

02 APR 15 03:45

AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALEVol M02 Page 22133

RE: Trust Deed from

Ray West (Glen River Homes, Inc., an  
Oregon corp) vestee

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, Attorney at Law  
435 Oak Avenue  
Klamath Falls, Oregon 97601

State of Oregon, County of Klamath

Recorded 04/15/2002 3:45 p m.Vol M02, Pg 22133-39

Linda Smith, County Clerk

Fee \$ 51.00 # of Pgs 7STATE 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  
Glen River Homes, Inc.  
c/o John Pumphrey, Registered Agent

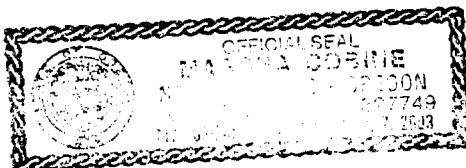
ADDRESS  
P.O. Box 15112  
Salem, Oregon 97309

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 December 13, 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 December 13, 2001

Notary Public for Oregon

My commission expires 11-7-03

\* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.  
PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

51

ON

## TRUSTEE'S NOTICE OF SALE

22134

Reference is made to that certain trust deed made by Ray West\*

....., as grantor, to  
Aspen Title & Escrow, Inc. \*\*....., as trustee,  
 in favor of Alfran, Inc. \*\*\*....., as beneficiary,  
 dated March....., 1999....., recorded March 19....., 1999....., in the mortgage records of  
signed March 19....., 1999....., Klamath County, Oregon, in book/rect/volume No. M99..... at page 9868....., or  
 as fee/file/instrument/microfilm/reception No. 76591..... (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

Please see attached Exhibit A

\*By Bargain and Sale Deed dated July 1, 1999 and recorded July 2, 1999 at Vol. M99, Page 26599, grantor Ray West conveyed to Glen River Homes, Inc. (an Oregon corp)

\*\*By Appointment of Successor Trustee dated October 25, 2001 and recorded October 25, 2001 at Vol. M01, Page 54261, Neal G. Buchanan, Attorney at Law, was appointed as Successor Trustee.

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: 1) The entire unpaid balance owing pursuant to the Installment Note secured by Trust Deed, all of which said unpaid balance was due and payable March 15, 2001; and 2) Failure to pay when due real property taxes assessed with reference to the premises for the tax year 1999-2000 and thereafter, in violation of paragraph 5 of the Trust Deed

\*\*\*By Assignment of Beneficiary dated October 5, 2001 and recorded October 22, 2001 at Vol M01, Page 53496, the beneficiary's interest in the subject Trust Deed was assigned to The West 1994 Family Trust, Ray West, Trustee

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: 1) unpaid balance of the Installment Note secured by Trust Deed in the sum of \$15,000.00 together with interest on said sum at the rate of 12% per annum from February 1, 2001 until paid; 2) Real property taxes assessed on the premises; 3) All costs, fees and expenses of the Trust, including the cost of title search as well as the other costs and expenses of the trustee including trustee's and attorney's fees

WHEREFORE, notice hereby is given that the undersigned trustee will on April 23, 2001.....~~xxx19~~....., 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 December 13....., 2001.....~~xxx~~.....

Neal G. Buchanan  
 NEAL G. BUCHANAN, Successor Trustee

Trustee

State of Oregon, County of Oregon.....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

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.

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

## EXHIBIT "A"

A tract of land being a portion of Lots 11, 12 and 13, Block 7, NORTH BLY, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the most Northerly corner of Lot 11 of said Block 7; said point being on the Southerly boundary of the Klamath Falls-Lakeview Highway; thence Southwesterly along the Northerly boundary of said Lot 11, 159.0 feet to the most Westerly corner thereof; thence South 28 degrees 53' West along the Westerly boundary of said Lot 11, 64.2 feet to a point; thence South 89 degrees 52' East 106.1 feet to a point; thence South 1 degree 13' West 50 feet to a point on the South line of said Lot 13; thence East along the South line of said Lot 13 to the West boundary of a tract of land conveyed to C. I. Svensgaard, et ux., by deed recorded September 16, 1968 in Deed Book M-68 at Page 8342; thence North 34 degrees 52' East to a point on the South boundary of the Klamath Falls-Lakeview Highway; thence Northwesterly along the Southerly boundary of said Highway to the point of beginning.

CODE 58 MAP 3614-34DC TL 7300

## TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

22136

STATE OF OREGON,

County of Klamath

} ss.

I, NEAL G. BUCHANAN

being first duly sworn, depose, say and certify that:

I am the Successor trustee in that certain trust deed executed and delivered by Ray West\* as grantor to Aspen Title & Escrow, Inc.\*\* as trustee, in which Alfran, Inc.\*\*\* is beneficiary, recorded on March 19, 1999, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M99, at page 9868 or as fee/file/instrument/microfilm/reception No. 76591 (indicate which), covering the following described real property situated in said county:

Please see attached Exhibit A

\*By Bargain and Sale Deed dated July 1, 1999 and recorded July 2, 1999 at Vol. M99, Page 26599, grantor Ray West conveyed to Glen River Homes, Inc. (an Oregon corp)

\*\*By Appointment of Successor Trustee dated October 25, 2001 and recorded October 25, 2001 at Vol. M01, Page 54261, Neal G. Buchanan, Attorney at Law, was appointed as Successor Trustee.

