

K57514

Vol M01 Page 62353

AFFIDAVIT OF MAILING OF NOTICE OF SALE

'01 DEC 6 PM 2:43

STATE OF OREGON           )  
  ) ss.  
COUNTY OF LANE         )

State of Oregon, County of Klamath  
Recorded 12/06/01 2:43 p. m.  
Vol M01, Pg 62353-59  
Linda Smith, County Clerk  
Fee \$ 51.00 # of Pgs 7

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.

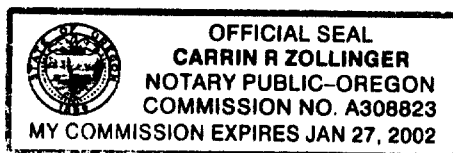
2. I served the attached Trustee's Notice of Sale upon the following parties by depositing true copies thereof in the United States Mail at Eugene, Oregon, on August 31, 2001:

Key Bank National Association  
P.O. Box 16430  
Boise, ID 83715

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 August 31, 2001, by MICHAEL C. AROLA.



Carrin R. Zollinger  
Notary Public for Oregon  
My Commission Expires: 1/27/02

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

K51.

STATE OF OREGON )  
COUNTY OF Klamath ) ss.

I swear that I am competent person 18 years of age or older and a resident of the State of Oregon; that I am not a party to nor an officer, director, or employee of, nor attorney for any party, corporate or otherwise, named in the attached Trustee's Notice of Sale; that I served the an original of the attached Trustee's Notice of Sale on the following persons and that each person served is the identical one named in the trustee's instructions to me.

## Personal Service

On Aug. 29, 2001, at 1:55 o'clock, P.M., I delivered the attached original Trustee's Notice of Sale to Judy Gelhardt in person, at 2958 Hope Street Klamath Falls, OR. 97603.  
On \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_M., I delivered the attached original Trustee's Notice of Sale to \_\_\_\_\_ in person, at \_\_\_\_\_.  
On \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_M., I delivered the attached original Trustee's Notice of Sale to \_\_\_\_\_ in person, at \_\_\_\_\_.

## Substitute Service

On Aug. 29, 2001, at 1:55 o'clock, P.M., I served the attached Trustee's Notice of Sale on Steve Gelhardt by delivering a original copy to Judy Gelhardt, a person over the age of 14 years residing in said party's dwelling house or usual place of abode at 2958 Hope Street Klamath Falls, OR. 97603.  
On \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_M., I served the attached Trustee's Notice of Sale on \_\_\_\_\_ by delivering an original copy to \_\_\_\_\_, a person over the age of 14 years residing in said party's dwelling house or usual place of abode at \_\_\_\_\_.

## Office Service

On \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_M., I left an original copy of the Trustee's Notice of Sale with \_\_\_\_\_, the person apparently in charge of the business office maintained by \_\_\_\_\_ at \_\_\_\_\_.  
On \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_M., I left an original copy of the Trustee's Notice of Sale with \_\_\_\_\_, the person apparently in charge of the business office maintained by \_\_\_\_\_ at \_\_\_\_\_.

Signed and sworn to before me on \_\_\_\_\_

Dave Shuck  
August 30th, 2001 by Dave Shuck

Margaret A. Nielsen  
Notary Public for Oregon  
My Commission Expires: 4-12-01



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

NOTICE OF SUBSTITUTE SERVICE

TO:

Steven Gelhardt  
2958 Hope Street  
Klamath Falls, OR 97603

You are hereby notified that you were served with a Trustee's Notice of Sale, a true copy of which is attached hereto, by delivery of an original copy of the Notice of Sale at your dwelling house or usual place of abode indicated above, as follows:

Date and Time of Service: August 29, 2001 at 1:55 p.m.

Person to Whom the Notice  
Was Delivered: Judy Gelhardt

/s/ Michael C. Arola  
MICHAEL C. AROLA,  
Successor Trustee

AFFIDAVIT OF MAILING

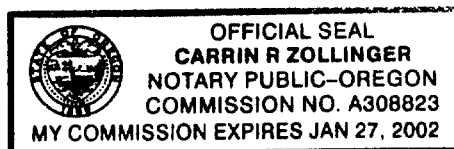
STATE OF OREGON       )  
                                  ) ss.  
COUNTY OF LANE       )

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

I mailed an original Notice of Substitute Service, a true copy of which appears above, together with a true copy of the Notice of Sale referred to therein, by placing them in a sealed envelope, addressed as shown above and mailed by certified mail, return receipt requested, with postage prepaid in the United States Mail at Eugene, Oregon, on August 31, 2001.

Michael C. Arola  
MICHAEL C. AROLA

Signed and sworn to before me on August 31, 2001, by MICHAEL C. AROLA.



