

## AFTER RECORDING RETURN TO

AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALE

Lee A. Mills  
Brophy, Mills, Schmor  
Gerking & Brophy, LLP  
P. O. Box 128  
Medford, OR 97501

GRANTOR: Rodney D. Miller and Kelly A. Miller

BENEFICIARY: Oral L. Bell and Helen Bell, Trustees of the Bells  
Master Collaborative Trust

Trust Deed dated October 3, 1997, and recorded on October 6, 1997, in  
Volume M97, on Page 32899, Fee No. 46509, Mortgage Records of Klamath  
County, Oregon

STATE OF OREGON           )  
                                  ) ss  
County of Jackson        )

I, DAVID B. PARADIS, being first duly sworn, depose, and say and  
certify that:

At all times hereinafter mentioned I was and now am a resident  
of the State of Oregon, a competent person over the age of eighteen  
years and not the beneficiary or his successor in interest named in  
the attached original notice of sale given under the terms of that  
certain trust deed described in said notice.

I gave notice of the sale of the real property described in the  
attached notice of sale by mailing a copy thereof by both first class  
and certified mail with return receipt requested to each of the  
following named persons (or their legal representatives, where so  
indicated) at their respective last known addresses, to-wit:

| <u>Name</u>  | <u>Address</u>                             | <u>Date of Mailing<br/>Notice</u> |
|--|--|-----------------------------------|
| Rodney D. Miller   | 8212 Teal Drive<br>Bonanza, OR 97623       | November 6, 1998                  |
| Kelly A. Miller  | 8212 Teal Drive<br>Bonanza, OR 97623       | November 6, 1998                  |
| Candace Amborn<br>Attorney for Rodney<br>and Kelly Miller  | 439 Pine Street<br>Klamath Falls, OR 97601 | November 6, 1998                  |
| Boyd Yaden, Bankruptcy<br>Trustee for Miller<br>Bankruptcy | P. O. Box 506<br>Klamath Falls, OR 97601   | November 6, 1998                  |

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5 ull - Affidavit of Mailing Trustee's  
Notice of Sale - 1

|  |  |                   |
|--|--|-------------------|
| Michael Spencer,<br>Attorney for Boyd Yaden                      | 419 Main Street<br>Klamath Falls, OR 97601                 | November 6, 1998  |
| Jackie Hearn, Holder<br>of Second Trust Deed                     | 3701 Bisbee Street<br>Klamath Falls, OR 97603              | November 6, 1998  |
| Dale Evelyn Hobbs and<br>Argle Lee Hobbs<br>c/o Neal G. Buchanan | 435 Oak<br>Klamath Falls, OR 97601                         | November 16, 1998 |
| James H. Patton and<br>Margie G. Patton<br>c/o Neal G. Buchanan  | 435 Oak<br>Klamath Falls, OR 97601                         | November 16, 1998 |
| Dale Evelyn Hobbs  | 2455 Redwood Dr.<br>Klamath Falls, OR 97601                | November 16, 1998 |
| Argle Lee Hobbs  | 2455 Redwood Dr.<br>Klamath Falls, OR 97601                | November 16, 1998 |
|  | c/o 2445 Lindley Way<br>Klamath Falls, OR 97601            | November 18, 1998 |
| James H. Patton  | 3907 Redondo Way<br>Klamath Falls, OR 97603                | November 16, 1998 |
| Margie G. Patton   | 3907 Redondo Way<br>Klamath Falls, OR 97603                | November 16, 1998 |
| H. Robert Hamilton<br>Attorney for<br>Argle Lee Hobbs            | deSchweinitz & Hamilton<br>900 W. 8th<br>Medford, OR 97501 | November 17, 1998 |
| Gary L. Hedlund<br>Attorney for Dale<br>Evelyn Hobbs             | 303 Pine Street<br>Klamath Falls, OR 97601                 | November 17, 1998 |

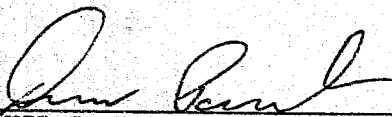
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Lee A. Mills, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail at Medford, Oregon, on the dates specified above. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the

amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

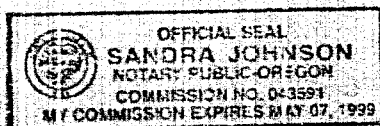
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

DATED: January 7, 1999

  
\_\_\_\_\_  
DAVID B. PARADIS, OSB #85301  
Successor Trustee

SUBSCRIBED AND SWORN to before me this 7 day of January, 1999.

