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**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

Zachariah & Stacy Botting

To

Grantor

First American Title

Trustee

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

SPACE RESERVED
FOR
RECORDER'S USE

Vol M03 Page 31608
STATE OF OREGON, 1..

State of Oregon, County of Klamath

Recorded 05/12/2003 11:01 a m.Vol M03 Pg 31608-15

Linda Smith, County Clerk

Fee \$ 56.00 # of Pgs 8

puty.

ASPCN 56080

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

STATE OF OREGON,

} ss.

County of Josephine

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

Robert Davis, 535 Crestdale, Klamath Falls, Oregon

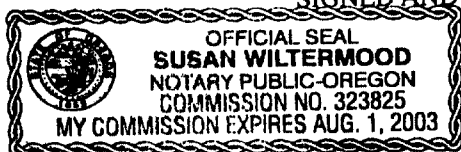
Occupants, 535 Crestdale, Klamath Falls, Oregon

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 January 17, 2003, 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.

(ATTORNEY FOR) TRUSTEE

SIGNED AND SWORN TO before me on January 9, 2003

Notary Public for Oregon

My commission expires 8/1/03

PUBLISHER'S NOTE: An original Notice of Sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

03 MAY 12 AM 11:10

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31609



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Zachariah & Stacy Botting

To

First American Title

Grantor

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/instrument/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

Zachariah Botting, 3212 Valley View, Klamath Falls, OR 97601

Stacy Botting, 3212 Valley View, Klamath Falls, OR 97601

Robert Davis, 3801 Cherry Lane, Medford, OR 97504

Robert Davis, 535 Crestdale, Klamath Falls, OR

Tualatin Valley Builders, Inc., PO Box 1138, Lake Oswego, OR 97035

Klamath County Building Dept, 305 Main Street, Klamath Falls, OR 97601

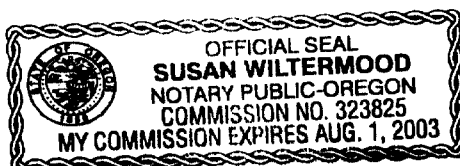
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 January 8, 2003. 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 January 8, 2003

Notary Public for Oregon

My commission expires 8/1/03

* 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.

31610

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

RE: Trust Deed from

Zachariah & Stacy Botting

To

Grantor

First American Title

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/instrument/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

Valley Credit, 9609 Boadway NE, Salem, OR 97308

Tom Reynold, c/o Edward Hill, attorney at law, 1011 Willagillespie Road, Ste 1, Eugene, OR

Carter Jones, 1143 Pine Street, Klamath Falls, OR 97601

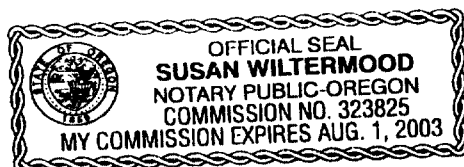
Klamath Natural Gas Service, 3922 Austin Street, Klamath Falls, OR 97603

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 January 8, 2003. 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 January 8, 2003,

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, 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 14th day of January 2003, after personal inspection, I found the following described real property to be unoccupied and still under construction.

Commonly described as (Street address) 535 Crestdale
Klamath Falls, Oregon 97603

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

Ed Foreman 1-16-03
(Signed and Dated)

Subscribed and Sworn to before me this 16 day of January, 2003.



Margaret A. Nielsen
NOTARY PUBLIC OF OREGON
MY COMMISSION EXPIRES: 4-12-04

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 # 5562

Notice of Sale/Botting

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:

March 7, 14, 21, 28, 2003

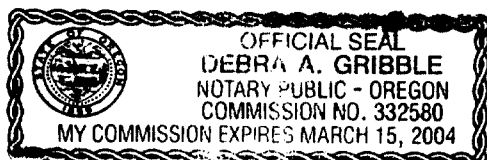
Total Cost: \$715.50

Subscribed and sworn

before me on: March 28, 2003

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: ZACHARIAH BOTTING AND STACY L. BOTTING, Husband and Wife;

Trustee: FIRST AMERICAN TITLE INSURANCE COMPANY; Successor Trustee: MICHAEL J. BIRD; Beneficiary: DON OLSON;

2. Property covered by the trust deed: Lot 7, Block 10, Tract No. 1152, NORTH HILLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon. Property Address: 535 CRESTDALE, KLAMATH FALLS, OR.

