

PUBLIC NOTICE TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq.

Reference is made to that certain trust deed made, executed, and delivered by Rigoberto de la Paz, an unmarried individual, as grantor, to Fidelity National Title Company of Oregon, an Oregon Corp., as trustee, to secure certain obligations in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, solely as nominee for HomeStreet Bank, a Washington state chartered savings bank, as lender, dated October 11, 2002, and recorded on October 17, 2002, in the Mortgage records of Morrow County, Oregon, under File No. 2002-5752. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by HomeStreet Bank by assignment of deed of trust recorded on January 23, 2012, in the Mortgage records of Morrow County, Oregon under File No. 2012-29480. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

LOT 1, SUNNYSIDE PARK SUBDIVISION, IN THE COUNTY OF MORROW AND STATE OF OREGON;

The street address or other common designation, if any, of the real property described above is purported to be:

81405 Sunnyside Road, Irrigon, Oregon 97844

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3). The default for which the foreclosure is made is grantor's failure to pay when due, the following sums:

3 Monthly payments of \$534.67 due from 10/1/2011 through 12/1/2011: \$1,604.01

3 Late charges of \$21.39 due on payments past due from 10/1/2011, through 12/1/2011: \$64.17

2 Monthly payments of \$530.17 due from 1/1/2012, through 2/1/2012: \$1,060.34

1 Late charge of \$21.39 due on payment past due from 1/1/2012: \$21.39

Advances by Lender: Additional Late Charge Balance: \$453.16

Property Inspection Fees: \$12.00

Sub-Total of Monthly Payments, Late Charges, and Advances in arrears: \$3,215.07

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 deed of trust, 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.

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:

UNPAID PRINCIPAL BALANCE OF \$59,599.07, AS OF SEPTEMBER 1, 2011, PLUS, FROM THAT DATE UNTIL PAID, ACCRUED AND ACCRUING INTEREST AT THE RATE OF 6.2500% PER ANNUM, PLUS ANY LATE CHARGES, ESCROW ADVANCES, FORECLOSURE COSTS, TRUSTEE'S FEES, ATTORNEYS' FEES, SUMS REQUIRED FOR PROTECTION OF THE PROPERTY AND ADDITIONAL SUMS SECURED BY THE TRUST DEED.

WHEREFORE, notice hereby is given that the undersigned trustee will, on June 15, 2012, at the hour of 10:00 AM, in accordance with the standard of time established by ORS 187.110, at the front entrance of Morrow County Courthouse, 100 S. Court Street, City of Heppner, County of Morrow, State of Oregon, 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 ORS 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 of herein that is capable of being cured by tendering the performance required under the obligation or 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. Notice is also given that any person named in ORS 86.753 has the right to bring a court action to assert the non-existence of a default or any other defense to acceleration and sale.

NOTICE TO RESIDENTIAL TENANTS

The property in which you are living is in foreclosure. A foreclosure sale is scheduled for June 15, 2012. The date of this sale may be postponed. Unless the lender that is foreclosing on this property is paid before the sale date, the foreclosure will go through and someone new will own this property. After the sale, the new owner is required to provide you with contact information and notice that the sale took place. The following information applies to you only if you are a bona fide tenant occupying and renting this property as a residential dwelling under a legitimate rental agreement. The information does not apply to you if you own this property or if you are not a bona fide residential tenant.

If the foreclosure sale goes through, the new owner will have the right to require you to move out. Before the new owner can require you to move, the new owner must provide you with written notice that specifies the date by which you must move out. If you do not leave before the move-out

date, the new owner can have the sheriff remove you from the property after a court hearing. You will receive notice of the court hearing.

PROTECTION FROM EVICTION IF YOU ARE A BONA FIDE TENANT OCCUPYING AND RENTING THIS PROPERTY AS A RESIDENTIAL DWELLING, YOU HAVE THE RIGHT TO CONTINUE LIVING IN THIS PROPERTY AFTER THE FORECLOSURE SALE FOR:

- THE REMAINDER OF YOUR FIXED TERM LEASE, IF YOU HAVE A FIXED TERM LEASE; OR

- AT LEAST 90 DAYS FROM THE DATE YOU ARE GIVEN A WRITTEN TERMINATION NOTICE.

