



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
AND PROOF OF PERSONAL SERVICE ON OCCUPANTS

STATE OF OREGON    )  
                              ) SS  
County of Klamath    )

I, William L. Sisemore, being first duly sworn, depose and say and certify 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 beneficiary's successor in interest named in the attached original Trustee's Notice of Default and Election to Sell and Trustee's Notice of Sale given under the terms of that certain deed described in said notice.

  X   (1) I gave notice of the sale of the real property described in the attached Notice of Default and Election to Sell and Trustee's Notice of Sale by mailing a copy thereof, certified by William L. Sisemore, to be a true copy of the original notice, by both first class and certified mail with return receipt requested by placing the notices in a sealed envelope, with postage thereon, fully prepaid, and deposited in the United States Mail at Klamath Falls, Oregon, on September 5, 2001, which was after the Trustee's Notice of Default and Election to Sell was recorded, to each of the following named persons. Said persons include (a) The grantor of the trust deed; (b) Any successor-in-interest to the grantor whose interest appears of record, or of whose interest the trustee or 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 lien or interest; (d) Any person requesting notice as required by ORS 86.785. (or their legal representatives, where so indicated) at their respective last known addresses, to-wit: As shown on attached Exhibit 1.

       (2) The following persons were personally served as shown by Exhibit        attached hereto. N/A

  X   (3) Personal service of Trustee's Notice of Sale was not required because the property is not occupied as shown by Exhibit 2 attached hereto.

  X   (4) The grantor(s) of the trust deed was/were not in the military service as shown by Exhibit 3 attached hereto.

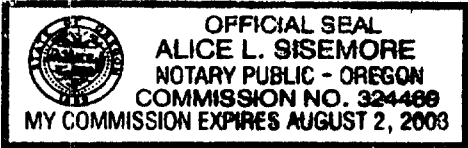
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

William L. Sisemore  
William L. Sisemore

Subscribed and sworn to before me by the above-named person on January 15, 2002.

Alice L. Sisemore  
Notary Public for Oregon  
My Commission Expires: 08/02/2003

After recording, return to:  
William L. Sisemore  
Attorney at Law  
803 Main Street, #201  
Klamath Falls, OR 97601



## Exhibit 1

Lee Allen Van Winkle  
Elizabeth Anne Van Winkle  
P.O. Box 217  
Dairy, OR 97625

Linda Smith  
Klamath County Clerk  
316 Main Street  
Klamath Falls, OR 97601

Supply One  
c/o Schmidt & Yee, LLP, Attorneys,  
18525 SW Vincent St.,  
Aloha, OR 97007

Jefferson State Redi Mix, Inc.  
c/o Michael P. Rudd, Atty at Law  
411 Pine Street  
Klamath Falls, OR 97601

State of Oregon-Employment Dept.  
875 Union St., NE, Rm 107  
Salem, OR 97311

SAIF Corporation  
400 High Street SE  
Salem, OR 97312

Jack Brown  
Donna Brown  
4629 Greensprings Drive  
Klamath Falls, OR 97601

Exhibit 1

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON     )  
                                  ) ss  
County of Klamath     )


I, William L. Sisemore, being first duly sworn, depose, say and certify that: I am the attorney and successor trustee in that certain trust deed executed and delivered by Hutchinson-Van Winkle Construction as grantor(s) to Aspen Title & Escrow, Inc., as trustee, in which John G. West and Sherry A. West, husband and wife with full rights of survivorship is beneficiary(ies), recorded on December 2, 1996, in the mortgage records of Klamath County, Oregon, in book/reel/volume no. M96, at page 37552, covering the following described real property situated in said county:

Parcels 1 and 2 of Minor Partition No. 28-91 situated in the SE 1/4 SE 1/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon.


