

K56475

'01 AUG 21 PM 3:02

Vol. M01 Page 42317

WHEN RECORDED MAIL TO:
EXECUTIVE TRUSTEE SERVICES
15455 SAN FERNANDO MISSION BLVD, SUITE 208
MISSION HILLS, CA 91345
(818) 837-2300

659656

T.S. NO.: OR-54452-C LOAN NO.: 000428367 Space above line for Recorder's Use

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF California} SS
COUNTY OF Los Angeles}

I, MICHELLE SANCHEZ being first duly sworn, depose, say and certify that:

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

I gave notice of sale of the real property described in the attached notice of sale by mailing a copy thereof by registered or certified mail and regular mail to each of the following named person's at their last known address, to-wit:

NAME & ADDRESS

CERTIFIED NO.

SEE ATTACHED

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Aida Rodriguez, for FIRST AMERICAN TITLE INSURANCE COMPANY, 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 LOS ANGELES CALIFORNIA, on . Each of said notices was mailed after the notice of default and election to sell described in said Notice of Sale was recorded and at least 120 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.

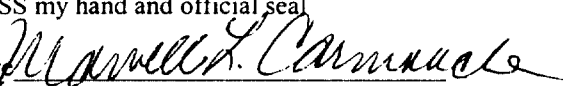
STATE California} SS
COUNTY Los Angeles}

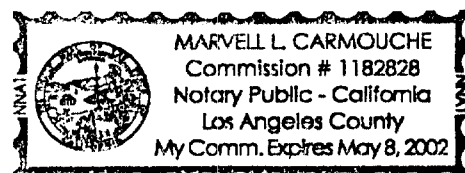

MICHELLE SANCHEZ

On 5/2/2001 before me, Marvell L. Carmouche the undersigned, a Notary Public in and for said State, personally appeared MICHELLE SANCHEZ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature


Marvell L. Carmouche, Notary Public



K86'

TRUSTEE'S NOTICE OF SALE

Loan No: 000428367
T.S. No.: OR-54452-C

Reference is made to that certain deed made by, JOHN T. BOWERS AND DARLENE M. BOWERS as Grantor to MOUNTAIN TITLE COMPANY, as trustee, in favor of FIRST INTERSTATE BANK OF OREGON, N.A., as Beneficiary, dated 8/7/81, recorded 8/13/81, in official records of KLAMATH County, Oregon in book/reel/volume No. M81 at page No. 14351, fee/file/instrument/microfile/reception No. RECASTING AGREEMENT RECORDED ON 6-17-88 AS INSTRUMENT NO. 88339 BOOK M-88 PAGE 9413 (indicated which), covering the following described real property situated in said County and State, to-wit:

APN: 162R590060R-3910-006D0-00500-000 & 052R590079R-3910-006D0-00700-000
SEE ATTACHED EXHIBIT 'A'

Commonly known as:
2742 VALE ROAD
KLAMATH FALLS, OREGON 97601

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's:

UNPAID PRINCIPAL BALANCE OF \$9,506.81; PLUS ACCRUED INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 6/1/99 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Monthly Payment \$1,614.64

Monthly Late Charge \$57.36

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust immediately due and payable, said sums being the following, to-wit: The sum of \$9,506.81 together with interest thereon at the rate of 11.5 % per annum from 5/1/99 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on 9/7/2001 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **AT THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY**

OF KLAMATH, OR 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 him of the said trust deed, together with any interest which the grantor or his 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 to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

42319

Loan No: 000428367
T.S. No: OR-54452-C

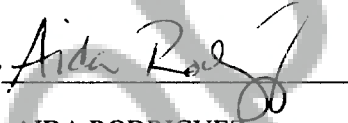
TRUSTEE'S NOTICE OF SALE

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: April 16, 2001

FIRST AMERICAN TITLE INSURANCE COMPANY
3 First American Way
Santa Ana, CA 92707
(818) 361-6998

Signature By


AIDA RODRIGUEZ,
ASSISTANT SECRETARY

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I, the undersigned, certify that I am the Trustee Sale Officer, and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.


