

NT

ATC 54684

Vol M02 Page 47405
STATE OF OREGON, leeAFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE

RE: Trust Deed from

Rheta J. Stearns

To

Grantor

First American Title Insurance
Company of Oregon

Trustee

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

SPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath

Recorded 08/22/2002 2:12 p m.Vol M02, Pg 47405-15

Linda Smith, County Clerk

Fee \$ 66.00 # of Pgs 10

02 AUG 22 PM 2:12

STATE OF OREGON, County of Josephine ss:
I, Michael J. Bird

, 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:

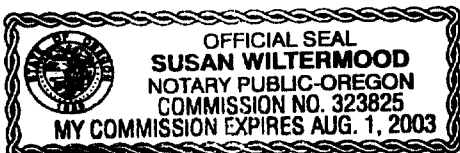
NAME	ADDRESS
Wood Products Credit Union c/o Ray Klein Inc.	POB 7548, Springfield, OR 97477
L. David West	1604 Hwy 97 S, Ste #2-144, Redmond, OR 97756
Cheryl West	1604 Hwy 97, S, Ste #2-144, Redmond OR 97756
County of Klamath	305 Main Street, Klamath Falls, OR 97601

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 Michael J. Bird

, 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 Grants Pass, Oregon, on April 4, 2002. 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.

Subscribed and sworn to before me on April 4, 2002

Notary Public for Oregon

My commission expires

08/01/2003

* 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.

NT

47406

**AFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE**

RE: Trust Deed from

Rheta J. Stearns

To

Grantor

First American Title Insurance
Company of Oregon

Trustee

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

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 _____, 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 Josephine ss:I, Michael J. Bird

, 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

ADDRESS

Rheta J. Stearns

POB 1627 Klamath Falls, OR 97601

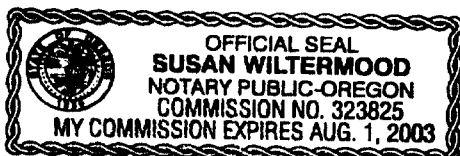
Rheta J. Stearns

66000 Hwy 140 E, Bly, OR 97622

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 _____
Michael J. Bird, 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 Grants Pass, Oregon, on April 2, 2002. 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.

Subscribed and sworn to before me on April 2, 2002,

Susan Wiltermood
Notary Public for Oregon

My commission expires 8/1/03

JEFFERSON STATE ADJUSTERS
RECOVERY IS OUR BUSINESS

1135 Pine Street
Klamath Falls, Oregon 97601
Phone: (541) 882-8036 Fax: (541) 883-2129

AFFIDAVIT OF NON-OCCUPANCY

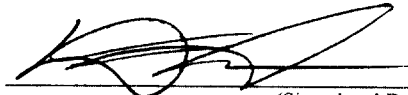
STATE OF OREGON
COUNTY OF Klamath

I, Dave Shuck, being first duly sworn, depose and say: That I am and have been at all material times hereto, a competent person over the age of eighteen years and a resident of the county of Klamath, State of Oregon. I am not a party to, an attorney for, or interested in any suit or action involving the property described below.

That on the 11th day of April, 2002, after personal inspection, I found the following described real property to be unoccupied.


Commonly described as (Street address) 66000 Highway 140 East Bly, Oregon 97622

I declare under the penalty of perjury that the above statements are true and correct.


(Signed and Dated) Apr. 11, 2002

Subscribed and Sworn to before me this 11 day of April, 2002.




NOTARY PUBLIC OF OREGON
MY COMMISSION EXPIRES: 4-12-04

47408

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

Rheta J. Stearns

To

Grantor

First American Title Insurance
Company of Oregon

Trustee

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

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 _____

Deputy.

