

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 # 5492

Notice of Sale/Horn

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 14, 21, 28, March 7, 2003

Total Cost: \$621.00

Subscribed and sworn

before me on: March 7, 2003

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 Tho-
mas Horn and
Gretchen Horn,
Trustees of the Tho-
mas and Gretchen
Horn Family Trust,
as grantor, to Ore-
gon Title Insurance
Company, as trust-
ee, in favor of Ro-
nald L. Young and
Patricia D. Young,
Husband and Wife
or the survivor, as
beneficiary dated
June 28, 1999, re-
corded on July 26,
1999, in the Records
of Klamath County,
Oregon, in volume
No. M99 at page
29691, covering the
following described
real property situat-
ed in that county
and state, to-wit:

Lots 19, 21, 23 and
24, Block 1 and Lot
22, Block 2 in Bley-
Was Heights, ac-
cording to the offi-
cial plat thereof on
file in the office of
the County Clerk,
Klamath County,
Oregon.

Both the beneficiary
and the trustee have
elected to sell the
real property to sat-
isfy the obligations
secured by the trust
deed and a notice of
default has been re-
corded pursuant to
Oregon Revised
Statutes 86.735(3);
the default for which
the foreclosure is
made in grantor's
failure to pay when
due the following
sums: The unpaid
principal balance of
\$44,999.21 with inter-
est thereon at 13.5%
per annum from Au-
gust 17, 2002 until
paid.

The reason of the
default just descri-
bed, the beneficiary
has declared all
sums owing on the
obligation secured
by the trust deed
immediately due
and payable, those
sums being the fol-
lowing, to-wit: The
unpaid principal bal-

ance of \$44,999.21
with interest thereon
at 13.5% per annum
from August 17, 2002
until paid.

WHEREFORE, no-
tice is hereby given
that the undersigned
trustee will on May
5, 2003 at the hour of
10:30 AM, in accord
with the standard of
time established by
ORS 187.110, at Law
office of Richard
Fairclo, 280 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 real property
described above
which the grantor
had or had power to
convey at the time
of the execution by
grantor of the trust
deed together with
any interest which
the grantor or gran-
tor's successors in
interest acquired af-
ter the execution of
the trust deed, to
satisfy the foregoing
obligations thereby
secured and the
costs and expenses
of the sale, including
a reasonable charge
by the trustee. No-
tice 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 foreclo-
sure proceeding dis-
missed and the trust
deed reinstated by
payment to the ben-
eficiary of the entire
amount then due
(other than such
portion of the princi-
pal as would not
then be due had no
default occurred)
and by curing any
other default com-
plained of herein
that is capable of
being cured by ten-
dering the perform-
ance required under
the obligation or
trust deed, and in
addition to paying
those sums or ten-
dering the perform-
ance necessary to
cure the default, by
paying all costs and

expenses actually
incurred in enforc-
ing the obligation
and trust deed, to-
gether with trustee
and attorney fees
not exceeding the
amounts provided
by ORS 86.753.

In construing this
notice, the singular
includes the plural,
the word "grantor"
includes any succes-
sor in interest to the
grantor as well as
any other person
owing an obligation,
the performance of
which is secured by
the trust deed, and
the words "trustee"
and "beneficiary" in-
clude their respec-
tive successors in in-
terest, if any.

Dated: January 22,
2003. Patrick J. Kel-
ly, Trustee. State of
Oregon, County of
Josephine) ss. I, the
undersigned, certify
that I am the attor-
ney or one of the at-
torneys for the
above named trust-
ee and that the fore-
going is a complete
and exact copy of
the original trustee's
notice of sale. Pat-
rick J. Kelly, Attor-
ney for Trustee.
#5492 February 14,
21, 28, March 7, 2003.

State of Oregon, County of Klamath
Recorded 05/27/2003 3:14 p.m.
Vol M03 Pg 35692-98
Linda Smith, County Clerk
Fee \$ 51.00 # of Pgs 7

NN

35693



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Thomas Horn and Gretchen Horn, Trustees of
the Thomas and Gretchen Horn Family Trust, as grantor,
 to Oregon Title Insurance Company, as trustee,
 in favor of Ronald L. Young and Patricia D. Young, Husband and Wife or the survivor is beneficiary,
 dated June 28, 1999, recorded on July 26, 1999, in the Records of
Klamath County, Oregon, in ~~book~~ volume No. M99 at page 29691 ~~xxx~~
~~for file/instrument/microfilm/telex~~ No. ~~xxxxxxxxxxxxxx~~ (indicate which), covering the following described real property
 situated in that county and state, to-wit:

Lots 19, 21, 23 and 24, Block 1 and Lot 22, Block 2 in Bley-Was Heights, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 in grantor's failure to pay when due the following sums:

The unpaid principal balance of \$44,999.21 with interest thereon at 13.5% per annum from August 17, 2002 until paid.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

The unpaid principal balance of \$44,999.21 with interest thereon at 13.5% per annum from August 17, 2002 until paid.

WHEREFORE, notice is hereby given that the undersigned trustee will on May 5, 2003, at the hour of 10:30 o'clock, A M., in accord with the standard of time established by ORS 187.110, at Law office of
Richard Fairclo, 280 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 real property described above which the grantor had or had power to convey at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the 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 those 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 and attorney fees not exceeding the amounts provided by 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED January 22, 2003

PATRICK J. KELLY

Trustee

State of Oregon, County of Josephine 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.

