answering the phone and he knew she was home. The woman was transported to Good Shepherd Hospital in Hermiston.

-Boardman Ambulance received report of a male subject who had fallen off an ATV and reported neck pain and head pain. He was transported.

-Boardman Ambulance received request for mutual aid from the Boardman Ambulance for a male with severe stomach and back pain, possibly withdrawal from medication. The request was cancelled.

-Heppner Fire Department Chief reported a pickup pulling a trailer that had lost its wheel and was starting several fires. The fire chief stopped the vehicle. Lone Fire Department, Heppner Fire Department, Lexington Fire Department, Station 7, Oregon State Police and Oregon

Department of Transportation responded.

**August 24:** Morrow County Sheriff's Office, Irrigon Fire Department received report of a light on the outside of a building in Irrigon. The owner called and responded.

-MCSO received report of horses out near Porcupine Hill off Hardman Hill near Heppner.

-MCSO cited Scott Alen Ulbrich, 47, for driving 75 mph in a 55 mph zone.

-MCSO received report of junk scattered all over below Linden Way in Heppner.

-MCSO received report from a Boardman man of a dead coyote in his driveway. The coyote had been hit by a car and left for dead and was now extremely smelly.

-MCSO received report from an Lone subject that a 16-foot green fiberglass ladder with one side spray-painted red was stolen from his residence.

-MCSO received report from the manager at the Irrigon Marina RV park that they were having a meeting and were planning to discuss the two boats had been parked there for some time. She wanted information on the boats.

-MCSO received request from an Irrigon woman for a dog she had kenneled and wanted to have taken to Pet Rescue.

-MCSO received request for a welfare check for an ill man in Heppner.

-MCSO received report of a 72-year-old on the bathroom floor in Heppner. The caller said she had left town and just returned, so she did not know how long he had been there. He had paralysis on the left side and was not coherent.

-MCSO received report from a Heppner subject that his 14-year-old daughter had run away. He requested contact and advised that the girl was out of control and he didn't know what to do with her.

-MCSO received report of approximately four head of cattle on the side of the road on Hwy. 74 in Heppner.

-MCSO received request for deputy contact from an Irrigon woman who reported that two males had tried to get into her yard and steal her registered boxers. She said her neighbor saw them and shoed them away.

-MCSO received report from an Lone woman that a subject was at her house causing problems, only verbal at the time. A deputy responded and advised it was an intoxicated conversation and everything was okay.

-Boardman Police Department received report from a female that her daughter's grandfather does not want her to have her daughter back. She requested contact.

-BPD received report of a subject who had fallen from a standing position. He stood up from his chair, got dizzy and passed out. The patient was alert and talking at the time of the call.

**August 25:** Morrow County Sheriff's Office received report from a subject who said he was attempting to impound a vehicle and the subject threatened him with a gun. A deputy responded and advised there was no weapon and the vehicle was impounded.

-MCSO received report of a pickup parked at a rest area near Boardman and a large brown pit bull tied to a fence.

-MCSO received report of a \$450 bike stolen

in Irrigon.

-MCSO received request for deputy phone contact regarding telephone harassment. The caller was advised to call on the MCSO business line for non-emergency calls.

-MCSO received report from Oregon State Police that they arrested Joshua Lee Rains, 21, on an Irrigon Justice Court warrant for Failure to Pay Fine/Possession of a Controlled Substance-Less than One Ounce of Marijuana. He was lodged at Norcor with \$635 bail. He also had a warrant out of Washington County.

-MCSO received report from an Irrigon subject that her daughter-in-law started taking prescription drugs and was cutting herself on the forearm.

-MCSO received report from a Heppner subject that her neighbor's pit bull and another dog were out of their yard.

-MCSO received report from an Irrigon woman that she noticed a moving van had pulled into a neighbor's property at 1 a.m. She said several men got out of the van, but left when they saw the reporter standing on the back porch.

-MCSO received report of an accidental drive-off in Heppner. The caller requested that if the subject didn't come back to pay, then MCSO take it from there.

-MCSO received report of a pasture with an inadequate fence in Irrigon.

-MCSO received report of four cones across both lanes of traffic on Depot Lane, but no signs that the road is closed. The caller wanted to know if the cones were there for a reason.

-MCSO received report of a silver Toyota on I-84 with its high beams on and off, riding the center line and weaving in and out of traffic.

-Boardman Police Department contacted a subject and advised him that he could not park a semi at the location without permission.

-BPD received report from a subject that they were locked out of their house and an infant was inside. They called back to say that they had gotten inside.

-BPD received report of possible peddlers in Boardman.

-BPD cited a 14-year-old for Failure to Wear a Helmet on a Bicycle. He was also warned for careless operation and cited into juvenile court.

-BPD received report of a BMX bike stolen.

-BPD received report from a Boardman woman that a male subject called her cell phone, blamed her for his new girlfriend's illness and cussed her out. She said that he was only supposed to call her about child car issues.

-BPD received report from a female subject that another female was making threats to her. She requested an officer. An officer responded and advised that neither parties wanted to pursue charges and they were advised they not have further contact with each other.

**August 26:** Morrow County Sheriff's Office received report from a male subject in Irrigon who said he was in a verbal dispute with a female who then left the residence and came back with several subjects to fight him. He said he left and wanted a deputy to respond.

-MCSO received report that someone had

hit the "curve" sign in Lexington.

-MCSO received report from an Irrigon subject that subjects had moved out and left two large dogs behind and the dogs were getting into garbage in the neighborhood. They were transported to Pet Rescue.

-MCSO received report of juveniles throwing objects off the overpass in Boardman and were believed to be at the Shell station. They were located and warned.

-MCSO received report from an Irrigon subject that a woman wouldn't give him his medication and other belongings.

-MCSO received report from an Irrigon man that he chains up his dog while he is gone, but stray dogs were coming around and eating his dog's food and fighting with his dog.

-MCSO received report from a Boardman subject that her neighbor's horses had gotten on her property. They were put back.

-MCSO received a call from a man who said he hadn't heard from his ex-wife and children in a long time and was worried about them. He said he believed she lived in Echo. The call was transferred to Umatilla County Sheriff's Office.

-MCSO received report that the sheriff set and baited a dog trap at Irrigon High School.

-MCSO received report from a Heppner man who said he was getting prank calls of a sexual nature and would like deputy contact.

-Boardman Police Department cited Luis Gerardo Cadenas Nunez, 22, for No Operator's License. He was also warned for failure to yield when entering a roadway and failure to carry current insurance.

-BPD cited Jose Francisco Rodriguez Camacho, 41, for driving 56 mph in a 35 mph zone.

-BPD reported a telephone harassment call.

-BPD received report of juveniles riding bikes without helmets. The juvenile were warned.

-BPD received report of a juvenile wrecking the house and running away. The lieutenant spoke to the juvenile.



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