MARISELA TORRES
Trustee Sale Officer

42320

**EXECUTIVE TRUSTEE SERVICES, INC.
15455 SAN FERNANDO MISSION BLVD
SUITE #208
MISSION HILLS, CA 91345**

(818) 837-2300

Date: April 16, 2001

T.S. Number: OR-54452-C

Loan Number: 000428367

DEBT VALIDATION NOTICE

1. The enclosed document relates to a debt owed to:
**WELLS FARGO BANK, N.A., A NATIONAL BANKING ASSOCIATION, AS SUCCESSOR
TO FIRST INTERSTATE BANK OF OREGON, N. A., A CORPORATION**
2. You may send us a written request for the name and address of the original creditor, if different from the current creditor, and we will obtain and mail the information within thirty (30) days after we receive your written request.
3. As of **April 16, 2001** the total delinquency owed was **\$41,761.21**, but this amount will increase until the delinquency has been fully paid.
4. As of **April 16, 2001**, the amount required to pay the entire debt in full was the unpaid principal balance of **\$9,506.81**, plus interest from **5/1/99**, late charges, negative escrow and attorney and/or trustee's fees and costs that may have been incurred. The amount will increase daily until the debt has been paid in full.
5. You may dispute the validity of this debt, or any portion thereof, by contacting our office within thirty (30) days after receiving this notice. In that event, we will obtain and mail to you written verification of the debt. Otherwise, we will assume that the debt is valid.

**WE ARE ATTEMPTING TO COLLECT A DEBT, AND ANY INFORMATION
WE OBTAIN WILL BE USED FOR THAT PURPOSE.**

EXHIBIT "A"

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE STATE OF OREGON, COUNTY OF KLAMATH AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

A TRACT OF LAND SITUATED IN THE SW1/4SE1/4 OF SECTION 6, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SW1/4SE1/4 OF SAID SECTION 6, SAID POINT BEING THE NORTHEAST CORNER OF "JUNCTION ACRES" SUBDIVISION; THENCE SOUTH 89° 07' 30" WEST ALONG THE SOUTH LINE OF SAID SECTION 6, WHICH IS ALSO THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 30 FEET; THENCE NORTHERLY, PARALLEL WITH THE EAST LINE OF THE SW1/4 SE1/4 OF SAID SECTION 6, A DISTANCE OF 175 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF THE SW1/4SE1/4 OF SAID SECTION 6, A DISTANCE OF 175 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE CENTERLINE OF THE ENTERPRISE IRRIGATION DISTRICT CANAL AS IT IS PRESENTLY LOCATED AND CONSTRUCTED; THENCE NORTHWESTERLY AND SOUTHWESTERLY ALONG THE CENTERLINE OF SAID CANAL TO A POINT THAT IS NORTHERLY, MEASURED ON A LINE PARALLEL WITH THE EAST LINE OF SW1/4SE1/4 OF SAID SECTION 6, A DISTANCE OF 350 FEET FROM THE SOUTH LINE OF SAID SECTION 6; THENCE SOUTH 89° 07' 30" WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 6, WHICH IS THE NORTH LINE OF SAID SUBDIVISION, TO THE INTERSECTION WITH THE EAST LINE OF THAT TRACT OF LAND DEEDED TO HEATON, AS DESCRIBED IN DEED VOLUME 359 PAGE 448; THENCE SOUTH 28° 23' 30" EAST AND SOUTH 00° 21' 45" EAST ALONG THE EAST LINE OF SAID HEATON TRACT TO A POINT THAT IS NORTHERLY, MEASURED ON A LINE PARALLEL WITH THE EAST LINE OF THE SW1/4SE1/4 OF SAID SECTION 6; A DISTANCE OF 175 FEET FROM THE SOUTH LINE OF SAID SECTION 6; THENCE NORTH 89° 07' 30" EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 6, WHICH IS THE NORTH LINE OF SAID SUBDIVISION, TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION. EXCEPT THAT PORTION LYING WITHIN THE BOUNDARIES OF ENTERPRISE IRRIGATION DISTRICT CANAL.