If the new owner wants to move in and use this property as a primary residence, the new owner can give you written notice and require you to move out after 90 days, even though you have a fixed term lease with more than 90 days left.

You must be provided with at least 90 days' written notice after the foreclosure sale before you can be required to move.

A bona fide tenant is a residential tenant who is not the borrower (property owner) or a child, spouse or parent of the borrower, and whose rental agreement:

- Is the result of an arm's-length transaction;
- Requires the payment of rent that is not substantially less than fair market rent for the property, unless the rent is reduced or subsidized due to a federal, state or local subsidy; and
- Was entered into prior to the date of the foreclosure sale.

ABOUT YOUR TENANCY BETWEEN NOW AND THE FORECLOSURE SALE:

RENT YOU SHOULD CONTINUE TO PAY RENT TO YOUR LANDLORD UNTIL THE PROPERTY IS SOLD OR UNTIL A COURT TELLS YOU OTHERWISE. IF YOU DO NOT PAY RENT, YOU CAN BE EVICTED. BE SURE TO KEEP PROOF OF ANY PAYMENTS YOU MAKE.

SECURITY DEPOSIT You may apply your security deposit and any rent you paid in advance against the current rent you owe your landlord as provided in ORS 90.367. To do this, you must notify your landlord in writing that you want to subtract the amount of your security deposit or prepaid rent from your rent payment. You may do this only for the rent you owe your current landlord. If you do this, you must do so before the foreclosure sale.

The business or individual who buys this property at the foreclosure sale is not responsible to you for any deposit or prepaid rent you paid to your landlord. **ABOUT YOUR TENANCY AFTER THE FORECLOSURE SALE** The new owner that buys this property at the foreclosure sale may be willing to allow you to stay as a tenant instead of requiring you to move out after 90 days or at the end of your fixed term lease. After the sale, you should receive a written notice informing you that the sale took place and giving you the new owner's name and contact information. You should contact the new owner if you would like to stay. If the new owner accepts rent from you, signs a new residential rental agreement with you or does not notify you in writing within 30

days after the date of the foreclosure sale that you must move out, the new owner becomes your new landlord and must maintain the property. Otherwise:

- You do not owe rent;
- The new owner is not your landlord and is not responsible for maintaining the property on your behalf; and
- You must move out by the date the new owner specifies in a notice to you.

The new owner may offer to pay your moving expenses and any other costs or amounts you and the new owner agree on in exchange for your agreement to leave the premises in less than 90 days or before your fixed term lease expires. You should speak with a lawyer to fully understand your rights before making any decisions regarding your tenancy.

IT IS UNLAWFUL FOR ANY PERSON TO TRY TO FORCE YOU TO LEAVE YOUR DWELLING UNIT WITHOUT FIRST GIVING YOU WRITTEN NOTICE AND GOING TO COURT TO EVICT YOU. FOR MORE INFORMATION ABOUT YOUR RIGHTS, YOU SHOULD CONSULT A LAWYER. If you believe you need legal assistance, contact the Oregon State Bar and ask for the lawyer referral service. Contact information for the Oregon State Bar is listed below. 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 free legal assistance, contact the Oregon State Bar and ask for the Legal Aid Services. **OREGON STATE BAR CONTACT INFORMATION** Oregon State Bar P.O. Box 231935 Tigard, OR 97281-1935

Tel (in Oregon): (800) 452-8260
Tel (outside Oregon): (503) 620-0222

E-mail: info@osbar.org
Website: www.osbar.org

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.

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION WILL BE USED FOR THAT PURPOSE. UNLESS YOU NOTIFY US WITHIN 30 DAYS AFTER RECEIVING THIS LETTER THAT YOU DISPUTE THE VALIDITY OF THE DEBT, OR ANY PORTION OF IT, WE WILL ASSUME THE DEBT IS VALID. IF YOU NOTIFY US, IN WRITING WITHIN 30 DAYS AFTER RECEIPT OF THIS LETTER THAT YOU DO DISPUTE THE DEBT OR ANY PORTION OF IT, WE WILL PROVIDE VERIFICATION BY MAILING YOU A COPY OF THE RECORDS. IF YOU SO REQUEST, IN WRITING, WITHIN 30 DAYS AFTER RECEIPT OF THIS NOTICE, WE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR IF DIFFERENT FROM THE CURRENT CREDITOR. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Sale status may be accessed at <http://ts.hcmp.com>.