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

STATE OF OREGON,

County of Josephine

} 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 follows:

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

Property Address

Rheta J. Stearns

66000 Hwy 140 E, Bly, Oregon 97622

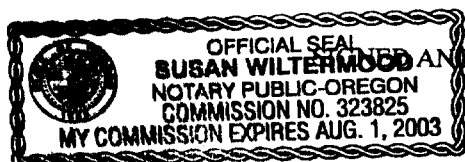
Occupants

66000 Hwy 140 E, Bly, Oregon 97622

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 April 10, 2002, 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.



OFFICIAL SEAL AND SWORN TO before me on

April 2, 2002

Notary Public for Oregon

My commission expires

8/1/03



PROOF OF SERVICE

STATE OF _____, County of _____) ss.

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state where in the service hereinafter set forth was made, and that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor a successor to either, nor an officer, director, employee of, or attorney for, the beneficiary or trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities named below by delivering true copies of the Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, as follows:

Personal Service Upon Individual(s)

Upon _____, by delivering such true copy to _____, personally and in person, at _____, on _____, at _____ o'clock ____M.

Upon _____, by delivering such true copy to _____, personally and in person, at _____, on _____, at _____ o'clock ____M.

Substituted Service Upon Individual(s)

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, to _____, who is a person 14 years of age or older and a member of the household of the person served on _____, at _____ o'clock ____M.

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, to _____, who is a person 14 years of age or older and a member of the household of the person served on _____, at _____ o'clock ____M.

Office Service Upon Individual(s)

Upon _____, at the office which he/she maintains for the conduct of business at _____, by leaving such true copy with _____, the person who is apparently in charge, on _____, during normal working hours, at _____ o'clock, ____M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon _____, by _____
(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(a) delivering such true copy, personally and in person, to _____ who is a/the _____ (Specify registered agent, officer (by title), director, general partner, managing agent, etc.) thereof; OR

(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____

(Specify registered agent, officer (by title), director, general partner, managing agent, etc.) thereof;

at _____, on _____, at _____ o'clock ____M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

SIGNED AND SWORN TO before me on _____

Notary Public for Oregon _____

My commission expires _____

PUBLISHER'S NOTE: ORS 86.750 (1) requires the Notice of Sale to be served upon the occupant in the manner in which a summons is served pursuant to ORCP 7 D(2) and 7 D(3). The Proof of Service above contains most, but not all, of the permissible methods of service. For example, this form does not include proof of service upon a minor, an incapacitated person, or tenant(s) of a mail agent. See ORCP 7 D(2) and 7 D(3) for permissible service methods with respect to particular parties. Also, an attorney who serves the Notice of Sale by mail, in accordance with law, should delete "or attorney for," from the first paragraph above before this document is recorded.

Affidavit of Publication

47410

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 # 5046

Notice of Sale/Stearns

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:
July 18, 25, August 1, 8, 2002

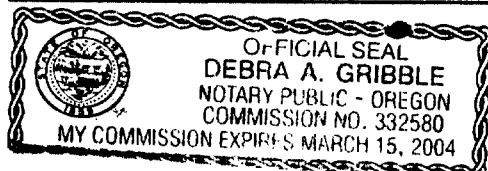
Total Cost: \$877.50

Subscribed and sworn

before me on: August 8, 2002

Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the trust deed described herein is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:
1. Grantor: Rheta J. Stearns, Trustee: First American Title Insurance Company of Oregon, Successor Trustee: Michael J. Bird, Beneficiary: Donald Olson and Annette Olson, with full rights of survivorship.

2. Property covered by the trust deed:

EXHIBIT "A"
A portion of the NE 1/4 of Section 7, Township 37 South, Range 15 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of the NE 1/4 of said Section 7; thence North 89 degree 36' 25" East along the center line of said Section 1494.98 feet to a 5/8" iron pin; thence North 00 degree 30' 24" East 357.67 feet to a 5/8" iron pin on the Southerly right of way line of Oregon Highway #140; thence North 56 degree 00' 00" West along said right of way line 237.70 feet to a 1/2" iron pin; thence South 34 degree 00' 00" West 300 feet to a 1/2" iron pin; thence North 56 degree 00' 00" West

a distance of 450 feet to a 1/2" iron pin; thence North 34 degree 00' 00" East 300 feet to a 1/2" iron pin on the Southerly right of way line of Oregon Highway #140; thence North 56 degree 00' 00" West along said right of way line 642.31 feet to a 1/2" iron pin; thence South 451.66 feet to a 1/2" iron pin; thence South 89 degree 37' 09" West 397.51 feet to a 1/2" iron pin; thence South along the West line of said NE 1/4 657.35 feet to the point of beginning.