Code 7 Map 3908-12D0 Tax Lot 701  
Code 7 Map 3908-12D0 Tax Lot 702

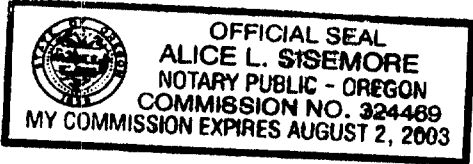
I hereby certify that on September 5, 2001, the above-described real property was not occupied.

The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.

  
William L. Sisemore, Successor Trustee

Subscribed, sworn to and acknowledged before me this 4 day of September, 2001.

  
Notary Public for Oregon  
My Commission Expires: 08/02/03



After recording, return to:

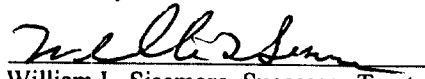
William L. Sisemore  
Attorney at Law  
803 Main St., #201  
Klamath Falls, OR 97601

## CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON    )  
                               ) SS  
 County of Klamath    )


THIS IS TO CERTIFY that I am the Attorney and Trustee for beneficiary in that certain trust deed in which Hutchinson-Van Winkle Construction, as grantor, conveyed to Aspen Title & Escrow, Inc., as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated November 6, 1996, and recorded December 2, 1996, in the mortgage records of said county, in book/reel/volume M96, page 37552; thereafter a notice of default with respect to said trust deed was recorded September 4, 2001, in book/reel/volume M01, at page 44964, of said mortgage records; thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was sold at the trustee's sale on January 15, 2002; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

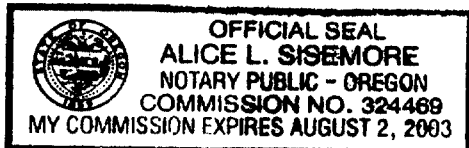
In construing this certificate the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

  
 William L. Sisemore, Successor Trustee

STATE OF OREGON    )  
                               ) SS  
 County of Klamath    )

This instrument was acknowledged before me on January 15, 2002, by William L. Sisemore.

  
 Notary Public for Oregon  
 My Commission Expires: 08/02/2003



After recording, return to:  
William L. Sisemore  
803 Main St., #201  
Klamath Falls, OR 97601

Exhibit 3

# Affidavit of Publication

2478

## 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 # 4360

Notice of Sale

West/Hutchinson-Van Winkle Construction

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: \$445.50 *dg*

*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 Trust Deed wherein Hutchinson-Van Winkle Construction\*\*\*, is grantor; Aspen Title & Escrow, Inc., is Trustee; and John G. West and Sherry A. West, husband and wife with full rights of survivorship, is Beneficiary, recorded in Official/Microfilm Records, Vol. M96, Page 37552, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon: Parcels 1 and 2 of Minor partition No. 28-91 situated in the SE 1/4 SE 3/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon. Map R-3909-01DO-00701-000-Key No. R5390. \*\*\*Title is now vested in the name Stonecrest Homes, Inc., an Oregon Corporation, Successor by name change to Hutchinson-Van Winkle Construction Co.

No action is pending to recover any part of the debt secured by the trust deed. The obligation secured by the trust deed is in default because the grantor has failed to pay the following: Installment due 10/01/99 in the amount of \$200.00 and a like installment due each and every month thereafter; failure to pay real property taxes for the years 1998-99, 1999-00, 2000-01.

The sum owing on the obligation secured by the trust deed is \$5,117.00, plus interest at the rate of 8% per annum from September 21, 1999, plus all applicable late charges, plus trustee's fees, attorney's fees, foreclosure costs, all applicable late charges, and any sums advanced by beneficiary pursuant to the terms of said trust deed.

Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on January 15, 2002 at 10:00 o'clock AM based on standard of time established by ORS 187.110 at 803 Main Street, #201, Klamath Falls, Klamath County, Oregon.

Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.

This communication is an attempt to collect a debt. Any information obtained will be used for that purpose. Dated: September 4, 2001. William L. Sismore, Successor Trustee. #4360 September 19, 26, October 3, 10, 2001.