DATED this 7th day of February, 2012.

SUCCESSOR TRUSTEE: JULIE B. HAMILTON, Oregon Bar #092650

c/o Hillis Clark Martin & Peterson P.S.

1221 Second Avenue, Suite 500

Seattle, Washington 98101-2925

Telephone: (206) 623-1745

Published: May 2, 9, 16 and 23, 2012

Affidavit

PUBLIC NOTICE

Notice of Preliminary Determination for Water Right Transfer T-10269

T-10269 filed by the PORT OF MORROW, PO BOX 200, BOARDMAN, OR 97818, proposes a change in place of use, character of use, and to add five new additional wells under Certificate 51822. The right allows the use of 4.46 CUBIC FEET PER SECOND (priority date DECEMBER 1, 1971) from Wells 16 (Sec. 12) and Well 17 (Sec 2), within T4N, R25E, W.M. (Columbia River Basin) for IRRIGATION in Sections 1, 2, 11 and 12. The applicant proposes to add five additional wells, being the three EB Wells within Sec. 2, T4N, R25E, W.M., located approximately 1/4 mile northwest from Well 16, approximately 1600 feet northwest from Well 17; and being the PDX1 and DLB1 wells within Sec. 2, T4N, R25E, W.M., located approximately 1/2 mile east from Well 16, and 1 1/2 miles east from Well 17 within, and, to change the place of use and character of use to Municipal use within the service area boundary of the Port of Morrow. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is May 2, 2012. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Published: April 18 and 25, and May 2, 2012

Affidavit

Free boat inspection offered

The Morrow County Sheriff's Office (MCSO) Marine Patrol will offer free boat safety inspections in the Fire Station #2 (Kinzua Mill site) parking lot in Heppner on May 5 beginning at 9 a.m.

To pass inspection, boats must have:

- Mandatory Oregon Boater Education Card if operating a motor boat over 10 HP;

- Properly-fitting personal flotation devices;

- One type IV that can be thrown;

- Navigation lights for night boating;

- Whistle, horn or air canister;

- Fire extinguisher in working condition (type BC);

- Flame arrestor for inboard boats;

- Working ventilation system for inboard boats;

- ID numbers or registration numbers properly displayed;

- Hull ID number displayed;

- Current validation sticker, registration and Oregon Boat Registration numbers and letters appropriately affixed to boat.

Boats passing the inspection will receive an Oregon State Marine Board safety sticker valid for the 2012 boating season. Those that don't pass the dry land inspection will be given suggestions for improvement.

For those who can't make the May 5 inspection, boat inspections can be made throughout the season by appointment by calling MCSO at 541-676-5317.

Abuse awareness class Thursday

A free child abuse awareness class will be held on May 3 from 6-8 p.m. in the Heppner Elementary School (HES) library. Detective Karen Dike of the Morrow County Sheriff's Office will speak on recognizing child abuse, mandatory reporting laws, recognizing neglect, sex offender registration questions, what a sex offender looks like and how to protect your child. Dike has 18 years experience in law enforcement. The session is given in conjunction with HES. The class is open to the public but, due to the graphic nature of some content, attendees must be at least 18.

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Catechism snack a blessing for kids

The children at St. Patrick's Catholic Church have been blessed all year long by the delicious cooking of Lois Conner. Last Sunday, she outdid herself when she made stained-glass windows and crosses. The only problem was that the snacks looked too good to eat. Front (L-R): Ryan Lindsay, Kegan Steagall, Sebastian Garcia, Dillan Doyle, Irelynn Kollman, Delaney Angell, John Lindsay, Claire Lindsay, Mia Payne, Isabel Payne and Jordan Sweeney. Middle (L-R): Cori Jo Lindsay, Paul Lindsay, Arianna Worden, Faith Futter, Mrs. Connor, Gaige Futter, Evan Kollman and Brian Lindsay. Back (L-R): Jonathon Waddell, Jace Coe, Mikel Jaca and Daemon Worden. Standing in back (L-R): Alex Lindsay, Wyatt Steagall, Drew Coe, Alex Victorio and Sabashtian Futter. -Contributed photos



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