\*\*\*By Assignment of Beneficiary dated October 5, 2001 and recorded October 22, 2001 at Vol. M01, Page 53496, the beneficiary's interest in the subject Trust Deed was assigned to The West 1994 Family Trust, Ray West, Trustee.

I hereby certify that on December 13, 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.

NEAL G. BUCHANAN,

Successor Trustee

Subscribed, sworn to and acknowledged before me this 13th day of December, 2001

(SEAL)



Marsha Cobine

Notary Public for Oregon

My Commission expires: 11-7-03

## TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

RE: Trust Deed from

Ray West (Glen River Homes Inc. as Assignee)

Grantor

to

Aspen Title &amp; Escrow, Inc. (Neal G. Buchanan, Trustee

as successor)

Neal G. Buchanan  
435 Oak Ave.  
Klamath Falls, OR 97601

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

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 or as fee/file/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy

A tract of land being a portion of Lots 11, 12 and 13, Block 7, NORTH BLY, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the most Northerly corner of Lot 11 of said Block 7; said point being on the Southerly boundary of the Klamath Falls-Lakeview Highway; thence Southwesterly along the Northerly boundary of said Lot 11, 159.0 feet to the most Westerly corner thereof; thence South 28 degrees 53' West along the Westerly boundary of said Lot 11, 64.2 feet to a point; thence South 89 degrees 52' East 106.1 feet to a point; thence South 1 degree 13' West 50 feet to a point on the South line of said Lot 13; thence East along the South line of said Lot 13 to the West boundary of a tract of land conveyed to C. I. Svensgaard, et ux., by deed recorded September 16, 1968 in Deed Book M-68 at Page 8342; thence North 34 degrees 52' East to a point on the South boundary of the Klamath Falls-Lakeview Highway; thence Northwesterly along the Southerly boundary of said Highway to the point of beginning.

CODE 58 MAP 3614-34DC TL 7300

**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 # 4623

Notice of Sale/West

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:  
February 17, 24, March 3, 10, 2002

Total Cost: \$877.50

*Larry L. Wells*  
Subscribed and sworn

before me on: March 10, 2002

*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 Ray West, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Alfran, Inc., as beneficiary, dated March 19, 1999, signed March 19, 1999, recorded March 19, 1999, in the mortgage records of Klamath County, Oregon, in volume No. M99 at page 9868, or as instrument No. 76591 (indicate which), covering the following described real property situated in said county and state, to-wit: See Attached Exhibit A.

**EXHIBIT "A"**

A tract of land being a portion of Lots 11, 12 and 13, Block 7, NORTH BLY, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the most Northerly corner of Lot 11 of said Block 7; said point being on the Southerly boundary of the Klamath Falls-Lakeview Highway; thence Southwesterly along the Northerly boundary of said Lot 11, 159.0 feet to the most Westerly corner thereof; thence South 28 degrees 53' West along the Westerly boundary of said Lot 11, 64.2 feet to point; thence South 89 degrees 52' East 106.1 feet to a point; thence South 1 degree 13' West 50 feet to a point on the South line of said Lot 13; thence East along the South line of said Lot 13 to the West boundary of a tract of land conveyed to C.I. Svendsgaard, et ux., by

deed recorded September 16, 1968 in Deed Book M-68 at Page 8342; thence North 34 degrees 52' East to a point on the South boundary of the Klamath Falls-Lakeview Highway; thence Northwesterly along the Southerly boundary of said Highway to the point of beginning.  
CODE 58 MAP 3614-34DC TL 7300.

By Bargain and Sale Deed dated July 1, 1999 and recorded July 2, 1999 at Vol. M99, Page 26599, grantor Ray West conveyed to Glen River Homes, Inc. (an Oregon corp). By Appointment of Successor Trustee dated October 25, 2001 and recorded October 25, 2001 at Vol. M01, Page 54261, Neal G. Buchanan, Attorney at Law, was appointed as Successor Trustee.

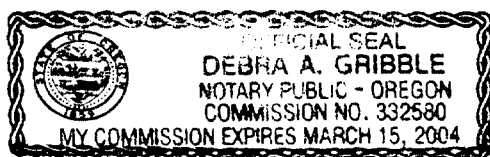
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: 1) The entire unpaid balance owing pursuant to the Installment Note secured by Trust Deed, all of which said unpaid balance was due and payable March 15, 2001; and 2) Failure to pay when due real property taxes assessed with reference to the premises for the tax year 1999-2000 and thereafter, in violation of paragraph 5 of the Trust Deed. By As-

signment of Beneficiary dated October 5, 2001 and recorded October 22, 2001 at Vol M01, Page 53496, the beneficiary's interest in the subject Trust Deed was assigned to the West 1994 Family Trust, Ray West, Trustee.

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: 1) unpaid balance of the Installment Note secured by Trust Deed in the sum of \$15,000.00 together with interest on said sum at the rate of 12% per annum

from February 1, 2001 until paid; 2) Real property taxes assessed on the premises; 3) All costs, fees and expenses of the Trust, including the cost of title search as well as the other costs and expenses of the trustee including trustee's and attorney's fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 23, 2001 at the hour of 1:00 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 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: December 13, 2001. Neal G. Buchanan, Successor Trustee.  
#4623 February 17, 24, March 3, 10, 2002.