

Affidavit of Publication

Vol M03 Page 77835

State of Oregon, County of Klamath
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 Linda Smith, County Clerk
 Fee \$ 46.00 # of Pgs 6

**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 # 6044

Notice of Sale/Oueis

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 15, 22, 29, September 5, 2003

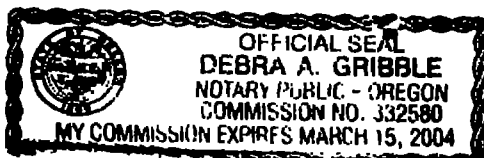
Total Cost: \$486.00

Subscribed and sworn

before me on: September 5, 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 RO-DY S. OUEIS and KIMBERLY OUEIS, husband and wife, as grantor, to AMERITITLE, as trustee, in favor of HOME ADVANTAGE SERVICES, LLC, as beneficiary, dated December 30, 1998, recorded January 21, 1999, in the Microfilm Records of Klamath County, Oregon, in Book No M99 at page 2080, covering the following described real property situated in the above mentioned county and state, to-wit:

Lot 3 in Block 6 of Tract 1119, LEISURE WOODS, UNIT 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The defaults for which the foreclosure is made are: (1) failure to pay monthly payments of \$288.96 from August 10, 2002; (2) failure to pay the real property taxes for 2002-03; and (3) allowing a lien to be placed against the property.

The sum owing on the obligation secured by the trust deed is \$28,167.86, plus interest at the rate of 9.9% per annum from August 10, 2002, until paid, plus accrued late charges, title expenses, costs, trustee's 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 its interest therein.

Notice is hereby given that by reason of the default, beneficiary and trustee hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to ORS 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including trustee's and attorney's fees.

The sale will be held on October 28, 2003 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: front entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon.

Notice is further given that any person named in ORS 86.753 has the right to have this foreclosure proceeding dismissed and the trust

deed reinstated by payment 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 the notice of default, at any time prior to five days before the date last set for the sale.

Dated: June 5, 2003.
 Jim N. Stothower,
 Successor Trustee.
 PO Box 351, Bend,
 OR 97709. (541) 389-7001.
 #6044 August 15, 22,
 29, September 5,
 2003.

Return To:
 Stothower : Peterson
 205 NW Franklin
 Bend, OR 97709

**AFTER RECORDING,
RETURN TO:**

**Jim N. Slothower
PO Box 351
Bend, OR 97709**

**STATE OF OREGON } AFFIDAVIT OF MAILING
County of Deschutes } ss TRUSTEE'S NOTICE OF SALE**

I, JIM N. SLOTHOWER, being duly sworn, state as follows:

1. I am the successor trustee of a deed of trust dated December 30, 1998, recorded January 21, 1999, in the Microfilm Records of Klamath County, Oregon, in Book No. M99 at page 2080, encumbering the property described as:

Lot 3 in Block 6 of Tract 1119, LEISURE WOODS, UNIT 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

2. On June 5, 2003, I caused a true copy of the attached Trustee's Notice of Sale to be sent by both first class and certified mail with return receipt requested, to the grantor and to each of the grantor's successors in interest in said trust deed to their last known addresses, to-wit:

**Rody and Kimberly Ouels
2276 Ironwood
Eugene, OR 97402**

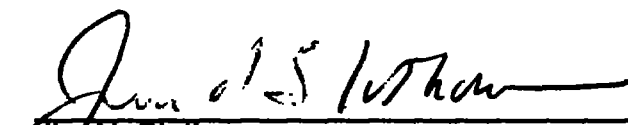
and on June 10, 2003 to:

**The Diamond Peaks at Leisure Woods 1 & 2
Homeowners Association, Inc.
c/o George Salvo, Treasurer
5848 NE Necanicum Way
Portland, OR 97229**

a judgment creditor of said grantors.

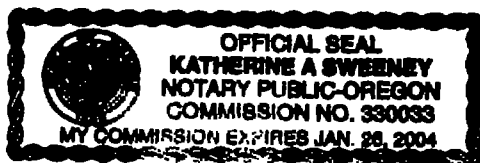
3. Attached hereto are a Certificate of Non-Military Service and a Trustee's Affidavit as to Non-Occupancy.

DATED this 15th day of October, 2003.


Jim N. Slothower

77837

SUBSCRIBED AND SWORN to before me this 15 day of October, 2003.



