

ON  
01 NOV 13 12:12

## TRUSTEE'S NOTICE OF SALE

Vol M01 Page 57918Reference is made to that certain trust deed made by Susan M. Dargo

....., as grantor, to  
 ..Aspen Title & Escrow, Inc. (Neal G. Buchanan, Attorney at Law, as successor)....., as trustee,  
 in favor of Arthur Richard Martin and Linda Ann Martin, Husband and Wife, with full rights of survivorship  
 dated July 10, 1996, signed July 15, 1996, recorded July 17, 1996, in the mortgage records of  
Klamath County, Oregon, in book/reel/volume No. M96 at page 21242, or  
 as fee/file/instrument/microfilm/reception No. 21498 (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

Lots 1 and 2, Block 71, FIFTH ADDITION TO NIMROD RIVER PARK, in the County of Klamath, State of Oregon.

\*By Appointment of Successor Trustee, recorded April 18, 1997 at Book M97, Page 11832, Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee.

\*\*The beneficial interest was assigned by a certain Assignment dated April 12, 2001, recorded April 26, 2001, in Book M01 at page 18745 to William C. Knudtsen.

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: Payment in the sum of \$284.28 due May 15, 2001, and a like payment the 15th day each month thereafter; and failure to maintain insurance on the premises and provide proof of such insurance to the beneficiary; and failure to pay the real property taxes and mobile home taxes with reference to the subject premises for the tax year 1997-98 and thereafter; and failure to maintain the property in good condition and repair.

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: Principal balance in the sum of \$26,895.55 together with interest on said sum at the rate of 9% per annum from September 13, 2000; and real property taxes and mobile home taxes paid by the beneficiary to Klamath County in order to forestall tax foreclosure in the sum of \$327.47; and all costs and expenses, including evidence of title and the beneficiary's or trustee's attorney fees as provided for by the Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on November 21, 2001, ~~xxx~~, 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 offices 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 July 10, 2001 ~~xxx~~

Neal G. Buchanan  
 NEAL G. BUCHANAN

Successor

Trustee

State of Oregon, County of Klamath ss:

I, the undersigned, certify that I am the attorney or one of the attorneys 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

SERVE: \_\_\_\_\_

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

NT

57919



# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Susan M. Dargo

To

Grantor

Aspen Title & Escrow, Inc.  
(Neal G. Buchanan, Attorney at Law,  
as successor)

Trustee

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

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

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/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  
Susan M. Dargo

ADDRESS  
390 Town Square, Apt. 86  
Copperas Cove, Texas 76522

Reginald R. Davis  
Klamath County Counsel

305 Main Street  
Klamath Falls, Oregon 97601

Parties in Possession/Occupant(s)

32258 Curry Street  
Sprague River, Oregon 97639

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 beneficiary 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 July 11, 2001. 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

Subscribed and sworn to before me on July 10, 2001

Notary Public for Oregon

My commission expires 11-7-03

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

57920

State of Oregon     )  
County of Klamath    )

Court Case No.  
Sheriff's Case No. 01-02014

Received for Service 07/11/01

I hereby certify that I received for service on  
OCCUPANTS, ALL  
the within:

TRUSTEE'S NOTICE OF SALE

OCCUPANTS, ALL  
was served personally, and in person, at  
32258 CURRY ST  
SPRAGUE RIVER, OR                     , OR, on 07/20/01,  
at 22:03 hours.

All search and service was made within Klamath County, State of  
Oregon.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By   
FRANK, DARREN

PERSONALLY SERVED OCCUPANT: CYNTHIA GRAY

Copy to:

NEAL G. BUCHANAN, ATTORNEY AT LAW  
435 OAK AVENUE  
KLAMATH FALLS

OR 97601

EE

57921



**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S  
NOTICE OF SALE UPON OCCUPANT PURSUANT  
TO ORS 86.750 (1) AND PROOF OF SERVICE  
(120-Day Notice)**

RE: Trust Deed from

Susan M. Dargo

To

Grantor

Aspen Title &amp; Escrow, Inc.

