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STEVENS PRESS LAW PUBLISHING CO., PORTLAND, OR 97204

NT

Vol M99 Page 48119

AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALERE: Trust Deed from  
Don R. CampbellTo Grantor  
Aspen Title & Escrow, Inc., Trustee

Neal G. Buchanan, Attorney at Law

After recording, return to (Name, Address, Zip):

Neal G. Buchanan

435 Oak Ave

Klamath Falls, OR 97601

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON,

County of \_\_\_\_\_

} ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ and/or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Records of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_

\_\_\_\_\_, Deputy

STATE OF OREGON, County of Klamath

I, Neal G. Buchanan ) ss:

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 the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies 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:

NAME

ADDRESS

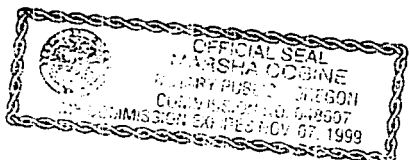
SEE LISTING ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE INCORPORATED  
HEREIN AS IF FULLY SET FORTH.

These 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 set forth in ORS 86.785.\*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by \_\_\_\_\_

Neal G. Buchanan, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on July 30, 1999. 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, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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



Neal G. Buchanan, Attorney for Successor Trustee  
Successor Trustee

Subscribed and sworn to before me on July 30, 1999

Notary Public for Oregon

My commission expires 11-7-99

\* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.  
PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

## NAME AND LAST KNOWN ADDRESS:

David McKenzie  
3415 Country Club Drive South  
Salem, Oregon 97302

Paul J. Rask  
Attorney at Law  
106 Tabor Square  
4610 S.E. Belmont St.  
Portland, Oregon 97215

Weigand Investments, Inc.  
9041 S. Powell Butte Hwy.  
Powell Butte, Oregon 97753

Elliott J. Mantell  
1245 N.W. 53rd  
Portland, Oregon 97210

William R. Goode  
Attorney at Law  
4224 S.W. Melville Ave.  
Portland, Oregon 97201

Elliott J. Mantell  
1245 N.W. 53rd  
Portland, Oregon 97210

C. Scott Howard  
Attorney at Law  
851 S.W. Sixth Ave., Suite 1500  
Portland, Oregon 97204

James Campbell  
2229 N.E. Burnside #283  
Gresham, Oregon 97030

Michael S. Fryar, P.C.  
Attorney at Law  
P.O. Box 1724  
Gresham, Oregon 97030

Mary Jane Sheldon, Trustee  
Shelmar Company Profit Sharing  
(aka Shalmar Company Profit Sharing)  
3403 Steamboat Isl. Rd., NW  
Olympia, WA 98502

## NATURE OF RIGHT, LIEN OR INTEREST:

Plaintiff regarding  
Klamath Co. Circuit Court Case  
#9804730CV

Attorney for David McKenzie  
as reflected by document recorded  
at Book M98, Page 45763, Records of  
Klamath County, Oregon

Trust Deed beneficiary as reflected  
by Trust Deed recorded at Book M98,  
Page 42335, Records of Klamath  
County, Oregon

Plaintiff with  
reference to Klamath County  
Circuit Court Case No. 9901355CV

Attorney Lien arising from  
or in regard to Klamath Co.  
Circuit Court Case No. 9901355CV

Creditor pursuant to Notice of  
Pendency of an Action recorded at  
Book M98, Page 42867, Records of  
Klamath County, Oregon (and refer-  
ring to Multnomah Co. Circuit Court  
Case No. 9811-08086)

Attorney Lien regarding Notice  
of Pendency of an Action recorded  
at Book M98, Page 42867 (and refer-  
ring to Multnomah Co. Circuit Court  
Case No. 9811-08086)

Judgment Creditor arising from  
Klamath County Circuit Court Case  
No. 9802768CV

Attorney Lien arising from out of  
Judgment Lien obtained in Klamath  
County Circuit Court Case No.  
9802768CV

Plaintiff in Klamath County Circuit  
Court Case No. 9900548CV

James R. Uerlings  
Boivin, Jones, Uerlings,  
DiIaconi & Oden, P.C.  
110 N. Sixth St.  
Klamath Falls, Oregon 97601

Golden Eagle Investments, L.L.C.  
c/o DWT Oregon Corporation  
1300 S.W. 5th Ave., Suite 2300  
Portland, Oregon 97201

