

02 DEC 13 AM 10:52

**RECORDING COVER SHEET
FOR NOTICE OF SALE PROOF
OF COMPLIANCE, PER ORS 205.234**

**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON
PRESENTING THE ATTACHED INSTRUMENT FOR
RECORDING. ANY ERRORS IN THIS COVER SHEET
DO NOT AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.**

Vol M02 Page 72531

AFTER RECORDING RETURN TO

State of Oregon, County of Klamath
Recorded 12/13/2002 _____ m.
Vol M02, Pg 72531-34
Linda Smith, County Clerk
Fee \$ 56.00 # of Pgs 5

MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of Sale or Proof of Service will be considered a transaction.

☒ AFFIDAVIT OF MAILING NOTICE OF SALE

☐ AFFIDAVIT OF PUBLICATION NOTICE OF SALE

☐ PROOF OF SERVICE

☒ Affidavit of non-occupancy

Original Grantor on Trust Deed

Vernon McNaui + Claire McNaui

Beneficiary

Klamath First Federal Savings + Loan

* 41.00 + 1.5

02 DEC 13 AM 10:52

72531-A

K58478

AFFIDAVIT OF MAILING OF NOTICE OF SALE

STATE OF OREGON)
) ss.
COUNTY OF LANE)

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 September 9, 2002:

Stephen F. Mannenbach,
Personal Representative
Estate of Vernon A. McNair
PO Box 220
Dallas OR 97338

Jeannie M. McNair
4809 Larry Place
Klamath Falls OR 97603

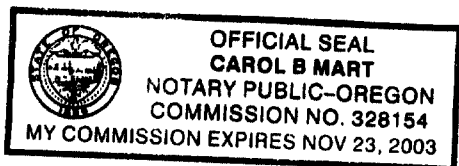
Garrett V. McNair
c/o Jeannie M. McNair
4809 Larry Place
Klamath Falls OR 97603

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 September 9, 2002, by MICHAEL C. AROLA.

Carol B. Mart
Notary Public for Oregon
My Commission Expires: 11-23-03



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

AFFIDAVIT OF MAILING

**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, Ed Foreman, 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 6th day of September 2002, after personal inspection, I found the following described real property to be unoccupied.

Commonly described as (Street address) 35715 Highway 140
Beatty, Oregon 97621

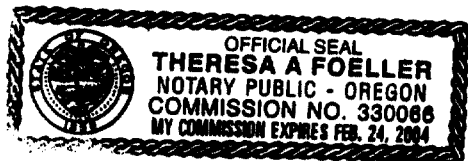
I declare under the penalty of perjury that the above statements are true and correct.

Ed Foreman

(Signed and Dated) Ed Foreman

Subscribed and Sworn to before me this 10th day of September, 2002

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



Theresa A Foeller
NOTARY PUBLIC OF OREGON
MY COMMISSION EXPIRES:

The following Trustee's Notice of Sale is served on you (if mailed, by certified mail, return receipt requested and first class mail) pursuant to ORS Chapter 86, requiring notice of the foreclosure to be given to the grantor of the trust deed, to certain successors in interest of the grantor and junior lien holders, and to the occupants of the property.

TO:

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: VERNON A. McNAIR and CLAIRE M. McNAIR
 Trustee: WILLIAM L. SISEMORE
 Successor Trustee: MICHAEL C. AROLA
 Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION

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

A portion of the NW 1/4 of the SW 1/4 of the NW 1/4 of Section 1, Township 37 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of the NW 1/4 of the NW 1/4 of said Section 1, Township 37 South, Range 11 East of the Willamette Meridian; thence running South along and upon the Section line to a point 660 feet Distant; thence running Northeasterly to the quarter corner between Southwest corner of the SE 1/4 of the NW 1/4 of the NW 1/4 and the Southeast corner of the SW 1/4 of the NW 1/4 of the NW 1/4; thence running West to the point of beginning.

3. **RECORDING.** The Trust Deed was recorded as follows:

Date Recorded: April 8, 1997

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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: A partial monthly payment in the amount of \$260.00 due December 1, 2001, plus monthly payments in the amount of \$268.00 each, due the fifth of each month, for the months of January through August 2002; 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 \$25,049.38 plus interest at the rate of 7.25% per annum from November 5, 2001; plus late charges of \$104.94; plus advances and foreclosure attorney fees and costs.

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 9, 2003

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 26, 2002.

/s/ Michael C. Arola

MICHAEL C. AROLA, Successor Trustee
 HERSHNER, HUNTER, ANDREWS, NEILL & SMITH, LLP
 P.O. Box 1475
 Eugene, OR 97440

FAIR DEBT COLLECTION PRACTICES ACT NOTICE

We are attempting to collect a debt on behalf of the beneficiary named above (also referred to as the "creditor") and any information obtained will be used for that purpose. This debt is owed to the creditor in the amount of described above. Under some circumstances, you may receive more than one copy of this notice. Unless you dispute the validity of this debt, or any portion thereof, in writing within 30 days after your first receipt of the original or a copy of this notice, we will assume the debt to be valid. If you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that the debt, or any portion thereof, is disputed, we will obtain verification of the debt or (if applicable) a copy of a judgment against you and a copy of the verification or (if applicable) the judgment will be mailed to you. We will provide you with the name and address of the original creditor, if different from the creditor named above, if you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that you request such information. This communication is from a debt collector.

AFTER RECORDING RETURN TO:

Hershner, Hunter, et al

Attn: Carol B. Mart

P.O. Box 1475

Eugene, OR 97440

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