

02 OCT 11 AM 11:00

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Vol M02 Page 58284

STATE OF OREGON,

} ss.

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

RE: Trust Deed from

Jody E. Bianchi and Kelly L. Dohn

To

Grantor

Eugene Escrow Service, Inc.SPACE RESERVED
FOR
RECORDER'S USE

Trustee

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

Douglas R. SchultzPO Box 1147Eugene, OR 97440

State of Oregon, County of Klamath

Recorded 10/11/2002 11:00 a m.Vol M02, Pg 58284-90

Linda Smith, County Clerk

Fee \$ 51.00 # of Pgs 7STATE OF OREGON, County of Lane) ss:I, Kirsten Schermerhorn, 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

Cascade Coast, Inc.
Attn: Rantik Parikh, President

102-104 Greylock Avenue
Belleville, NJ 07109

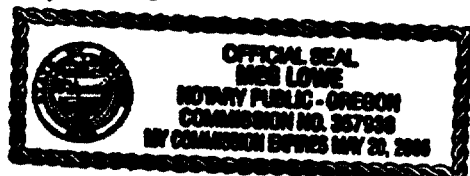
Cascade Coast, Inc.
Attn: Victor R. Bianchi, Jr., Reg. Agent

5 Foxglove Lane
Garrison, NY 10524

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 Douglas R. Schultz, 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 Eugene, Oregon, on June 25, 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 June 25, 2002,

Notary Public for Oregon

My commission expires

* 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.

58285

OK

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Jody E. Bianchi and Kelly L. Dohn

....., as grantor, to Eugene Escrow Service, Inc., as trustee, in favor of Bennie J. Schultz and Jean Schultz, Trustees of the Schultz Living Trust, as beneficiary, dated November 16, 1992, recorded January 12, 1993, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M93 at page 854, ~~filed/instrument/abstracted/recorded~~ (indicate which), covering the following described real property situated in said county and state, to-wit:

See attached Exhibit A.

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: all current and past due payments and late charges due and payable as of June 10, 2002 in the amount of \$709.70, plus additional future payments and late charges incurred after June 10, 2002; plus costs, trustees fees, attorneys fees, taxes and accruing interest incurred herein by reason of said default; and any further sums advanced by beneficiary for the protection of the above-described real property and their interest therein.

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 sum of \$13,625.49 together with interest thereon at the rate of 10% per annum beginning June 11, 2002 plus accrued interest and late fees incurred as of June 10, 2002 in the sum of \$709.70 until paid; together with costs, trustees fees, attorneys fees, taxes and accruing late charges and interest incurred herein by reason of said default; and any further sums advanced by beneficiary for the protection of the above-described real property and their interest therein; plus any real property taxes or liens incurred.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 31, 2002, 10/31/02, at the hour of 11:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at front lobby of Klamath Co. Courthouse, 316 Main Street

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 him of the said trust deed, together with any interest which the grantor or his 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 to 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 masculine gender includes the feminine and the neuter, 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.

GLEAVES SWEARINGEN POTTER & SCOTT LLP

DATED June 18, 2002, 6/18/02

By:

Douglas R. Schultz
Douglas R. Schultz, OSB #73263
Successor Trustee

Trustee

State of Oregon, County of Lane 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.

EXHIBIT "A"

Legal Description:

PARCEL 1

Lot 2, Block 1 of River West, according to the official plat thereof on file in the records of Klamath County, Oregon.

Subject to easements and rights of way of record and those apparent on the land, if any; building set-back lines and utility easements as shown on the plat of River West.

PARCEL 2

The West 220 feet of the East 440 feet of the North 100 feet of the NW Quarter of the SE Quarter of Section 25, T24, South, Range 8 East of the Willamette Meridian, according to the records of Klamath County, Oregon.

Reserving the West twenty feet for utility lines and road purposes.

OC

58287



TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of _____ Lane _____

} ss.

I, Douglas R. Schultz

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

I am the ... successor trustee in that certain trust deed executed and delivered by
 Jody E. Biachi and Kelly L. Dohn as grantor
 to Eugene Escrow Service, Inc. as trustee,
 in which Bennie J. Schultz and Jean Schultz, Trustees of the Schultz Living Trust
 is beneficiary, recorded on January 12 19 93, in the mortgage records of Klamath
 County, Oregon, in book/reel/volume No. M93, at page 854. ~~of as fee/file/instrument/microfilm/reception~~
~~book No.~~ (indicate which), covering the following described real property situated in said county:

See attached Exhibit A.