Don R. Campbell  
4932 Sunnyside Road N.E.  
Salem, Oregon 97305

Attorney for Mary Jane Sheldon,  
Trustee, Shelmar (aka Shalmar)  
Company Profit Sharing  
Plaintiff in Klamath County Circuit  
Court Case No. 9900548CV

Assignee of Grantor's interest and  
fee owner of real property

Promisor and grantor

Unofficial  
Copy

CN

## TRUSTEE'S NOTICE OF SALE

48122



Reference is made to that certain trust deed made by ..... Don R. Campbell

....., as grantor, to  
 Aspen Title & Escrow, Inc. ...., as trustee,\*  
 in favor of Ray West ..... , as beneficiary,  
 dated August 19 ..... 19 96, recorded September 24 ..... 19 96, in the mortgage records of  
 Klamath ..... County, Oregon, in book/roll No. M96 ..... at page 30294 ..... , or  
 as fee/first mortgage/second mortgage/other mortgage No. 25632 ..... (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

Lots 11 thru 13 and Lot 17, Block 1; Lots 12 thru 15 and Lots 18, 20, 21, 25, 28, 29, 33, 36, and 37,  
 Block 2; Lot 7, Block 4, BLEY-WAS HEIGHTS, in the County of Klamath, State of Oregon.

Lots 6 thru 8, Block 1; Lots 1, 7, 10 and 13, Block 5, FIRST ADDITION TO BLEY-WAS HEIGHTS, in the County of  
 Klamath, State of Oregon.

\*By Appointment of Successor Trustee dated April 28, 1999 and recorded 5/19/99 in Vol M99, Page 19959 in the  
 Records of Klamath County, Oregon, Neal G. Buchanan, Attorney at Law, was appointed successor trustee.

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 de-  
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums: 1. No payments have  
 been made by the grantor for the scheduled monthly payments otherwise due for March 20, 1999, and the 20th day of  
 each and every month thereafter, such payments to have been made by grantor in the sum of \$1,191.82 each month;  
 2. Real property taxes with reference to each of the subject parcels, which such real property taxes have been  
 allowed by the grantor to become past due and delinquent in default of the provisions of paragraph 5 of the Trust  
 Deed; 3. In allowing certain additional judgment liens and other encumbrances to attach to the real property, also  
 in breach of paragraph 5 of the Trust Deed.

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 balance in the sum of  
 \$56,732.88 together with interest on said sum at the rate of 10% per annum from January 14, 1999 until paid;  
 2. All costs, fees (including trustee's and attorney's fees) and expenses of the trustee, including cost of title  
 search as provided for by paragraph 7 of the Trust Deed; 3. Unpaid real property taxes owing to the County of  
 Klamath, State of Oregon.

WHEREFORE, notice hereby is given that the undersigned trustee will on ..... October 15 ..... 1999, .....  
 at the hour of 1:00 ..... o'clock, P.M., in accord with the standard of time established by ORS 187.110, at  
 Law Offices of Neal G. Buchanan, 435 Oak Ave. ....

in the City of Klamath Falls ..... County of Oregon ..... 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 grantor of the said trust deed, together with any interest which the  
 grantor or grantor's 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 per-  
 formance 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 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 July 30, 1999

*Neal G. Buchanan*  
 NEAL G. BUCHANAN

Successor Trustee

State of Oregon, County of Klamath ss:

I, the undersigned, certify I am the attorney for the above named trustee and that  
 the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

SERVE:

If the foregoing is a copy to be served pursuant to  
 ORS 86.740 or ORS 86.750(1), fill in opposite  
 the name and address of party to be served.



# Affidavit of Publication

48123

## STATE OF OREGON, COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager,  
being first duly sworn, depose and say  
that I am the principal clerk of the  
publisher of the Herald and News  
a newspaper in general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the  
aforesaid county and state; that the

Legal # 2660  
Trustee's Notice

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for four

( 4 ) insertion(s) in the following issues:  
October 7, 14, 21, 28, 1999

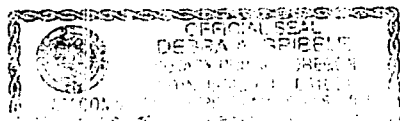
Total Cost: \$675.00

Subscribed and sworn before me this 28th  
day of October 19 99

*Debra A. Mubbe*

Notary Public of Oregon

My commission expires March 15 20 00



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Don R. Campbell, As grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Ray West, as beneficiary, dated August 19, 1996, recorded September 24, 1996, in the mortgage records of Klamath County, Oregon, in book No. M95 at page 30294, or as fee No. 25632 (indicate which), covering the following described real property situated in said county and state, to-wit:

Lots 11 thru 13 and Lot 17, Block 1; Lots 12 thru 15 and Lots 18, 20, 21, 25, 29, 33, 36, and 37, Block 2; Lot 7, Block 4, BLEY-WAS, HEIGHTS, in the County of Klamath, State of Oregon.

