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'03 DEC 18 AM 10:02

AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALE

RE: Trust Deed from

DOUG STAFF AND RENEE STAFF  
HUSBAND AND WIFE

To Grantor

FIRST AMERICAN TITLE INSURANCE COMPANY OF  
OREGON (NEAL G. BUCHANAN AS SUCCESSOR)

Trustee

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

NEAL G. BUCHANAN

435 OAK AVE.

KLAMATH FALLS, OR 97601

Vol M03 Page 91792

State of Oregon, County of Klamath

Recorded 12/18/03 10:02 a mVol M03 Pg 91792-98

Linda Smith, County Clerk

Fee \$ 51.00 # of Pgs 7STATE OF OREGON, County of Klamath ) ss:I, NEAL G. BUCHANAN

, 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

SEE THE ATTACHED EXHIBIT A AND BY THIS REFERENCE INCORPORATED  
HEREIN AS IF FULLY SET FORTH

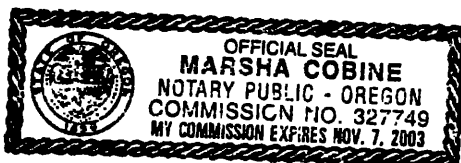
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or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

NEAL G. BUCHANAN

\_\_\_\_\_, 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 Klamath Falls, Oregon, on August 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.



NEAL G. BUCHANAN

Subscribed and sworn to before me on August 8, 2003

Notary Public for Oregon

My commission expires 11-7-03

\* 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.

## EXHIBIT A

<u>Name</u>	<u>Last Known Address</u>
Doug Staff	c/o Thomas A. Aceituno Trustee in Bankruptcy P.O. Box 189 Folsom, CA 95763
Renee Staff	c/o Keith Y. Boyd Mulheim, Boyd & Carroll 88 E. Broadway Eugene, Oregon 97401
Thomas A. Aceituno	P.O. Box 189 Folsom, California 95763
Bell & Howell Financial Services Company	c/o 2999 Overland Ave., Ste. #204 Los Angeles, CA 90064
Michael J. Farrell Martin, Bischoff, Templeton, et al.	900 Pioneer Tower 888 SW 5th Ave. Portland, Oregon 97204
DaimlerChrysler Services North America LLC	c/o Lee M. Hess, Attorney 1000 SW Broadway, Suite 1780 Portland, Oregon 97205
Mishell Barlow	2606 Old Midland Rd. Klamath Falls, Oregon 97603

# Affidavit of Publication

91794

## 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 # 6177

Notice of Sale/Staff

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )  
Four

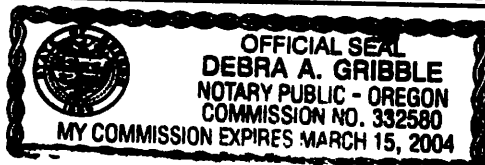
Insertion(s) in the following Issues:  
October 15, 22, 29, November 5, 2003

Total Cost: \$823.50

*Larry L. Wells*  
Subscribed and sworn  
before me on: November 5, 2003

*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 Doug Staff and Renee Staff, husband and wife, as grantor, to First American Title Insurance Company of Oregon (Neal G. Buchanan as Successor), as trustee, in favor of Everett J. McGilvray and Shirley A. McGilvray, husband and wife, as beneficiary dated October 4, 1999, signed October 11, 1999, recorded October 12, 1999, in the mortgage records of Klamath County, Oregon in book/reel/volume No. M99 at page 40445, or as fee/file/instrument/microfilm/reception No. covering the following described real property situated in said county and state, to-wit:

### EXHIBIT "A" Description of Property

A tract of land located in the SW 1/4 of Section 34, Township 39 South, Range 9 E. WM, more particularly described as follows: Commencing at the section corner common to Sections 33 and 34, Township 39 S., R. 9 E. WM, and Sections 3 and 4, Township 40 S., R. 9 E. WM, and running thence N. 89 degree 54' 05" E. along the South line of said Section 34, 1977.00 feet to a point; thence N. 0 degree 05' 25" W. 30.00 feet to the true point of beginning, said true point of beginning being on the Northerly right of way line of Midland Road; from said true point of beginning, thence N. 0 degree 15' 25" W. 1400.00 feet to a

point; thence S. 37 degree 36' 30" E. 542.20 feet to a point; thence S. 0 degree 04' 55" E. 970.00 feet to a point on the Northerly right of way line of said Midland Road; thence S. 89 degree 54' 05" W. along said right of way line, 330.00 feet to the true point of beginning.

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: 1) Failing to pay the entire unpaid balance, all of which such principal and interest was due and payable on September 30, 2002; 2) Failure to maintain insurance on the premises as required by paragraph 4 of the Trust Deed; 3) Failure to pay the real property taxes before any part of the same became past due or delinquent as required by paragraph 5 of the Trust Deed.

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: 1) Principal balance in the sum of \$86,139.16 together with interest on said sum at the rate of 7.5% per annum from April 27, 2003 until paid; 2) Expenses of beneficiaries in placing

on the premises; all costs, fees and expenses of the Trust, including the cost of title search as well as the other costs and expenses of the Trustee incurred in connection with or in enforcing the obligation and Trustee's and Attorney's fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 18, 2003 at the hour of 1:00 PM, in accord with the standard of time established by ORS 187.110, at the law offices of Neal G. Buchanan, 435 Oak Avenue 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 grantor of the said trust deed, together with any interest which the grantor or grantor's 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 be due had no default occurred) and by curing any

plained 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 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: August 7, 2003. Neal G. Buchanan, Successor Trustee. We are attempting to collect a debt. Any information obtained will be used for that purpose.