Carrin R Zollinger  
Notary Public for Oregon  
My Commission Expires: 1/27/02

NOTICE OF SUBSTITUTE SERVICE

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

TRUSTEE'S NOTICE OF SALE

62356

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: STEVEN E. GELHARDT and JUDY C. GELHARDT  
Trustee: PACIFIC CASCADES FINANCIAL, INC.  
Successor Trustee: MICHAEL C. AROLA  
Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION
2. DESCRIPTION OF PROPERTY: The real property is described as follows:  
  
See attached Exhibit A
3. RECORDING. The Trust Deed was recorded as follows:  
Date Recorded: December 13, 1993  
Volume M93, Page 33030  
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: Monthly payments in the amount of \$739.00 each, due the twenty-fifth of each month, for the months of May 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 \$46,844.04 plus interest at the rate of 7.250% per annum from April 25, 2001; plus late charges of \$98.55.
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: January 3, 2002  
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: August 24, 2001.

*/s/ Michael C. Arola*

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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

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Beginning at a point in the South line of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which is 695.5 feet, more or less; West of the quarter corner common to Section 2 and 11, of said Township and Range, and which point of beginning is also in the West line of Hope Street and is the Northeast corner of tract 37 of HOMEDALE, a platted subdivision in Klamath County, Oregon; thence North 0 degrees 13' East along the West line of said Hope Street a distance of 115.0 feet; thence North 89 degrees 56' West 47 feet; thence North 66 degrees 52' West along a line parallel to the center line of the Oregon-California & Eastern Railway, a distance of 801.2 feet to the Northeasterly right-of-way line of the U.S.R.S. Main Canal; thence South 39 degrees 15' East (South 39 degrees 08' East U.S.R.S.) along said right-of-way line a distance of 554.1 feet, more or less to the South line of said Section 2, which is also the North line of said Tract 37, HOMEDALE; thence South 89 degrees 54' East along said Section line a distance of 432.8 feet to the point of beginning and being a parcel of land lying in the S1/2 SW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

## 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 # 4461

Notice of Sale/Gelhardt

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

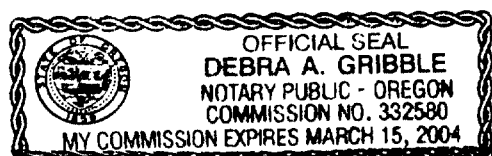
Insertion(s) in the following issues:  
November 1, 8, 15, 22, 2001

Total Cost: \$688.50

*Larry L. Wells*  
Subscribed and sworn  
before me on: November 22, 2001

*Debra A. Gribble*  
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: STEVEN E. GELHARDT and JUDY C. GELHARDT; Trustee: PACIFIC CASCADES FINANCIAL, INC.; Successor Trustee: MICHAEL C. AROLA; Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION.

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

**EXHIBIT "A"**  
**Legal Description**  
Beginning at a point in the South line of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which is 695.5 feet, more or less, West of the quarter corner common to Section 2 and 11, of said Township and Range, and which point of beginning is also in the West line of Hope Street and is the Northeast corner of tract 37 of HOMEDALE, a platted subdivision in Klamath County, Oregon; thence North 0 degrees 13' East along the West line of said Hope Street a distance of 115.0 feet; thence North 89 degrees 56' West 47 feet; thence North 66 degrees 52' West along a line

parallel to the center line of the Oregon-California & Eastern Railway, a distance of 801.2 feet to the Northeasterly right-of-way line of the U.S.R.S. Main Canal; thence South 39 degrees 15' East (South 39 degrees 08' East U.S.R.S.) along said right-of-way line a distance of 554.1 feet, more or less to the South line of said Section 2, which is also the North line of said Tract 37, HOMEDALE; thence South 89 degrees 54' East along said Section line a distance of 432.8 feet to the point of beginning and being a parcel of land lying in the S 1/2 SW 1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

3. RECORDING: The Trust Deed was recorded as follows: Date Recorded: December 13, 1993; Volume M93, Page 33030; 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: Monthly payments in the amount of \$739.00 each, due the twenty-fifth of each month, for the months of May 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 \$46,844.04 plus interest at the rate of 7.250% per annum from April 25, 2001; plus late charges of \$98.55.

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: January 3, 2002; 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 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.

AFTER RECORDING RETURN TO: →

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

62359

62359

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

Dated: August 24, 2001. Michael C. Ar-  
ola, Successor  
Trustee, Hershner,  
Hunter, Andrews,  
Neill & Smith, LLP,  
PO Box 1475, Eu-  
gene, OR 97440.  
#4461 November 1, 8,  
15, 22, 2001.

DEC 03 2001