

04 JAN 15 AM 10:46

NJC - 62372

Vol M04 Page 02459

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

RE: Trust Deed from

Ora M. Eberlien

Grantor

To.

Nancy L. Peterson

Trustee.

After recording return to:

Laura J. Walker

Cable Huston Benedict et al

1001 SW Fifth Avenue #2000

Portland Oregon, 97204

State of Oregon, County of Klamath

Recorded 01/15/2004 10:46 a m

Vol M04 Pg 2459-66

Linda Smith, County Clerk

Fee \$ 56.00 # of Pgs 8

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of Multnomah) ss:

I, Laura J. Walker, 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:

SEE ATTACHED EXHIBIT A

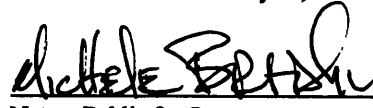
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or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

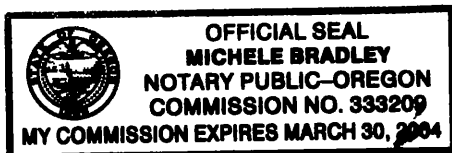
Each of the notices so mailed was certified to be a true copy of the original notice of sale by James E. Benedict, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office in Portland, Oregon, on September 19, 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.


Trustee

Subscribed and sworn to before me on January 12, 2004


Notary Public for Oregon
My commission expires 03-30-04



50.10 AM

EXHIBIT A

Roger Eberlein
845 N. Tegner
Wickenburg AZ 85390

Janet Luke
10884 Wright Avenue
Klamath Falls OR 97603

Marlee Conover
#38 Road 3142
Aztec NM 87410

Carter – Jones Collection
1143 Pine Street
Klamath Falls OR 97601

CitiBank
P.O. Box 769004
San Antonio, TX 78245-9004

Discover Card
PO Box 30395
Salt Lake City UT 84130-0395

State of Oregon
Department of Human Services
500 Summer Street NE E25
Salem OR 97232

Occupant
3326 Barry Ave.
Klamath Falls, Or 97603

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Ora M. Eberlien as grantor, to Nancy L. Peterson, as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, July 8, 1997 recorded on July 11, 1997, in the records of Klamath County, Oregon Vol. M97, Page 21880 covering the following described real property situated in the above-mentioned county and state, to wit:

The Easterly 125 feet of Lot 96 of CASITAS, according to the official plat thereof on file in the office of the County Clerk of Klamath County Oregon

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligation 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:

Three monthly payments of \$641.63 each due for the months of February 2002 through August 2003 with interest accruing thereon at the contract rate of 8.49 per annum or \$18.42 per diem until paid in full, plus costs and attorneys fees.

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:

Principal	\$79,210.91
Interest as of August 31, 2003:	\$ 3,886.62
Foreclosure Guarantee	\$ 390.00
Beneficiary is also entitled to costs and attorney fees.	

WHEREFORE, notice hereby is given that the undersigned trustee will on January 29, 2004, at the hour of 2:00 o'clock, p.m., in accord with the standard of time established by ORS 187.110, at the Klamath County Courthouse, 316 Main Street, 2nd floor, 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 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.

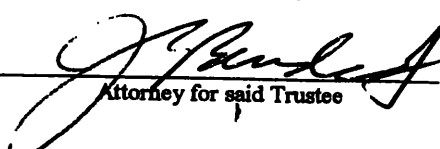
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED September 15, 2003


Laura J. Walker, Trustee

State of Oregon, County of Multnomah ss:

I, the undersigned attorney of record for the Plaintiff, certify that the foregoing is an exact and complete copy of the original trustee's notice of sale


Attorney for said Trustee

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

SERVE:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Roger Eberlein
845 N. Tegner St
Wickenburg AZ 85390

2. Article Number

(Transfer from service label)

7002 2030 0000 0038 5949

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-11

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Roger Eberlein* ☐ Agent ☐ Address

B. Received by (Printed Name)

NC Eberlein

C. Date of Delivery

9-22-01

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

02462

3. Service Type

☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Janet Luke
10884 Wright Avenue
Klamath Falls OR 97603

2. Article Number

(Transfer from service label)

7002 2030 0000 0038 5932

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-154

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Janet Luke* ☐ Agent ☐ Address

B. Received by (Printed Name)

C. Date of Delivery

9-21-01

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Carter - Jones Collection
1143 Pine Street
Klamath Falls OR 97601

2. Article Number

(Transfer from service label)

7002 2030 0000 0038 5918

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-11

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Concepción Custodio* ☐ Agent ☐ Address

B. Received by (Printed Name)

C. Date of Delivery

9-21-01

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CitiBank
P.O. Box 769004
San Antonio, TX 78245-9004

2. Article Number

(Transfer from service label)

7002 2030 0000 0038 5901

PS Form 3811, August 2001

Domestic Return Receipt

02463

102595-02-M

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*☐ Agent☐ Address

B. Received by (Printed Name)

L. Hernandez

C. Date of Del

9/22/01

D. Is delivery address different from Item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merch☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