(Neal G. Buchanan, Attorney at Law,  
as successor)

Trustee

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

Neal G. Buchanan

435 Oak Avenue

Klamath Falls, Oregon 97601

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON,

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

} ss.

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

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_

01 JUL 11 PM 2:19

RECEIVED  
CLATSOP COUNTY  
SHERIFF'S OFFICE  
Deputy.

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON,

County of Klamath

} ss.

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP  
7 D(2) and 7 D(3) upon the occupant of the property described in the Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in the trust deed are as fol-  
lows:

Name of person to be served  
(If unknown, so state)

Property Address

Parties in Possession or claiming  
a right to possession  
(Unknown occupant(s))

32258 Curry Street  
Sprague River, Oregon 97639

If the occupant is indicated as "unknown," or if you find the property at this address to be occupied by someone other than  
the person named, then you are to serve the person or persons whom you find to be occupying the property.

Service should be made by July 24, 2001, which is 120 days before the date fixed for the sale  
in the attached notice. If you have not made service by that date, and the property appears occupied, persist in attempting to make  
service until it has been accomplished.

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

SIGNED AND SWORN TO before me on

July 10, 2001

Notary Public for Oregon

My commission expires

11-7-03



# Affidavit of Publication

57922

## 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 # 4361

Notice of Sale/Dargo

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 19, 26, October 3, 10, 2001

Total Cost: \$756.00

*Larry L. Wells*  
Subscribed and sworn  
before me on: October 10, 2001

*Debra A. Gribble*  
Notary Public of Oregon

My commission expires March 15, 2004

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Susan M. Dargo, as grantor, to Aspen Title & Escrow, Inc. (Neal G. Buchanan, Attorney at Law, as successor), as trustee\*, in favor of Arthur Richard Martin and Linda Ann Martin, Husband and Wife, with full rights of survivorship, as beneficiary\*\*, dated July 10, 1996, signed July 15, 1996, recorded July 17, 1996, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M96 at page 21242, or as fee/file/instrument/microfilm/reception No. 21498 (indicate which), covering the following described real property situated in said county and state, to-wit: Lots 1 and 2, Block 71, FIFTH ADDITION TO NIMROD RIVER PARK, in the County of Klamath, State of Oregon.

\*By appointment of Successor Trustee, recorded April 18, 1997 at Book M97, Page 11832, Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee.

\*\*The beneficial interest was assigned by a certain Assignment dated April 12, 2001, recorded April 26, 2001, in Book MO1 at page 18745 to William C. Knudtson.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by

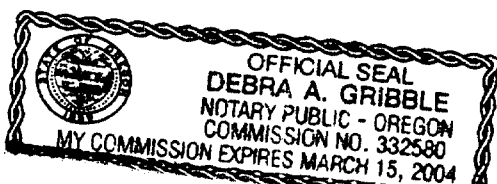
said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Payment in the sum of \$284.28 due May 15, 2001, and a like payment, the 15th day of each month thereafter; and failure to maintain insurance on the premises and provide proof of such insurance to the beneficiary; and failure to pay the real property taxes and mobile home taxes with reference to the subject premises for the tax year 1997-98 and thereafter; and failure to maintain the property in good condition and repair.

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: Principal balance in the sum of \$26,895.55 together with interest on said sum at the rate of 9% per annum from September 13, 2000; and real property taxes and mobile home taxes paid by the beneficiary to Klamath County in order to forestall tax foreclosure in the sum of \$327.47; and all costs and expenses, including evidence of title and the beneficiary's or trustee's attorney fees as provided for by the Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on November 21, 2001, at the hour of 1:00 o'clock PM, in accord with the standard of time established by ORS 187.110, at the law offices 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



57923

State of Oregon, County of Klamath  
Recorded 11/13/01 12:12 p. m.  
In Vol. M01, Page 57918  
Linda Smith, County Clerk  
Fec \$ 46<sup>00</sup> # of Pgs 6

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 July 10, 2001.  
Neal G. Buchanan,  
Successor Trustee.  
We are attempting to collect a debt.

Any information obtained will be used for that purpose.  
#4361 September 19,  
26, October 3, 10,  
2001.