PARCEL 2:

A TRACT OF LAND SITUATED IN THE SW1/4SE1/4 OF SECTION 6, TOWNSHIP 39 SOUTH, RANGE 10 E.W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 6, SAID POINT BEING ON THE NORTH LINE OF "JUNCTION ACRES" SUBDIVISION AND BEING SOUTH 89° 07' 30" WEST A DISTANCE OF 30 FEET FROM THE NORTHEAST CORNER OF SAID SUBDIVISION WHICH IS ALSO THE SOUTHEAST CORNER OF THE SW1/4SE1/4 OF SAID SECTION 6; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF THE SW1/4SE1/4 OF SAID SECTION 6 A DISTANCE OF 175 FEET; THENCE SOUTH 89° 07' 30" WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 6, WHICH IS THE NORTH LINE OF SAID SUBDIVISION TO THE INTERSECTION WITH THE EAST LINE OF THE TRACT OF LAND DEEDED TO HEATON AS DESCRIBED IN DEED VOLUME 359 PAGE 448; THENCE SOUTH 00° 21' 45" EAST ALONG THE EAST LINE OF HEATON TRACT A DISTANCE OF 175 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SECTION 6, WHICH IS THE NORTH LINE OF SAID SUBDIVISION; THENCE NORTH 89° 07' 30" EAST ALONG THE SOUTH LINE OF SAID SECTION 6, AND ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE POINT OF BEGINNING.

AFFIDAVIT OF MAILING

42322

Date: **May 02, 2001**

T.S. No.: **OR-54452-C**

Loan No.: **000428367**

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES


The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Los Angeles County at **Executive Trustee Service Inc.**, and is not a party to the within action and that on **May 02, 2001**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice in a sealed envelope, certified or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

I declare under penalty of perjury that the foregoing is true and correct.

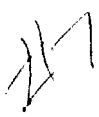
X 
Affiant **MICHELLE SANCHEZ**


JOHN T. BOWERS
1818 DERBY ST
KLAMATH FALLS, OR 97603-4534
P71799981097003131180

JOHN T. BOWERS
1818 DERBY ST
KLAMATH FALLS, OR 97603-4534
First Class


DARLENE M. BOWERS
1818 DERBY ST
KLAMATH FALLS, OR 97603-4534
P71799981097003131197

DARLENE M. BOWERS
1818 DERBY ST
KLAMATH FALLS, OR 97603-4534
First Class


STATE OF OREGON; COUNTY OF KLAMATH
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS OR 97603
P71799981097003131203

STATE OF OREGON; COUNTY OF KLAMATH
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS OR 97603
First Class

AFFIDAVIT OF MAILING

Date: **May 02, 2001**

42323

T.S. No.: **OR-54452-C**

Loan No.: **000428367**

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Los Angeles County at **Executive Trustee Service Inc.**, and is not a party to the within action and that on **May 02, 2001**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice in a sealed envelope, certified or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

I declare under penalty of perjury that the foregoing is true and correct.

X _____
Affiant **MICHELLE SANCHEZ**

MILDRED D. CUNNINGHAM-BERGEN
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS OR 97603
P71799981097003131210

MILDRED D. CUNNINGHAM-BERGEN
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS OR 97603
First Class

ENTERPRISE IRRIGATION DISTRICT
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS OR 97603
P71799981097003131227

ENTERPRISE IRRIGATION DISTRICT
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS OR 97603
First Class

156
LEROY TOTTEN
2742 VALE ROAD
KLAMATH FALLS OREGON 97601
P71799981097003131234

LEROY TOTTEN
2742 VALE ROAD
KLAMATH FALLS OREGON 97601
First Class

AFFIDAVIT OF MAILING

42324

Date: **May 02, 2001**

T.S. No.: **OR-54452-C**

Loan No.: **000428367**

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Los Angeles County at **Executive Trustee Service Inc.**, and is not a party to the within action and that on **May 02, 2001**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice in a sealed envelope, certified or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

I declare under penalty of perjury that the foregoing is true and correct.