Property Address: 66000 Hwy 140, E, Bly, OR 97622.

3. The trust deed was dated March 9, 1999, and recorded March 15, 1999 in Volume M99, Page 8984, Official Records of Klamath County, Oregon.

4. Default for which foreclosure is made is failure to pay the following: a) Monthly payments of \$489.86 each commencing February 12, 2001 and thereafter. b) Late penalty charges beginning February 2001, in the amount \$17.50 per month and thereafter for any payment not received within ten days of the due date.

c) Real Property Taxes for 1999/2000 in the amount of \$244.38, plus interest thereon; Real Property Taxes for 2000/2001 in the amount of \$210.79, plus interest thereon; Real Property Taxes for 2001/2002 in the amount of \$257.20, plus interest thereon; Unpaid personal property taxes for 1999/2000 in the amount of \$47.00 plus interest and penalties; personal property taxes

for 2000/2001 in the amount of \$124.86 plus interest thereon; personal property taxes in the amount of \$121.39, plus interest.

5. The sums owing on the obligation secured by the trust deed is: a) The principal sum of \$33,626.07 with accrued interest thereon at the rate of 15.000 percent per annum beginning 3/01/01, until paid; b) Late penalty charges beginning February 2001, in the amount of \$17.50 per month and the after for any payment not received within ten days of the due date; c) Real Property Taxes for 1999/2000 in the amount of \$244.38, plus interest thereon; Real Property Taxes for 2000/2001 in the amount of \$210.79, plus interest thereon; Real Property Taxes for 2001/2002 in the amount of \$257.20, plus interest thereon; Unpaid personal property taxes for 1999/2000 in the amount of \$47.00, plus interest and penalties; personal property taxes for 2000/2001 in the amount of \$124.86, plus interest thereon; personal property taxes in the amount of \$121.39, plus interest; d) Title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and beneficiary's interest therein. e) Any other defaults which may exist prior to the foreclosure sale not hereinabove mentioned for the

protection of the above-described real property and beneficiary's interest therein.

6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of default was recorded on March 22, 2002 in Volume No.: M02 Page No. 16929, Official Records of Klamath County, Oregon.

7. The property will ~~be sold in the manner~~ prescribed by law on Thursday, August 8, 2002, at 10:00 AM standard time as established by ORS 187.110, at the front steps of Aspen Title & Escrow, Inc., 525 Main Street, Klamath Falls, Klamath County, Oregon, which is the hour, date and place last set for the sale.

8. Interested persons are notified of the right under ORS 86.753 to have this 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, 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 (5) days before the date the successor trustee conducts the sale.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

Dated this 2nd day of April, 2002. Michael J. Bird, Successor Trustee. Brown, Hughes, Bird, Rote & Wetmore, Attorneys at Law, 612 NW Fifth St., Grants Pass, OR 97526. 541-479-2678. #5046 July 18, 25, August 1, 8, 2002.

AFTER RECORDING RETURN TO:

MICHAEL J. BIRD, Attorney

P. O. BOX 10

GRANTS PASS, OR 97528

Re: Trust Deed from:

Rheta J. Stearns

Grantor,

to

Donal Olson and Annette Olson,

Trustee,

TRUSTEE'S NOTICE OF SALE

NOTICE is hereby given that the obligation secured by the trust deed described herein is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: RHETA J. STEARNS

Trustee: FIRST AMERICAN TITLE INSURANCE COMPANY OF
OREGON

Successor Trustee: MICHAEL J. BIRD

Beneficiary: DONALD OLSON AND ANNETTE OLSON, with full
rights of survivorship

2. Property covered by the trust deed:

(See Exhibit "A" attached hereto and incorporated herein)

Property Address:

66000 HWY 140 E

BLY, OR 97622

3. The trust deed was dated March 9, 1999, and recorded March 15, 1999, in Volume M99, Page 8984, Official Records of Klamath County, Oregon.