  
\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON



## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by RODNEY D. MILLER and KELLY A. MILLER, as grantor, and ASPEN TITLE & ESCROW INC., as trustee, in favor of ORAL L. BELL and HELEN BELL, Trustees of the Bells Master Collaborative Trust, as beneficiaries, dated October 3, 1997, and recorded October 6, 1997, in Book M-97, Page 32899, Fee No. 46509, Mortgage Records of Klamath County, Oregon, covering the following described real property situated in Klamath County, Oregon, to-wit:

The North 37 feet of Lot 2, Block 2, WILLIAMS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, TOGETHER WITH the vacated alley lying adjacent on the East.

Code 1 Map 3809-28CD TL 12800

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor-trustee have been made except as recorded in the mortgage records of the county or counties in which the above described real property is situated; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed.

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

Monthly payments due January 6, 1998, through October 6, 1998, in the amount of \$195.58 each, plus each monthly payment accruing after October 6, 1998, through the date of sale,

Late charges in the amount of \$97.80 plus \$9.78 for each late payment accruing after October 6, 1998, through the date of sale,

Delinquent real property taxes in the amount of \$407.70 plus interest, as provided by law,

and to provide fire insurance.

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:

- 1) Principal amount  
\$19,558.00
- 2) Interest on principal amount at the rate  
of 12% per annum from December 7,  
1997, until paid
- 3) Late charges in the amount of \$97.80 plus \$9.78 for  
each late payment accruing after October 6, 1998,  
through the date of sale.
- 4) Plus \$195.00 for the cost of a trustee's  
foreclosure guarantee
- 5) All other costs and expenses actually incurred in  
enforcing the obligation and the trust deed,  
together with the trustees and attorneys fees not  
exceeding the amount provided by Oregon Revised  
Statutes (ORS) 86.753 associated with this  
foreclosure and any sums expended by the  
beneficiary to protect the property, or its  
interests therein during the pendency of this  
proceeding

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 11:00 a.m., standard time, as established by Section 187.110 of Oregon Revised Statutes on March 19, 1999, at the following place: Law Offices of Brandsness, Brandsness and Rudd, 411 Pine Street, in the City of Klamath Falls, County of Klamath Falls, State of Oregon, which is the hour, date and place fixed by the trustee for said sale.

Other than as shown of record, neither the said beneficiary nor the said 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 interests of the trustee in the trust deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except Jackie L. Hearn, who holds a second trust deed.

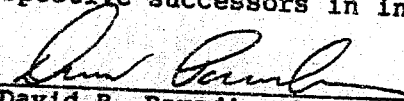
Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the trustee



conducts the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount due at the time of cure under the terms of the obligation (other than such portion 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 not exceeding the amounts provided by said ORS 86.753.

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.

DATED: November 6, 1998

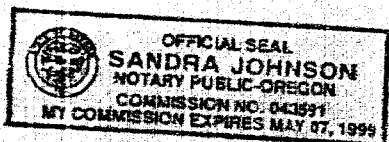
  
David B. Paradis, Attorney at  
Law, Successor Trustee

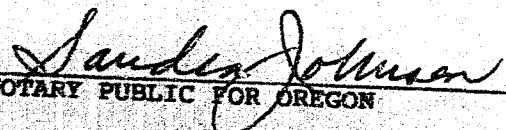
STATE OF OREGON

County of Jackson

) ss.  
)

The foregoing instrument was acknowledged before me this November 6, 1998, by David B. Paradis.



  
NOTARY PUBLIC FOR OREGON

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Brophy, Mills etal the 12th day  
of January A.D. 99 at 10:32 o'clock A. M. and duly recorded in Vol. M99  
of Mortgages on Page 885

FEE \$35.00

Linda Smith, County Clerk

by Kathleen Rasmussen