I hereby certify that on June 18, 2002 /19/11, 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. GLEAVES SWEARINGEN POTTER & SCOTT LLP

By: DRS Douglas R. Schultz, Successor Trustee

Subscribed, sworn to and acknowledged before me this 10th day of October, 2002 /10/11

(SEAL)



OFFICIAL SEAL
 KIRSTEN SCHERMERHORN
 NOTARY PUBLIC - OREGON
 COMMISSION NO. 362743
 MY COMMISSION EXPIRES FEBRUARY 23, 2006

Notary Public for Oregon

My Commission expires: 2-23-06

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCYRE: Trust Deed from
Jody E. Bianchi

Kelly L. Dohn

Grantor

to

Eugene Escrow Service, Inc.

Trustee

AFTER RECORDING RETURN TO

Douglas R. Schultz
 PO Box 1147
 Eugene, OR 97440

(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/instru-
 ment/microfilm/reception No. _____,
 Record of Mortgages of said County.

Witness my hand and seal of
 County affixed.

NAME

TITLE

By _____ Deputy

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EXHIBIT "A"

Legal Description:

PARCEL 1

Lot 2, Block 1 of River West, according to the official plat thereof on file in the records of Klamath County, Oregon.

Subject to easements and rights of way of record and those apparent on the land, if any; building set-back lines and utility easements as shown on the plat of River West.

PARCEL 2

The West 220 feet of the East 440 feet of the North 100 feet of the NW Quarter of the SE Quarter of Section 25, T24, South, Range 8 East of the Willamette Meridian, according to the records of Klamath County, Oregon.

Reserving the West twenty feet for utility lines and road purposes.

Affidavit of Publication

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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 # 5110

Notice of Sale/Bianchi-Dohn

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:
August 21, 28, September 4, 11, 2002

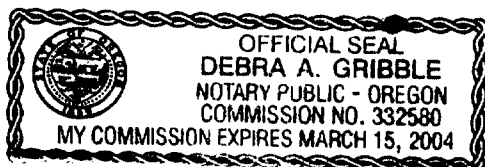
Total Cost: \$783.00

Larry L. Wells
Subscribed and sworn

before me on: September 11, 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 Jody E. Bianchi and Kelly L. Dohn, as grantor, to Eugene Escrow Service, Inc., as trustee, in favor of Bennie J. Schultz and Jean Schultz, Trustees of the Schultz Living Trust, as beneficiary, dated November 16, 1992, recorded January 12, 1993 in the mortgage records of Klamath County, Oregon in volume No. M93 at page 854, covering the following described real property situated in said county and state, to-wit:

EXHIBIT "A"
Legal Description:
PARCEL 1: Lot 2, Block 1 of River West, according to the official plat thereof on file in the records of Klamath County, Oregon. Subject to easements and rights of way of record and those apparent on the land if any; building set-back lines and utility easements as shown on the plat of River West.
PARCEL 2: The West 220 feet of the East 440 feet of the North 100 feet of the NW Quarter of the SE Quarter of Section 25, T. 24, South, Range 8 East of the Willamette Meridian, according to the records of Klamath County, Oregon. Reserving the West twenty feet for utility lines and road purposes.

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: all current and past due payments and late charges due and payable as of June 10, 2002 in the amount of \$709.70, plus additional future payments and late charges incurred after June 10, 2002; plus costs, trustee's fees, attorney's fees, taxes and accruing interest incurred herein by reason of said default; and any further sums advanced by beneficiary for the protection of the above described real property and their interest therein.

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 sum of \$13,425.49, together with interest thereon at the rate of 10% per annum beginning June 11, 2002 plus accrued interest and late fees incurred as of June 10, 2002 in the sum of \$709.70 until paid; together with costs, trustee's fees, attorney's fees, taxes and accruing late charges and interest incurred herein by reason of said default, and any further sums advanced by beneficiary for the protection of the above-described real property and their interest therein; plus any real property taxes or liens incurred.

WHEREFORE, notice hereby is given

that the undersigned trustee will on October 31, 2002 at the hour of 11:00 AM in accordance with the standard of time established by ORS 187.110 at the front lobby of the Klamath County Courthouse, 316 Main Street 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 him of

the said trust deed, together with any interest which the grantor or his 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 to 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 pay-

ing 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 masculine gender includes the feminine and the neuter, 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: June 18, 2002. By: Douglas R. Schultz, OSB #73263, Successor Trustee. Gleaves Swearingen Potter & Scott, LLP, Attorneys at Law, 975 Oak St., Suite 800, Eugene, OR 97401. #5110 August 21, 28, September 4, 11, 2002.