#6177 October 15, 22, 29, November 5, 2003.

EE

91796

**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S  
NOTICE OF SALE UPON OCCUPANT PURSUANT  
TO ORS 88.750 (1) AND PROOF OF SERVICE  
(120-Day Notice)**

RE: Trust Deed from

DOUG STAFF AND RENEE STAFF  
HUSBAND AND WIFE

To

Grantor

FIRST AMERICAN TITLE INSURANCE  
COMPANY OF OREGON  
(NEAL G. BUCHANAN AS SUCCESSOR)

Trustee

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

NEAL G. BUCHANAN  
435 OAK AVE.  
KLAMATH FALLS, OR 97601

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

STATE OF OREGON,

ss.

County of Klamath

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

Mishell Barlow

Bar Lo Junction  
3203 Old Midland Rd.  
Klamath Falls, OR 97603

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 August 20, 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.

Neal G. Buchanan  
(ATTORNEY FOR) TRUSTEE

SIGNED AND SWORN TO before me on August 8, 2003



Marsha Cobine  
Notary Public for Oregon  
My commission expires 11-7-03

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

PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS

91797

AUG 15 2003

STATE OF OREGON  
COUNTY OF Klamath

COURT CASE NO. \_\_\_\_\_

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- |                                      |  |                                   |  |
|--------------------------------------|--|-----------------------------------|--|
| <input type="checkbox"/> Small Claim | <input type="checkbox"/> Order             | <input type="checkbox"/> Subpoena | <input type="checkbox"/> Order to Show Cause                 |
| <input type="checkbox"/> Summons     | <input type="checkbox"/> Motion            | <input type="checkbox"/> Notice   | <input checked="" type="checkbox"/> Trustee's Notice of Sale |
| <input type="checkbox"/> Complaint   | <input type="checkbox"/> Affidavit         | <input type="checkbox"/> Petition | <input type="checkbox"/> Writ of Garnishment                 |
| <input type="checkbox"/> Answer      | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Letter   | <input type="checkbox"/> Writ of Continuing Garnishment      |
| <input type="checkbox"/> _____       |  | <input type="checkbox"/> _____    |  |

For the within named: Occupants of 3203 Old Midland Road - Barlo Junction

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Mishell Barlow  
\_\_\_\_\_ at the address below.

☐ SUBSTITUTE SERVICE: By delivering an Original or True Copy to \_\_\_\_\_,  
a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by  
leaving such true copy or Original with \_\_\_\_\_, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO  
SUIT UNDER A COMMON NAME.

Upon \_\_\_\_\_, by (a) delivering such true copy personally and in person,  
Corporation, Limited Partnership, etc.

to: \_\_\_\_\_ who is a/the \_\_\_\_\_ thereof, or  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the office of  
\_\_\_\_\_, who is a/the \_\_\_\_\_ thereof.

☐ OTHER METHOD: \_\_\_\_\_

☐ NOT FOUND: I certify that I received the within document for service on \_\_\_\_\_ and after due  
and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent,  
\_\_\_\_\_ within \_\_\_\_\_ County.

3203 Old Midland Road  
ADDRESS OF SERVICE STREET UNIT / APT / SPC#  
Klamath Falls Oregon 97601  
CITY STATE ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and  
that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm  
or corporation served by me is the identical person, firm, or corporation named in the above.

August 12, 2003  
DATE OF SERVICE

12:05 a.m. ☐ p.m. ☒  
TIME OF SERVICE

SIGNATURE

Rob Girard

ON

## TRUSTEE'S NOTICE OF SALE

91798

Reference is made to that certain trust deed made by DOUG STAFF AND RENEE STAFF, HUSBAND AND WIFE

\_\_\_\_\_, as grantor, to  
FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON (NEAL G. BUCHANAN AS SUCCESSOR), as trustee,  
 in favor of EVERETT J. MC GILVRAY AND SHIRLEY A. MC GILVRAY, HUSBAND AND WIFE, as beneficiary,  
 dated OCTOBER 4, 1999, SIGNED OCTOBER 11, 1999, recorded OCTOBER 12, 1999, in the mortgage records of  
KLAMATH County, Oregon, in book/reel/volume No. M99 at page 40445, or  
 as fee/title/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO MARKED AS EXHIBIT "A" AND  
 BY THIS REFERENCE INCORPORATED HEREIN AS IF FULLY SET FORTH

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: 1) Failing to pay the entire unpaid balance, all of which such principal and interest was due and payable on September 30, 2002; 2) Failure to maintain insurance on the premises as required by paragraph 4 of the Trust Deed; 3) Failure to pay the real property taxes before any part of the same became past due or delinquent as required by paragraph 5 of the Trust Deed

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: 1) Principal balance in the sum of \$86,139.16 together with interest on said sum at the rate of 7.5% per annum from April 27, 2003 until paid; 2) Expenses of beneficiaries in placing insurance coverage on the premises; all costs, fees and expenses of the Trust, including the cost of title search as well as the other costs and expenses of the Trustee incurred in connection with or in enforcing the obligation and Trustee's and attorney's fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 18, 2003 ~~at~~,  
 at the hour of 1:00 o'clock, P. M., in accord with the standard of time established by ORS 187.110, at  
 the law offices of Neal G. Buchanan, 435 Oak Avenue

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 grantor of the said trust deed, together with any interest which the  
 grantor or grantor's 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 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 per-  
 formance 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 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 August 7, 2003 /10

NEAL G. BUCHANAN

Successor

Trustee

State of Oregon, County of Klamath 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.