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

RE: Trust Deed from

Alexander Somogyi

To

Grantor

First American Title Company  
of Oregon (Neal G. Buchanan  
as

Successor Trustee)

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

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

SPACE RESERVED  
FOR  
RECORDER'S USE

Vol M01 Page 16852  
STATE OF OREGON, } ss.

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

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/instru-  
ment/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 ) ss:

I, Neal G. Buchanan, being first duly sworn, depose, and say 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 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

Estate of Alexander Somogyi  
William Sisemore, Personal Representative

803 Main St., Suite 201  
Klamath Falls, OR 97601

Household Finance Corporation II  
c/o C T Corporation System, Registered Agent

601 SW Second Ave.,  
Ste. 2050  
Portland, Oregon 97204

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 benefi-  
ciary 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 December 5, 2000, ~~10x~~. 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.

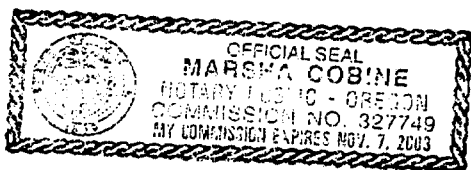
Neal G. Buchanan  
NEAL G. BUCHANAN

Subscribed and sworn to before me on December 5, 2000 ~~10x~~

Marsha Cobine

Notary Public for Oregon

My commission expires 11-7-03



## TRUSTEE'S NOTICE OF SALE

16853

Reference is made to that certain trust deed made by Alexander Somogyi, as grantor, to First American Title Company of Oregon, as trustee, (By Appointment of Successor Trustee recorded in Vol. M00, Page 22979, Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee) in favor of Saddle Mountain Cattle Company Pension Plan, as beneficiary, dated September 29, 1999, recorded October 5, 1999, in the mortgage records of Klamath County, Oregon in volume no. M99 at page 39630, or as instrument no. \_\_\_\_\_, covering the following described real property situated in said county and state, to-wit:

Lots 3 and 4 in Block 50, of the Supplemental Plat of Buena Vista to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

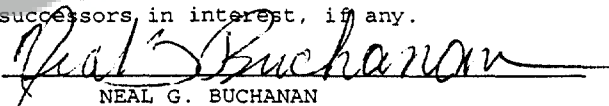
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: a) interest only payments in the sum of \$762.50 (plus collection fees) due for the month of April, 1999 and each month thereafter; b) failure to pay the real property taxes before any part of such taxes become past due or delinquent; c) failure to maintain insurance on the premises.

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: a) principal balance in the sum of \$61,000. together with interest on said sum at the rate of 15% per annum from March 31, 2000; plus accrued interest through said date in the sum of \$12.51; b) reimbursement to the beneficiary for the cost of maintaining insurance coverage on the premises; c) all costs and expenses of advertisement and sale foreclosure proceeding, including evidence of title and the beneficiary's or trustee's attorney's fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 23, 2001, at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at the law office of Neal G. Buchanan, 435 Oak Avenue, 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 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: December 5, 2000

  
NEAL G. BUCHANAN  
Successor Trustee

WE ARE ATTEMPTING TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

State of Oregon, County of Klamath ) ss.

I, the undersigned, certify that 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

OC

## TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

16854

STATE OF OREGON,

County of Klamath

} ss.

I, Neal G. Buchanan

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

I am the successor trustee in that certain trust deed executed and delivered by Alexander Somogyi as grantor to First American Title Company of Oregon as trustee, in which Saddle Mountain Cattle Company Pension Plan is beneficiary, recorded on October 5, 1999, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M99, at page 39630 or as fee/tile/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in said county:

Lots 3 and 4 in Block 50, of the Supplemental Plat of Buena Vista to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

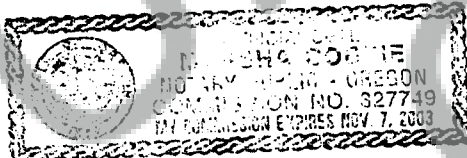
I hereby certify that on December 4, 2000, the above described real property was not occupied.

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

Subscribed, sworn to and acknowledged before me this 5th day of December, 2000



(SEAL)

Marsha Colvine

Notary Public for Oregon

My Commission expires: 11-7-03

TRUSTEE'S AFFIDAVIT  
AS TO NON-OCCUPANCY

RE: Trust Deed from  
Alexander Somogyi

Grantor

to  
First American Title Company  
of Oregon (Neal G. Buchanan  
as 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 } 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 or as fee/tile/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

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#3809

Trustee's Notice of Sale

Alexander Somogyi

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 12, 19, 26, 2001

March 5, 2001

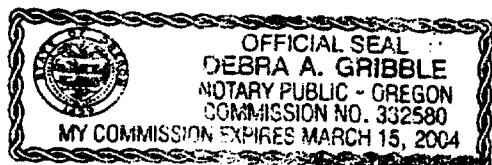
Total Cost: \$621.00

Subscribed and sworn before me this 5th  
day of March 20 01

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15 20 04



### TRUSTEE'S NOTICE OF SALE

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property taxes before any part of such taxes become past due or delinquent; c) failure to maintain insurance on the premises.

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: a) principal balance in the sum of \$61,000, together with interest on said sum at the rate of 15% per annum from March 31, 2000; plus accrued interest through said date in the sum of \$12.51; b) reimbursement to the beneficiary for the cost of maintaining insurance coverage on the premises; c) all costs and expenses of advertisement and sale foreclosure proceeding, including evidence of title and the beneficiary's or trustee's attorney's fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 23, 2001 at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 at the law office of Neal G. Buchanan, 435 Oak Avenue, 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 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: December 5, 2000

NEAL G. BUCHANAN

Successor Trustee

WE ARE ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

#3809 February 12, 19, 26, 2001

March 5, 2001

State of Oregon, County of Klamath

Recorded 04/18/01, at 1:57 p.m.

In Vol. M01 Page 16852

Linda Smith.

County Clerk Fee\$ 36<sup>00</sup>