

'01 OCT 12 PM2:45

AFFIDAVIT OF MAILING OF NOTICE OF SALE

STATE OF OREGON        )  
                                   ) ss.  
 COUNTY OF LANE        )

I, MICHAEL C. AROLA, being first duly sworn, depose and say:

1. I am the Successor Trustee of the Trust Deed described in the attached Trustee's Notice of Sale.

2. I served the attached Trustee's Notice of Sale upon the following parties by depositing original copies thereof in the United States Mail at Eugene, Oregon, on July 11, 2001:

Robert J. Henry  
 325 Front Street  
 Klamath Falls OR 97601

Elizabeth A. Henry  
 2238 Greensprings Drive  
 Klamath Falls OR 97601

3. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below their names which, to the best of my knowledge, were their last known addresses as of the date of mailing. The copies were mailed by certified mail, return receipt requested, and by first class mail, with postage prepaid.

Michael C. Arola

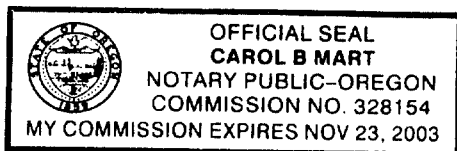
Michael C. Arola

Signed and sworn to before me on July 11, 2001, by MICHAEL C. AROLA.

Carol B. Mart

Notary Public for Oregon

My Commission Expires: 11-23-03



AFFIDAVIT OF MAILING OF NOTICE OF SALE

**AFTER RECORDING RETURN TO:**  
 Hershner, Hunter, et al  
 Attn: Carol B. Mart  
 P.O. Box 1475  
 Eugene, OR 97440

AFFIDAVIT OF NONOCCUPANCY

STATE OF OREGON )  
 ) ss.  
COUNTY OF Klamath )

I, Ed Foreman, being first duly sworn, depose and say:

1. I am an private process server retained by the Successor Trustee of the Trust Deed described in the attached Trustee's Notice of Sale.

2. On July 6, 2001, the Successor Trustee retained me to serve the occupant, if any, of the real property described in the Trustee's Notice of Sale.

3. After I was retained and on July 9, 2001, I went to the real property and observed that the residence located on the real property was vacant and unoccupied.

Ed Foreman

Ed Foreman

Signed and sworn to before me this 10<sup>th</sup> day of July, 2001, by Ed Foreman.

Margaret A. Nielsen

Notary Public for Oregon

My Commission Expires: 4-12-04



AFTER RECORDING RETURN TO:  
Hershner, Hunter, et al  
Attn: Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440

TRUSTEE'S NOTICE OF SALE

52102

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES:  
Grantor: ROBERT J. HENRY and ELIZABETH A. HENRY  
Trustee: WILLIAM L. SISEMORE  
Successor Trustee: MICHAEL C. AROLA  
Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION
2. DESCRIPTION OF PROPERTY: The real property is described as follows:  
  
Lot 14 in Block 107 of BUENA VISTA ADDITION 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.
3. RECORDING. The Trust Deed was recorded as follows:  
Date Recorded: February 27, 1998  
Volume M98, Page 6579  
Official Records of Klamath County, Oregon
4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: A monthly payment in the amount of \$413.97 due March 1, 2001, plus monthly payments in the amount of \$414.00 each, due the first of each month, for the months of April through July 2001; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.
5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$46,921.55 plus interest at the rate of 7.25% per annum from February 1, 2001; plus late charges of \$52.88, plus advances in the amount of 100.07.
6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.
7. TIME OF SALE.  
Date: November 15, 2001  
Time: 11:00 a.m. as established by ORS 187.110  
Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon
8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511.

DATED: July 6, 2001.

*/s/ Michael C. Arola*

MICHAEL C. AROLA, Successor Trustee  
HERSHNER, HUNTER, ANDREWS, NEILL & SMITH, LLP  
P.O. Box 1475  
Eugene, OR 97440

**AFTER RECORDING RETURN TO:**  
**Hershner, Hunter, et al**  
**Attn: Carol B. Mart**  
**P.O. Box 1475**  
**Eugene, OR 97440**

# Affidavit of Publication

52103

## 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 # 4337

Notice of Sale/Henry

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:  
September 7, 14, 21, 28, 2001

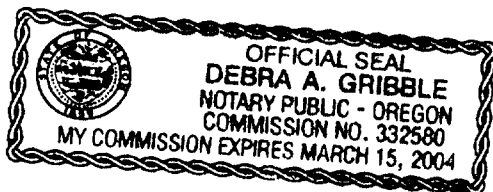
Total Cost: \$526.50

Subscribed and sworn

before me on: September 28, 2001

Notary Public of Oregon

My commission expires March 15, 2004



### TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES: Grantor: ROBERT J. HENRY and ELIZABETH A. HENRY. Trustee: WILLIAM L. SISEMORE. Successor Trustee: MICHAEL C. AROLA. Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION.

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

Lot 14 in Block 107 of BUENA VISTA ADDITION 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.

3. RECORDING. The Trust Deed was recorded as follows: Date Recorded: February 27, 1993. Volume M98, Page 6579. Official Records of Klamath County, Oregon.

4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: A monthly payment in the amount of \$413.97 due March 1, 2001, plus monthly

payments in the amount of \$414.00 each, due the first of each month, for the months of April through July 2001; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$46,921.55 plus interest at the rate of 7.25% per annum from February 1, 2001; plus late charges of \$52.88, plus advances in the amount of \$100.07.

6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.

7. TIME OF SALE. Date: November 15, 2001. Time: 11:00 AM as established by ORS 187.110.

Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon.

8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other

default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511.

Dated: July 6, 2001. Michael C. Arola, Successor Trustee, Hershner, Hunter, Andrews, Neill & Smith, LLP, PO Box 1475, Eugene, OR 97440.

#4337 September 7, 14, 21, 28, 2001.

State of Oregon, County of Klamath  
Recorded 10/12/01 at 2:45 p.m.  
In Vol. M01 Page 52100  
Linda Smith,  
County Clerk Fees \$600

AFTER RECORDING RETURN TO:  
Hershner, Hunter, et al  
Attn: Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440