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2000 MAY -3 PM 12:05

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POSSESSORY LIEN—STATEMENT OF ACCOUNT

Reference is made to the attached copy of the published or posted notice of claim of lien (the total amount of the claim being \$10,500.00) and the notice of public foreclosure sale of certain chattels described in the notice. You are notified that a sale took place at the time and place stated in the notice.

The total amount received for the chattels at the foreclosure sale was \$10,571.25.
 The expenses of the sale (to-wit: the costs of foreclosing the lien) were (\$71.25).
 The net proceeds of the sale were \$10,500.00.
 The amount applied to the discharge of the lien was (\$10,500.00).
 The remaining balance, if any, of the proceeds of the sale* is \$0.00.

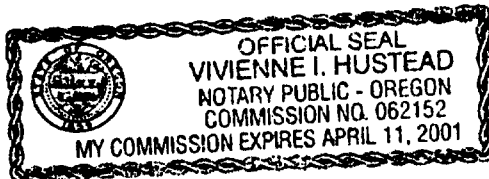
Dated: , 19.

Dean C. Smart

Claimant

STATE OF OREGON, County of Klamath) ss.
 I, Dean C. Smart

, being first duly sworn, depose and say that I am the claimant named above, that I know the contents of the foregoing instrument, and that the statements therein made are true, as I verily believe.



Subscribed and sworn to before me on May 3, 2000

Dean C. Smart

Vivienne I. Hustead
 Notary Public for Oregon. My commission expires 4-11-2001

* ORS 87.206 provides that, after the payment of expenses and the discharge of the lien, any amount remaining shall be paid by the lien claimant to the treasurer of the county in which the foreclosure sale is made. (This form may be used for that purpose, whether or not a Statement of Account must be recorded under the provisions of ORS 87.202.)

To the Treasurer of Klamath County, Oregon:

The remaining balance is herewith paid to you pursuant to the provisions of ORS 87.206.

NOTE: Possessory liens are authorized by ORS 87.152 to 87.162. ORS 87.202 provides, in part:

"(1) A person who forecloses a lien created by ORS 87.152 to 87.162 by sale shall file a statement of account verified by the oath of the person with the recording officer of the county in which the sale took place when:

- (a) The chattel sold at the foreclosure sale has a fair market value of \$250 or more;
- (b) The chattel sold at the foreclosure sale is an animal bearing a brand or other mark recorded with the State Department of Agriculture under ORS Chapter 604. ***

(3) A person filing a statement of account under this section shall send a copy of the statement to the owner of the chattel sold at the foreclosure sale by registered or certified mail sent to the person at the last-known address of the person. If the chattel sold at a foreclosure sale is an animal bearing a brand or other mark recorded with the State Department of Agriculture under ORS Chapter 604, a person filing a statement of account under this section shall send a copy of the statement to the State Department of Agriculture."

POSSESSORY LIEN STATEMENT OF ACCOUNT

Dean C. Smart

Lien Claimant,

vs.

Jay Garber

Lien Debtor.

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

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., Record of Deeds of said County.

Witness my hand and seal of County affixed.

By NAME TITLE Deputy

Affidavit of Publication

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#3037

Notice of Sale

Dean Smart

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

(2) insertion(s) in the following issues:

March 31, 2000

April 7, 2000

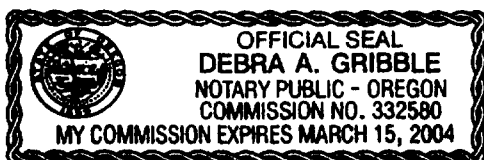
Total Cost: \$47.25

Subscribed and sworn before me this 7th
day of April 2000

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15, 20 04



NOTICE OF SALE

DEAN C. SMART, Lien
Claimant, vs. JAY
GARBER, Lien Debtor.

NOTICE is here-
by given that the under-
signed will sell at public
auction at 4657 Greens-
prings Dr. in Klamath
Falls, Oregon, on April
27, 2000, at 10:00 AM Pa-
cific standard time the
following:
1961 Peterbilt Cabover
Truck, Model 352COF,
Serial Number 12562,
California license
number 2P89076
reputedly owned by Jay
Garber, to satisfy a re-
pair and storage lien
against said vehicle in
the sum of \$10,500.00.
/s/ Dean C. Smart
#3037 March 31, 2000
April 7, 2000

State of Oregon, County of Klamath
Recorded 05/03/00, at 12:05 p.m.
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Linda Smith,
County Clerk Fee\$ 21.00