

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from  
O. Jeffery LeRoy**

**Vol** M00 **Page** 16432

**TO**

**John E. Bonner and Jane E. Bonner, Beneficiary**

After recording return to:  
Scott D. MacArthur, P.C.  
280 Main Street  
Klamath Falls, OR 97601

**STATE OF OREGON, County of Klamath) ss.**

**I, Scott D. MacArthur, 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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:

Owen Jeffery LeRoy, 2530 Shasta Way, Klamath Falls, OR 97601

Owen Jeffery LeRoy, 8320 Keller Road, Klamath Falls, OR 97603

Debra C. LeRoy, 3557 Seutter Place, Klamath Falls, OR 97603

District Director, IRS, Attn Chief Special Procedures, 915 Second Avenue, M/S W245, Seattle, WA 98174

State of Oregon, Dept. of Revenue, P.O. Box 14725, Salem, OR 97309-5018

Andrew C. Brandsness, Attorney at Law, 411 Pine Street, Klamath Falls, OR 97601

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 Scott D. MacArthur, 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 post office at Klamath Falls,

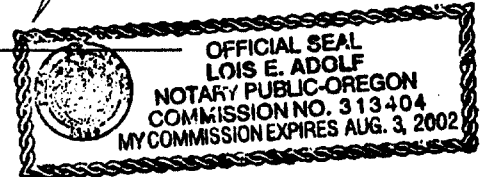
Oregon, on January 5, 2000, with the exception that a follow up letter was sent to the State of Oregon, Employment Department on April 21, 2000. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and 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.

Scott D. MacArthur  
Scott D. MacArthur, Successor Trustee

Subscribed and sworn to before me this 8th day of May, 2000.

Lois E. Adolf  
Notary Public for Oregon  
My commission expires \_\_\_\_\_



STATE OF OREGON, County of \_\_\_\_\_)ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 2000, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

\_\_\_\_\_  
Name Title

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

## AFFIDAVIT OF POSTING NOTICE OF SALE IN LIEU OF SERVICE

STATE OF OREGON, County of Klamath) ss.

I, Lance J. Linrow, being first duly sworn, depose 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 18 years and not the beneficiary or his successor in interest name in the notice of sale given under the terms of that certain trust deed described in said notice.

I posted the Notice of Sale of the real property in the Notice of Sale posting said notice on the premises of:

## NAME:

Owen Jeffery LeRoy

## ADDRESS:

8320 Keller Road  
Klamath Falls, Oregon 97603

Each of the notices so posted was certified to be a true copy of the original notice of sale by Scott D. MacArthur, attorney for the trustee named in said notice; and was posted by me on December 27, 1999. Each of said notices was posted after the Notice of Default and Election to Sell by the trustee was recorded and at least 90 days before the day fixed in said notice by the trustee for the trustee's sale.

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

[Signature]

Subscribed and sworn to before me this 29<sup>th</sup> day of Dec, 99.

OFFICIAL SEAL  
PENNY R. CROSS  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 327896  
COMMISSION EXPIRES OCT 10 2003

[Signature: Penny R. Cross]  
Notary Public for Oregon

My Commission Expires: 10/10/03

## CERTIFICATE OF POSTING

STATE OF OREGON, County of Klamath)ss.

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

Witness my hand and seal of County affixed.

After Recording return to:  
Scott D. MacArthur, P.C.  
280 Main Street  
Klamath Falls, OR 97601

Name \_\_\_\_\_

Title \_\_\_\_\_

By \_\_\_\_\_

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 2914

Notice of Default

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:

February 3, 10, 17, 24, 2000

Total Cost: \$648.92

Subscribed and sworn before me this 24th  
day of February 2000

Debra A. Gribble

Notary Public of Oregon

My commission expires 3-15-2000

### NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by O. JEFFERY LeROY, as grantor, to Aspen, Title and Escrow, Inc., as trustee, in favor of JOHN E. BONNER and JANE E. BONNER, Husband and Wife as Beneficiary, dated July 29, 1996, recorded July 31, 1996, in the mortgage records of Klamath County, Oregon, in book/reel, volume No. M96 at page 23282, covering the following described real property situated in said county and state, to-wit:

The E1/2 W1/2 NE 1/4 and East 198 feet of the W1/2 W1/2 NE1/4 of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon. LESS AND EXCEPT a tract of land situated in the East 1/2 W1/2 NE1/4 and East 198 feet of the W1/2 W1/2 NE1/4 of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the East 1/4 corner, common to Section 7, and Section 18; thence South 00 degrees 03'03" West 1257.72 feet; thence South 89 degrees 53'33" West 865.61 feet; thence North 00 degrees 01'43" East 1257.72 feet; thence North 89 degrees 53'33" East 866.10 feet to the point of beginning, with bearings and computations based on recorded survey No. 2834.

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 Section 86.735(3) of Oregon Revised Statutes. The Default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Payments in the amount of \$487.96 per month from February 1999 through the present.

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 \$38,863.46 as of December 23, 1996, plus interest.

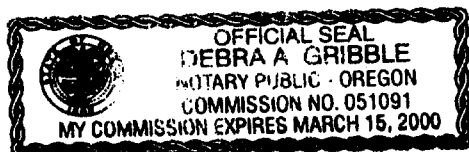
WHEREFORE, notice hereby is given that the undersigned trustee will on May 8, 2000 at the hour of 10 a.m. Standard time, as established by Section 187.110, Oregon Revised Statutes, at 280 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in said described real property which the grantors had or had power to convey at the time of the execution by him of said trust deed, to satisfy the foregoing obligations thereby secured and the costs or their 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 Section 86.753 of Oregon Revised Statutes

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 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 Section 86.753 of Oregon Revised Statutes.

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.

IMPORTANT: WRITTEN NOTICE TO CONSUMER: THIS COMMUNICATION IS FROM A DEBT COLLECTOR AS DEFINED IN 15 USC SECTION 1692(a)(6). WE ARE ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Dated January 26, 2000. WIT: JAYON Scott D. MacArthur is Successor Trustee. Jaxx #2914 February 3, 10, 17, 24, 2000



State of Oregon, County of Klamath  
Recorded 05/08/00, at 9:39 a.m.  
In Vol. M00 Page 16432  
Linda Smith,  
County Clerk Fee \$ 36.00