3. The trust deed was dated August 3, 2001, and recorded August 7, 2001, in Book No. M-01, at Page 39598, Official Records of Klamath County, Oregon;

4. Default for which foreclosure is made is failure to pay the following: (a) Monthly payments of \$1,625.00 each commencing September 3, 2002, and thereafter; (b) Late payments in the

amount of \$81.25 for each month not paid within 15 days of due date; (c) Unpaid taxes for 2001/2002, in the amount of \$321.27, plus interest thereon; real property taxes for 2002/2003 in the amount of \$308.64 plus interest; (d) City of Klamath Falls municipal lien in the amount of \$17.50 plus 12% interest thereon for outstanding abatements, entered September 24, 2001; municipal lien in the amount of \$124.25 plus 12% interest thereon for outstanding abatements, entered November 6, 2002.

5. The sums owing on the obligation secured by the trust deed is: (a) The principal sum of \$92,000.00 with accrued interest thereon at the rate of 12.000 percent per annum beginning August 3, 2002 until paid; (b) Late payments in the amount of \$81.25 for each month not paid within 15 days of due date; (c) Unpaid taxes for 2001/2002, in the amount of \$321.27, plus interest thereon; real property taxes for 2002/2003 in the amount of \$308.64, plus interest; (d) City of Klamath Falls municipal lien in the amount of \$17.50 plus 12% interest thereon for outstanding abatements, entered September 24, 2001; municipal lien in the amount of \$124.25 plus 12% interest thereon for outstanding abatements, entered November 6, 2002. (e) 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. (f) 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 January 3, 2003, in Book No. M03, at Page 490, Official Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on May 19, 2003, 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, 97601, which is the hour date and place last set for the sale.

8. Interested persons are notified of the right under 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

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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 8th day of January, 2003. Michael J. Bird, Successor Trustee. Brown, Hughes, Bird, Rote, Wetmore & Brouhard, LLP, 612 NW 5th Street, Grants Pass, OR 97526. (541) 479-2678. #5562 March 7, 14, 21, 28, 2003.

AFTER RECORDING RETURN TO:*MICHAEL J. BIRD, Attorney**P. O. BOX 10**GRANTS PASS, OR 97528***Re: Trust Deed from:**Zachariah Botting and Stacy L. Botting,
Grantor,

to

First American Title Insurance Company,
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: ZACHARIAH BOTTING AND STACY L. BOTTING, Husband and Wife,**

Trustee: **FIRST AMERICAN TITLE INSURANCE COMPANY,**

Successor Trustee: **MICHAEL J. BIRD**

Beneficiary: **DON OLSON**

2. **Property covered by the trust deed:**

Lot 7, Block 10, Tract No. 1152, NORTH HILLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

**Property Address:
535 CRESTDALE
KLAMATH FALLS, OR**

3. The trust deed was dated August 3, 2001, and recorded August 7, 2001, in Book No. M-01, at Page 39598, Official Records of Klamath County, Oregon;

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

- (a) Monthly payments of \$1,625.00 each commencing September 3, 2002, and thereafter;
- (b) late payments in the amount of \$81.25 for each month not paid within 15 days of due date;
- (c) Unpaid taxes for 2001/2002, in the amount of \$321.27, plus interest thereon; real property taxes

for 2002/2003 in the amount of \$308.64, plus interest;

(d) City of Klamath Falls municipal lien in the amount of \$17.50 plus 12% interest thereon for outstanding abatements, entered September 24, 2001; municipal lien in the amount of \$124.25 plus 12% interest thereon for outstanding abatements, entered November 6, 2002;

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

(a) The principal sum of \$92,000.00 with accrued interest thereon at the rate of 12.000 percent per annum beginning August 3, 2002, until paid;

(b) late payments in the amount of \$81.25 for each month not paid within 15 days of due date;

(c) Unpaid taxes for 2001/2002, in the amount of \$321.27, plus interest thereon; real property taxes for 2002/2003 in the amount of \$308.64, plus interest;

(d) City of Klamath Falls municipal lien in the amount of \$17.50 plus 12% interest thereon for outstanding abatements, entered September 24, 2001; municipal lien in the amount of \$124.25 plus 12% interest thereon for outstanding abatements, entered November 6, 2002;

(e) 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.

(f) 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.

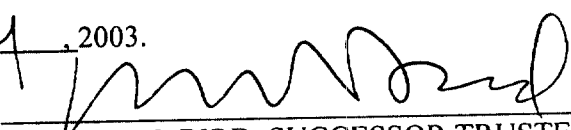
6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of default was recorded on January 3, 2003, in Book No. M03, at Page 490, Official Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on May 19, 2003, 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 97601, 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 8th day of January, 2003.


MICHAEL J. BIRD, SUCCESSOR TRUSTEE