4. Default for which foreclosure is made is failure to pay the following:

(a) Monthly payments of \$489.86 each commencing February 12, 2001, and thereafter.

(b) Late penalty charges beginning February 2001, in the amount of \$17.50 per month and thereafter for any payment not received within ten days of the due date;

(c) Real Property Taxes for 1999/2000 in the amount of \$244.38, plus interest thereon; Real Property Taxes for 2000/2001 in the amount of \$210.79, plus interest thereon; Real Property Taxes for 2001/2002 in the amount of \$257.20, plus interest thereon; Unpaid personal property taxes for 1999/2000 in the amount of \$47, plus interest and penalties; personal property taxes for 2000/2001 in the amount of \$124.86, plus interest thereon; personal property taxes in the amount of \$121.39, plus interest;

5. The sums owing on the obligation secured by the trust deed is:

(a) The principal sum of \$33,626.07 with accrued interest thereon at the rate of 15.000 percent per annum beginning 3/1/01, until paid;

(b) Late penalty charges beginning February 2001, in the amount of \$17.50 per month and thereafter for any payment not received within ten days of the due date;

(c) Real Property Taxes for 1999/2000 in the amount of \$244.38, plus interest thereon; Real Property Taxes for 2000/2001 in the amount of \$210.79, plus interest thereon; Real Property Taxes for 2001/2002 in the amount of \$257.20, plus interest thereon; Unpaid personal property taxes for 1999/2000 in the amount of \$47, plus interest and penalties; personal property taxes for 2000/2001 in the amount of \$124.86, plus interest thereon; personal property taxes in the amount of \$121.39, plus interest;

(d) Title expense, costs, trustee's fees and attorney's fees incurred herein

by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and beneficiary's interest therein.

(e) Any other defaults which may exist prior to the foreclosure sale not hereinabove mentioned for the protection of the above-described real property and beneficiary's interest therein.

6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of default was recorded on March 22, 2002, in Volume No.: M02 Page No. 16929, Official Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on Thursday, August 8, 2002, at 10:00 o'clock, A.M., standard time as established by ORS 187.110, at the front steps of Aspen Title & Escrow, Inc., 525 Main Street, Klamath Falls, Klamath County, Oregon, which is the hour, date and place last set for the sale.

8. Interested persons are notified of the right under ORS 86.753 to have this 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, 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 (5) days before the date the successor trustee conducts the sale.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

DATED this 2nd day of April, 2002.



MICHAEL J. BIRD, SUCCESSOR TRUSTEE

Exhibit A

A portion of the NE 1/4 of Section 7, Township 37 South, Range 15 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of the NE 1/4 of said Section 7; thence North 89° 36' 25" East along the center line of said Section 1494.98 feet to a 5/8" iron pin; thence North 00° 30' 24" East 357.67 feet to a 5/8" iron pin on the Southerly right of way line of Oregon Highway #140; thence North 56° 00' 00" West along said right of way line 237.70 feet to a 1/2" iron pin; thence South 34° 00' 00" West 300 feet to a 1/2" iron pin; thence North 56° 00' 00" West a distance of 450 feet to a 1/2" iron pin; thence North 34° 00' 00" East 300 feet to a 1/2" iron pin on the Southerly right of way line of Oregon Highway #140; thence North 56° 00' 00" West along said right of way line 642.31 feet to a 1/2" iron pin; thence South 451.66 feet to a 1/2" iron pin; thence South 89° 37' 09" West 397.51 feet to a 1/2" iron pin; thence South along the West line of said NE 1/4 657.35 feet to the point of beginning.