X 
Affiant **MICHELLE SANCHEZ**

ENTERPRISE IRRIGATION DISTRICT
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS, OR. 97603
P71799981097003131241

ENTERPRISE IRRIGATION DISTRICT
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS, OR. 97603
First Class

MILDRED D. CUNNINGHAM-BERGEN
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS, OR. 97603
P71799981097003131258

MILDRED D. CUNNINGHAM-BERGEN
C/O STEVEN WARNER
4420 BERTLETT #5
KLAMATH FALLS, OR. 97603
First Class

DELTA TOTTEN
2742 VALE ROAD
KLAMATH FALLS OREGON 97601
P71799981097003131265

DELTA TOTTEN
2742 VALE ROAD
KLAMATH FALLS OREGON 97601
First Class

AFFIDAVIT OF MAILING

42325

Date: **May 02, 2001**

T.S. No.: **OR-54452-C**


Loan No.: **000428367**

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Los Angeles County at **Executive Trustee Service Inc.**, and is not a party to the within action and that on **May 02, 2001**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice in a sealed envelope, certified or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

I declare under penalty of perjury that the foregoing is true and correct.

X 
Affiant **MICHELLE SANCHEZ**


DARLENE M. BOWERS
2742 VALE ROAD
KLAMATH FALLS OREGON 97601
P71799981097003131272

DARLENE M. BOWERS
2742 VALE ROAD
KLAMATH FALLS OREGON 97601
First Class


JOHN T. BOWERS
2742 VALE ROAD
KLAMATH FALLS OREGON 97601
P71799981097003131289

JOHN T. BOWERS
2742 VALE ROAD
KLAMATH FALLS OREGON 97601
First Class

IN THE _____ COURT OF THE STATE OF Oregon
COUNTY OF _____ : COURT CASE NO. _____

First Interstate Bank of Oregon, N.A.

vs

John T. Bowers
etal

AFFIDAVIT/PROOF OF SERVICE

42326

STATE OF OREGON)
) SS.
County of Multnomah

I hereby certify that on the 19th day of April, 2001, at the hour of 8:30AM,
I served Delta Totten and Leroy Totten, Arin Totten, All by:

Delta Personal Service (personally and in person)
Leroy Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the
within named)
Office Service (by serving the person apparently in charge)
By posting (said residence)

A certified/true copy of:

<u>Summons</u>	<u>Writ of Garnishment</u>	<u>Small Claims</u>
<u>Motion</u>	<u>Order</u>	<u>Affidavit</u>
<u>Complaint</u>	<u>Citation</u>	<u>Subpoena</u>
<u>Petition</u>	<u>Notice</u>	<u>Decree</u>
<u>xxxx</u> Other: <u>Trustee's Notice of Sale</u>		

Together with a copy of _____

To Delta Totten, co occupant At 2742 Vale Rd.
Klamath Falls, OR 97601

NOT FOUND: I certify that I received the within document for service on the _____ day of _____,
and after due and diligent search and inquiry, I have been unable to locate _____
within the county of _____. Dated this _____ day of _____, _____.

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF Klamath

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer,
director or employee of, nor attorney for any party, corporate or otherwise and knew that the person,
firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this
16th day of Aug., 2001

Capitol Investigation Company
JEFF STATE

Papers
Received From ASAP
P O Box 276420
Sacramento, CA 95827

Remit to: CAPITOL	Service Fee	\$ 50.00
P.O. Box 3225	Mileage	\$ 0.00
Portland, OR 97208	Rush/Emergency	\$ 0.00
Date: 08/16/2001	Incorrect Add.	\$ 0.00
File No. 01-12716-M	3rd occpt	\$ 25.00
Client No. 427663	Amount Paid	\$ 0.00
	TOTAL DUE	\$ 75.00

IN THE COURT STATE OF OREGON, COUNTY OF

First Interstate Bank of Oregon, N.A.)
)
 Plaintiff,) NO.
 V.) NOTICE OF
) SUBSTITUTE SERVICE
 John T. Bowers)
 etal)
 Defendant(s).)

TO DEFENDANT(S): Leroy Totten, Arin Totten, All

YOU ARE HEREBY NOTIFIED that service of TRUSTEE'S NOTICE OF SALE in the above cause was made upon you by SUBSTITUTE service at the address below, your usual place of abode.