Lots 6 thru 8, Block 1; Lots 1, 7, 10 and 13, Block 5, FIRST ADDITION TO BLEY-WAS HEIGHTS, in the County of Klamath, State of Oregon.

\*By Appointment of Successor Trustee dated April 28, 1999 and recorded 5/19/99 in Vol M99, Page 19950 in the Records of Klamath County, Oregon, Neal G. Buchanan, Attorney at Law, was appointed successor trustee.

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: 1. No payments have been made by the grantor for the scheduled monthly payments otherwise due for March 20, 1999, and the 20th day of each and every month thereafter, such payments to

have been made by grantor in the sum of \$1,191.82 each month; 2. Real property taxes with reference to each of the subject parcels, which such real property taxes have been allowed by the grantor to become past due and delinquent in default of the provisions of paragraph 5 of the Trust Deed; 3. In allowing certain additional judgment liens and other encumbrances to attach to the real property, also in breach of paragraph 5 of the Trust Deed.

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 balance in the sum of \$56,732.88 together with interest on said sum at the rate of 10% per annum from January 14, 1999 until paid; 2. All costs, fees (including trustee's and attorney's fees) and expenses of the trustee, including cost of title search as provided for by paragraph 7 of the Trust Deed; 3. Unpaid real property taxes owing to the County of Klamath, State of Oregon.

### WHEREFORE,

notice hereby is given that the undersigned trustee will on December 15, 1999, at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at Law Offices of Neal G. Buchanan, 435 Oak Avenue in the City of Klamath Falls, County of Oregon, 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 grantor of the said trust deed, together with any interest which the grantor or grantor's 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 not exceeding the amounts provided by said ORS 86.753.

In construing this notice, 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 July 30, 1999

NEAL G. BUCHANAN  
Trustee  
#2660 October 7, 14, 21,  
28, 1999

OC

48124



TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of Klamath

ss.

I, NEAL G. BUCHANAN

being first duly sworn, depose, say and certify that:

I am the Successor

Don R. Campbell

trustee in that certain trust deed executed and delivered by

to Aspen Title & Escrow, Inc.

as grantor

in which Ray West

as trustee,

is beneficiary, recorded on September 24, 19. 96, in the mortgage records of Klamath

County, Oregon, in book/reel XXXXXX Volume No. M96, at page 30294 or as fee/instrument/microfilm/telex

XXXX No. 25632 (indicate which), covering the following described real property situated in said county:

Lots 11 thru 13 and Lot 17, Block 1; Lots 12 thru 15 and Lots 18, 20, 21, 25, 28, 29, 33, 36, and 37, Block 2; Lot 7, Block 4, BLEY-WAS HEIGHTS, in the County of Klamath, State of Oregon.

Lots 6 thru 8, Block 1; Lots 1, 7, 10 and 13, Block 5, FIRST ADDITION TO BLEY-WAS HEIGHTS, in the County of Klamath, State of Oregon.

I hereby certify that on July 30, 19. 99, the above described real property was not occupied.

The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.

Neal G. Buchanan

Successor

Trustee

Attorney for Successor Trustee

Subscribed, sworn to and acknowledged before me this 30th day of July, 19. 99.



(SEAL)

Marsha Cobine

Notary Public for Oregon

My Commission expires: 11-7-99

TRUSTEE'S AFFIDAVIT  
AS TO NON-OCCUPANCY

RE: Trust Deed from  
Don R. Campbell

Grantor

to

Aspen Title & Escrow, Inc., Trustee

Neal G. Buchanan, Attorney at Law

Successor

Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan  
435 Oak Avenue  
Klamath Falls, Oregon 97601

(DON'T USE THIS  
SPACE; RESERVED  
FOR RECORDING  
LABEL IN COUNTIES  
WHERE USED.)

State of Oregon, County of Klamath

Recorded 12/07/99, at 11:54 a. m.

In Vol. M99 Page 48119

Linda Smith,

County Clerk

Fee \$ 35.00