PATRICK J. KELLY

Attorney for Trustee

SERVE:*

NE

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

35694

STATE OF OREGON, County of Josephine, ss:

I, Sharon Deardorff, being first duly sworn, depose, and say and certify 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy 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
Thomas Horn, Trustee	589 King Mountain Trail, Sunny Valley, OR 97497
Gretchen Horn, Trustee	589 King Mountain Trail, Sunny Valley, OR 97497

Said 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 required by ORS 86.785.*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Parick J. Kelly, attorney for the trustee named in said notice; each such copy was contained 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 23, 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 and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Sharon Deardorff
SHARON DEARDORFF

Subscribed and sworn to before me on May 22, 2003.

Notary Public for Oregon. My commission expires 6-28-05.

AFFIDAVIT OF MAILING TRUSTEE'S
NOTICE OF SALE

RE: Trust Deed from
Horn Trust

Grantor

Oregon Title TO

Trustee

AFTER RECORDING RETURN TO

PATRICK J. KELLY
ATTORNEY AT LAW
717 NW 5th ST.
GRANTS PASS, OR 97623

STATE OF OREGON, } ss.
County of }

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

* 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.

Notarizable Note: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

NN

35695



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Thomas Horn and Gretchen Horn, Trustees of the Thomas and Gretchen Horn Family Trust, as grantor, to Oregon Title Insurance Company, as trustee, in favor of Ronald L. Young and Patricia D. Young, Husband and Wife or the survivors as beneficiary, dated June 28, 1999, recorded on July 26, 1999, in the Records of Klamath County, Oregon, in ~~book~~ volume No. M99 at page 29691 ~~XXXXXX~~ for file/instrument/microfilm/reception No. ~~XXXXXXXXXXXX~~ (indicate which), covering the following described real property situated in that county and state, to-wit:

Lots 19, 21, 23 and 24, Block 1 and Lot 22, Block 2 in Bley-Was Heights, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 in grantor's failure to pay when due the following sums:

The unpaid principal balance of \$44,999.21 with interest thereon at 13.5% per annum from August 17, 2002 until paid.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

The unpaid principal balance of \$44,999.21 with interest thereon at 13.5% per annum from August 17, 2002 until paid.

WHEREFORE, notice is hereby given that the undersigned trustee will on May 5, 2003, at the hour of 10:30 o'clock, A M., in accord with the standard of time established by ORS 187.110, at Law office of Richard Fairclo, 280 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 real property described above which the grantor had or had power to convey at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the 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 those 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 and attorney fees not exceeding the amounts provided by 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED January 22, 2003


PATRICK J. KELLY

Trustee

State of Oregon, County of Josephine 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.


PATRICK J. KELLY

Attorney for Trustee

SERVE:*

OC

35696



TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of Josephine

} ss.

I, Patrick J. Kelly

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

I am the Successor trustee in that certain trust deed executed and delivered by Thomas Horn and Gretchen Horn, Trustees of the Thomas and Gretchen Horn Family Trust, as grantor to Oregon Title Insurance Company as trustee, in which Ronald L. Young and Patricia D. Young, husband and wife or the survivor is beneficiary, recorded on July 26, 1999, ~~XXXXXX~~, in the mortgage records of Klamath County, Oregon, in ~~book/reel~~ volume No. M99, at page 29691 or as fee/file/instrument/microfilm/reception No. ~~XXXXXXXXXX~~ (indicate which), covering the following described real property situated in said county:

Lots 19, 21, 23, and 24, Block 1 and Lot 22, Block 2 in Bley-Was Heights, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

I hereby certify that on 1/28/2003, 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.

PATRICK J. KELLY

Trustee



Subscribed and sworn to before me

5-23-03

19

Sharon Deardorff

Notary Public for Oregon

My commission expires

9-11-04

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCYRE: Trust Deed from
Horn

Grantor

to
Oregon Title Insurance Co.

Trustee

AFTER RECORDING RETURN TO

PATRICK J. KELLY
ATTORNEY AT LAW
717 NW 5th ST.
GRANTS PASS, OR 97526

(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

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES
ACT
15 USC SECTION 1692**

We are attempting to collect a debt and any information we obtain will be used for that purpose. The debt described in the Notice of Sale is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification. If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor.

**WRITTEN REQUESTS SHOULD BE ADDRESSED TO: PATRICK J.
KELLY, ATTORNEY, 717 NW 5TH STREET, GRANTS PASS, OREGON
97526.**

35698

PATRICK J. KELLY
Attorney at Law
717 NW 5th Street
Grants Pass, OR 97526

TO: RON & PATRICIA YOUNG
1720A Redwood Ave., PMB 23
Grants Pass, OR 97527

YOUNG/HORN TRUST FORECLOSURE
May 22, 2003

Principal balance	\$44,999.21
Interest @ 13.5% (8-17-02 thru 5-28-03)	\$ 4,726.77
Foreclosure fees and costs	\$ 2,860.58
TOTAL	<u>\$52,586.56</u>