DATE AND TIME OF SERVICE: April 19th, 2001 8:30AM
 TO WHOM THE DOCUMENTS Delta Totten, co occupant
 WERE DELIVERED: 2742 Vale Rd.
 Klamath Falls, OR 97601

Capitol Investigation Co., LTD.
 P.O. Box 3225
 Portland, OR 97208

AFFIDAVIT OF MAILING

STATE OF OREGON)
)ss DATE: 04/24/2001
 County of Multnomah)

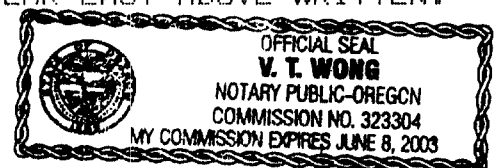
I, THE UNDERSIGNED, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I CAUSED TO BE MAILED TO THE DEFENDANT(S) WHOSE NAME AND ADDRESS APPEARS BELOW, TRUE, EXACT AND COMPLETE COPIES OF THE FOREGOING NOTICE, AND OF THE TRUSTEE'S NOTICE OF SALE HEREIN REFERRED TO, BY CAUSING SAME TO BE DEPOSITED IN THE UNITED STATES MAILS AT Portland, OREGON, ON SAID DATE, ADDRESSED AS SHOWN, WHICH IS THE USUAL PLACE OF ABODE OF SAID DEFENDANT(S) BEING THE ADDRESS AT WHICH SUBSTITUTE SERVICE OF TRUSTEE'S NOTICE OF SALE THEREIN WAS HERETOFORE MADE UPON SAID DEFENDANT(S).

J Carter

SUBSCRIBED AND SWORN TO BEFORE ME
 THE DAY AND YEAR LAST ABOVE WRITTEN:

Leroy Totten, Arin Totten, All
 2742 Vale Rd.
 Klamath Falls, OR 97601

Wong



PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

42328

STATE OF OREGON
COUNTY OF

Klamath

COURT CASE NO. _____

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- | | | | | |
|---|------------------------------------|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons | <input type="checkbox"/> Small Claim | <input type="checkbox"/> Motion | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Judgment | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Order | <input type="checkbox"/> Decree | <input type="checkbox"/> Notice | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena | |
- ☒ Trustee's Notice of Sale

For the within named:

Occupants of 2742 Vale Road,

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Delta Totten at the address below.

☒ SUBSTITUTE SERVICE: By delivering an Original or True Copy to Delta Totten, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Leroy Totten (spouse) + Arin Totten (daughter)

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with _____, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.
Upon _____, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.

to: _____ who is a/the _____ thereof, or
(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ thereof.

☐ OTHER METHOD: _____ By leaving an Original or True Copy with _____

☐ NOT FOUND: I certify that I received the within document for service on _____ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, _____ within _____ County.

2742 Vale Road

ADDRESS OF SERVICE

STREET

UNIT / APT / SPC#

Klamath Falls

CITY

Oregon

STATE

97603

ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

April 19, 2001

DATE OF SERVICE

8:30

a.m. ☒ p.m. ☐

TIME OF SERVICE

[Signature]

SIGNATURE

or not found
PRINTED IN OREGON

Dave Shuck

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH

42329

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#4159

Trustee's Notice of Sale

John T. Bowers

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)

Four

Insertion(s) in the following issues:

June 18, 25, 2001

July 2, 9, 2001

Total Cost:

Larry L. Wells
Subscribed and sworn before me this 9th day of: July 2001

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S NOTICE OF SALE

Loan No: 000428367
T.S. No: OR-54452-C

Reference is made to that certain deed made by, JOHN T. BOWERS AND DARLENE M. BOWES as Grantor to MOUNTAIN TITLE COMPANY, as trustee, in favor of FIRST INTER-STATE BANK OF OREGON, N.A., as Beneficiary, dated 8/7/81, recorded 8/13/81, in official records of KLAMATH County, Oregon in book/reel/volume No. M81 at page No. 14351, fee/file/instrument/microfile/reception no. RECASTING AGREEMENT RECORDED ON 6/17/81 AS INSTRUMENT NO. 88339 (indicated which), covering the following described real property situated in said County and State, to-wit: APN: 162R590060R-3910-006D0-00500-000 & 052R590079R-3910-006D0-00700-000

EXHIBIT "A"

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE STATE OF OREGON, COUNTY OF KLAMATH AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

A Tract of land situated in the SW1/4SE1/4 of Section 6, Township 35 South, Range 10 East of Willamette Meridian, more particularly described as follows:

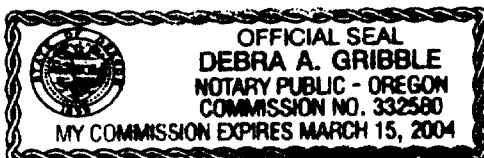
Beginning at the Southeast corner of the SW1/4SE1/4 of said Section 6 said point being the Northeast corner of "Junction Acres" Subdivision; thence South 89°07'30" West along the Southline of said Section 6, which is also the North line of said Subdivision, a distance of 30 feet; thence Northerly parallel with the East line of the SW1/4SE1/4 of said Section 6, a distance of 175 feet to the true point of beginning of this description; thence Northerly parallel with the East line of the SW1/4SE1/4 of said Section 6, Distance of 175 feet, more or less, to the intersection with the centerline of the Enterprise Irrigation District Canal as it is presently located and constructed; thence Northwesterly and Southwesterly along the centerline of said canal to a point that is Northerly measured on a line parallel with the East line on SW1/4SE1/4 of said Section 6, a distance of 350 feet from the South line of said Section 6; thence South 89°07'30" West Parallel with the South line of said Section 6, which is the North Line of said Subdivision, to the intersection with the East line of that Tract of land deeded to Heaton, as described in Deed Volume 359 page 448; thence South 28°23'30" East and South 00°21'45" East along the East line of said Heaton

Tract to a point that is Northerly, measured on a line parallel with the East line of the SW1/4SE1/4 of said Section 6; a distance of 175 feet from the South line of said Section 6; thence North 89°07'30" East parallel with the South line of said Section 6, which is the North line of said subdivision, to the true point of beginning of this description. Except that portion lying within the boundaries of Enterprise Irrigation District Canal.

PARCEL 2:

A Tract of land situated in the SW1/4SE1/4 of Section 6, Township 39 South, Range 10 E.W.M., more particularly described as follows:

Beginning at a point on the South line of said Section 6, said point being on the North line of "Junction Acres" Subdivision and being South 89°07'30" West a distance of 30 feet from the Northeast corner of said Subdivision which is also the Southeast corner of the SW1/4SE1/4 of said Section 6; thence Northerly parallel with the East line of the SW1/4SE1/4 a distance of 175 feet; thence South 89°07'30" West parallel with the South line of said Section 6, which is the North line of said Subdivision to the intersection with the East line of the Tract of Land deeded to Heaton as described in Deed Volume 359 Page 448; thence South 00°21'45" East



along the East line of Heaton Tract a distance of 175 feet; more or less, to the South line of said Section 6, which is the North line of said Subdivision; thence North 89°07'30" East along the South line of said Section 6, and along the North line of said Subdivision to the point of beginning.

Commonly known as:

2742 VALE ROAD
KLAMATH FALLS,
OREGON 97601

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's:

UNPAID PRINCIPAL BALANCE OF \$9,506.81; PLUS ACCRUED INTEREST PLUS IMPOUNDS AND/OR ADVANCES WHICH BECAME DUE ON 6/1/99 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECAME PAYABLE.

Monthly Payment: \$1,614.64

Monthly Late Charge: \$57.36

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust immediately due

and payable, said sums being the following, to-wit: The sum of \$9,506.81 together with interest thereon at the rate of 11.5% per annum from 5/1/99 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on 9/7/2001 at the hour of 10:00 A.M., Standard of Time, as established by section 187.110, Oregon Revised Statutes, at AT THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR 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 him of the said trust deed, together with any interest which the grantor or his 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 to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

In construing this notice, the masculine gender includes the feminine and the neuter the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: April 16, 2001
FIRST AMERICAN
TITLE INSURANCE COMPANY
3 First American Way
Santa Ana, CA 92707
(818) 361-6998
AIDA RODRIGUEZ
ASSISTANT
SECRETARY
STATE OF
CALIFORNIA
COUNTY OF
LOS ANGELES
I, the undersigned
certify that I am the

Trustee Sale Officer and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

MARISELA
TORRES
Trustee Sale Officer
#4159 June 18, 25,
2001
July 2, 9, 2001

42330

State of Oregon, County of Klamath

Recorded 08/21/01 at 3:02 p. m.

In Vol. M01 Page 42317

Linda Smith,

County Clerk Fee\$ 86⁰⁰

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