State of Oregon
Department of Human Services
500 Summer Street NE E25
Salem OR 97232

2. Article Number

(Transfer from service label)

7002 2030 0000 0038 5888

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-11

COMPLETE THIS SECTION ON DELIVERY

A. Signature OREGON 97310-1085

STEVE CHAMBERLAIN

X

☐ Agent☐ Address

B. Received by (Printed Name)

[Signature]

C. Date of Deliv

9-22

D. Is delivery address different from Item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchand☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Discover Card
General Inquiries
PO Box 8-1150-0943
SLC, UT 84130-0943

2. Arti

(Tra

PS Fo

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*☐ Agent☐ Address

B. Received by (Printed Name)

[Signature]

C. Date of Deliv

D. Is delivery address different from Item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merch☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-A

02464

SENDER: COMPLETE THIS SECTION ■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		ADDRESSEE: COMPLETE THIS SECTION A. Signature LISA KING <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No SEP 22 2003	
1. Article Addressed to: Discover Card PO Box 30395 Salt Lake City UT 84130-0395		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) PS Form 3811, August 2001		7002 2030 0000 0038 5895 Domestic Return Receipt 102595-02-M-1540	

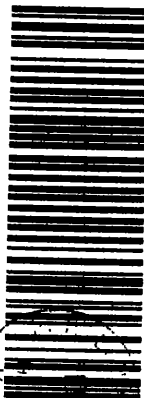
SENDER: COMPLETE THIS SECTION ■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		ADDRESSEE: COMPLETE THIS SECTION A. Signature Rodney R. Conover <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X B. Received by (Printed Name) C. Date of Delivery Rodney R. Conover 9/24/05 D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
1. Article Addressed to: Marlee Conover #38 Road 3142 Aztec NM 87410		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) PS Form 3811, August 2001		7002 2030 0000 0038 5925 Domestic Return Receipt 102595-02-M-1540	

02465

**CABLE HUSTON BENEDICT
HAAGENSEN & LLOYD LLP**

ATTORNEYS AT LAW
SUITE 2000
1001 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1136

7002 2030 0000 0038 5871 3117 MAILED FROM ZIP CODE 97204



NO SUCH NUMBER
RT # ☐ VACANT
☐ INSUFFICIENT ADDRESS
☐ ATTEMPTED, NOT KNOWN
☐ NO MAIL RECEIVED
☐ REFUSED
☐ NOT DEL. AS ADDRESSED
☐ UNABLE TO FORWARD

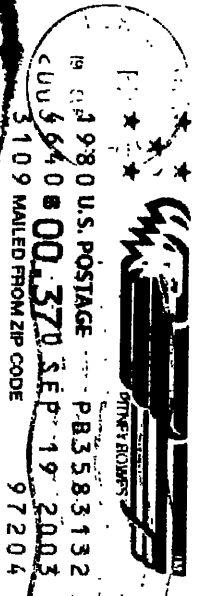
3326 Barry Ave.
Klamath Falls, Or 97603



**CABLE HUSTON BENEDICT
HAAGENSEN & LLOYD LLP**

ATTORNEYS AT LAW
SUITE 2000
1001 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1136

Occupant
3326 Barry Ave.
Klamath Falls, Or 97603



Affidavit of Publication

02466

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 # 6272

Notice of Sale/Eberlien

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

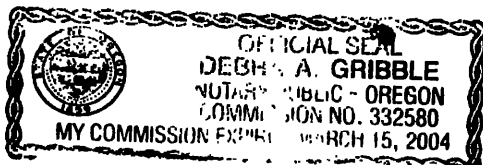
Insertion(s) in the following issues:
December 8, 15, 22, 29, 2003

Total Cost: \$594.00

Larry L. Wells
Subscribed and sworn
before me on: December 29, 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 Ora M. Eberlien, as grantor, to Nancy L. Peterson, as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, July 8, 1997 recorded on July 11, 1997, in the records of Klamath County, Oregon Vol. M97, Page 21880 covering the following described real property situated in the above-mentioned county and state, to wit:

The Easterly 125 feet of Lot 96 of CA-SITAS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligation 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:

Three monthly payments of \$641.63 each due for the months of February 2002 through August 2003 with interest accruing thereon at the contract rate of 8.49 per annum or \$18.42 per diem until paid in full, plus costs and attorney's fees.

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:

Principal \$79,210.91; Interest as of August 31, 2003: \$3,886.62; Foreclosure Guarantee \$390.00; Beneficiary is also entitled to costs and attorney fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 29, 2004 at the hour of 2:00 PM in accord with the standard of time established by ORS 187.110, at the Klamath County Courthouse, 316 Main Street, 2nd floor, 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 ben-

eficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: September 19, 2003. Laura J. Walker, Trustee. Cable, Huston, Benedict, Haagensen & Lloyd, LLP, Attorneys At Law, Suite 2000, 1001 SW Fifth Ave., Portland, OR 97204. 503-224-3092. #6272 December 8, 15, 22, 29, 2003.