Katherine A Sweeney
Notary Public
My Commission Expires: *1/29/04*

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TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by RODY S. OUEIS and KIMBERLY OUEIS, husband and wife, as grantor, to AMERITITLE, as trustee, in favor of HOME ADVANTAGE SERVICES, LLC, as beneficiary, dated December 30, 1998, recorded January 21, 1999, in the Microfilm Records of Klamath County, Oregon, in Book No. M99 at page 2080, covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 3 in Block 6 of Tract 1119, LEISURE WOODS, UNIT 2,
according to the official plat thereof on file in the office of the
County Clerk of Klamath County, Oregon

The defaults for which the foreclosure is made are: (1) failure to pay monthly payments of \$288.96 from August 10, 2002; (2) failure to pay the real property taxes for 2002-03; and (3) allowing a lien to be placed against the property.

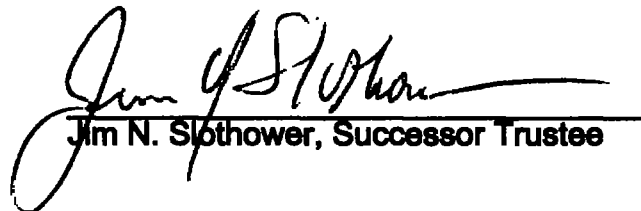
The sum owing on the obligation secured by the trust deed is \$28,167.86, plus interest at the rate of 9.9% per annum from August 10, 2002, until paid, plus accrued late charges, title expenses, costs, trustee's and attorney's fees incurred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

Notice is hereby given that by reason of the default, beneficiary and trustee hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to ORS 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including trustee's and attorney's fees.

The sale will be held on October 28, 2003, at the hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at the following place: front entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon.

Notice is further given that any person named in ORS 86.753 has the right to have this foreclosure proceeding dismissed and the trust deed reinstated by payment 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 the notice of default, at any time prior to five days before the date last set for the sale.

DATED: June 5, 2003


Jim N. Slothower, Successor Trustee

77839

AFTER RECORDING,
RETURN TO:

Jim N. Slothower
PO Box 351
Bend, OR 97709

STATE OF OREGON }
County of Deschutes } ss TRUSTEE'S AFFIDAVIT OF
 NON-OCCUPANCY

I, JIM N. SLOTHOWER, being duly sworn, state as follows:

1. I am the successor trustee of a deed of trust dated December 30, 1998, recorded January 21, 1999, in the Microfilm Records of Klamath County, Oregon, in Book No. M99 at page 2080, encumbering the property described as:

Lot 3 in Block 6 of Tract 1119, LEISURE WOODS, UNIT 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

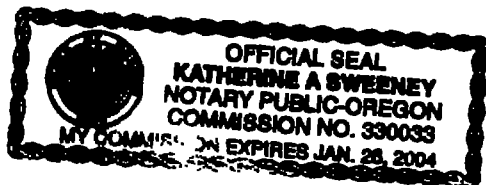
2. I hereby certify that on October 15, 2003, the above described real property was not occupied.

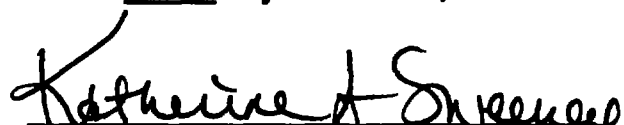
DATED this 15th day of October, 2003.



Jim N. Slothower

SUBSCRIBED AND SWORN to before me this 15 day of October, 2003.





Katherine A. Sweeney
Notary Public
My Commission Expires: 1/28/04

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77840

AFTER RECORDING,
RETURN TO:

Jim N. Slothower
PO Box 351
Bend, OR 97709

STATE OF OREGON }
County of Deschutes } ss CERTIFICATE OF
 NON-MILITARY SERVICE

I, JIM N. SLOTHOWER, being duly sworn, state as follows:

1. I am the attorney for the beneficiary on the trust deed in which RODY S. OUEIS and KIMBERLY OUEIS, husband and wife, as grantor, conveyed to AMERITITLE, as trustee, certain real property in Klamath County, Oregon. The trust deed was dated December 30, 1998, recorded January 21, 1999, in the Microfilm Records of Klamath County, Oregon, in Book No. M99 at page 2080. Thereafter, the trust deed was duly foreclosed by advertisement and sale, and the real property covered by the trust deed was sold at trustee's sale on October 28, 2003.

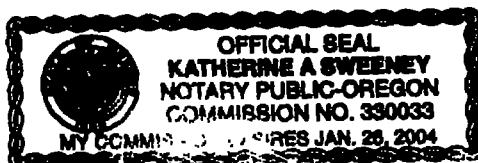
2. I reasonably believe that, at no time during the period of three months and one day immediately preceding the day of the sale, and including the day thereof, was the real property described in and covered by the trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

DATED this 15th day of October, 2003.



Jim N. Slothower

SUBSCRIBED AND SWORN to before me this 15 day of October, 2003.





Katherine A. Sweeney
Notary Public
My Commission Expires: 1/26/04

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