

04 MAR 5 AMB:36

After Recording Return To:

Glenn H. Prohaska
5901 SW Macadam - Ste. 230
Portland, Oregon 97239

Vol M04 Page 12698

State of Oregon, County of Klamath
Recorded 03/05/2004 8:36 Am
Vol M04 Pg 12698-703
Linda Smith, County Clerk
Fee\$ 46.00 # of Pgs 6

This Space Reserved For Recorder's Use

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah) ss:

Glenn H. Prohaska, 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.

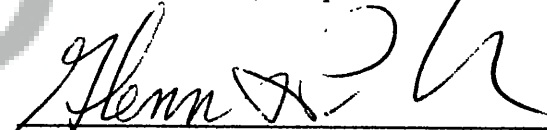
I gave notice of the sale of the real property described in the attached Amended Trustee's Notice of Sale by mailing copies thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME: Robin and/or Mark Tyson ADDRESS: 5608 Brant Dr., Bonanza, OR 97623
Robin and/or Mark Tyson and/or Occupant(s) 3611 N. Hwy. 97, #62, Klamath Falls, OR 97601

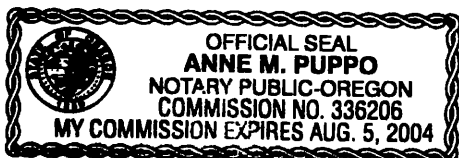
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 Glenn H. Prohaska, 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 Portland, Oregon on November 11, 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.


Glenn H. Prohaska, OSB #69140

Personally appeared before me the above named Glenn H. Prohaska on March 2, 2004 and acknowledged the foregoing to be his voluntary act and deed.




NOTARY PUBLIC FOR OREGON
My Commission expires 8-5-2004

TRUSTEE'S NOTICE OF SALE

12699

Reference is made to that certain trust deed made by **Robin Tyson and Mark Tyson**, as grantor(s), to Glenn h. Prohaska, as trustee, in favor of Conseco Finance Servicing Corp., as beneficiary, dated May 11, 2000, recorded May 15, 2000, in the mortgage records of Klamath County, Oregon, as Vol. M00, Page 17504, covering the following described real property situated in said county and state, to wit:

Parcel 1:

Lot 18, Block 42, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2, in the County of Klamath, State of Oregon.

Parcel 2:

Lots 19 and 20, Block 42, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2, in the County of Klamath, State of Oregon.

which has the address commonly known as 5608 Brant Drive, Bonanza, OR 97623.

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:

\$ 8,382.22 Total delinquent monthly payments and late chgs. due as of May 2003
 \$ 8,382.22 TOTAL AMOUNT REQUIRED TO REINSTATE AS OF May 2003

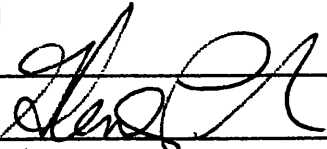
By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

\$ 105,683.60 Principal balance of loan
 \$ 105,683.60 TOTAL AMOUNT DUE AS OF May 2003

WHEREFORE, notice hereby is given that the undersigned trustee will on **October 23, 2003**, at the hour of **10:00 o'clock A.M.**, in accord with the standard of time established by ORS 187.110, at front steps of Klamath County Courthouse 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 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: / , 2003



 Trustee

STATE OF OREGON, County of Multnomah) 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.

 Glenn H. Prohaska, OSB #69140

SERVE: Robin Tyson and/or Mark Tyson (OR CURRENT OCCUPANT)
5608 Brant Drive - Bonanza, OR 97623

AMENDED TRUSTEE'S NOTICE OF SALE

12700

Reference is made to that certain trust deed made by **Robin Tyson and Mark Tyson**, as grantor(s), to **Glenn H. Prohaska**, as trustee, in favor of **Conseco Finance Servicing Corp.**, as beneficiary, dated **May 11, 2000**, recorded **May 15, 2000**, in the mortgage records of **Klamath County, Oregon**, as **Vol. M00, Page 17504**, covering the following described real property situated in said county and state, to wit:

Parcel 1:

Lot 18, Block 42, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2, in the County of Klamath, State of Oregon.

Parcel 2:

Lots 19 and 20, Block 42, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2, in the County of Klamath, State of Oregon.

which has the address commonly known as **5608 Brant Drive, Bonanza, OR 97623**.

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:

\$ 8,382.22 Total delinquent monthly payments and late chgs. due as of **May 2003**
\$ 8,382.22 **TOTAL AMOUNT REQUIRED TO REINSTATE AS OF May 2003**

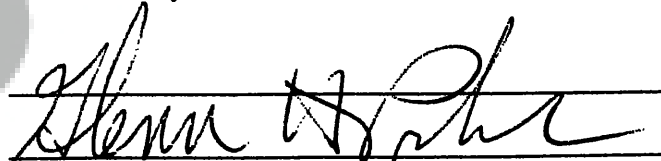
By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

\$ 105,683.60 Principal balance of loan
\$ 105,683.60 **TOTAL AMOUNT DUE AS OF May 2003**

WHEREFORE, notice hereby is given that the undersigned trustee will on **March 26, 2004**, at the hour of **10:00 o'clock A.M.**, in accord with the standard of time established by **ORS 187.110**, at front steps of **Klamath County Courthouse** 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 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: November 11, 2003



 Trustee

STATE OF OREGON, County of Multnomah) 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.

 Glenn H. Prohaska, OSB #69140

SERVE: **Robin Tyson and/or Mark Tyson (OR CURRENT OCCUPANT)**
5608 Brant Drive - Bonanza, OR 97623

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

12701

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 03-03361

Received for Service 11/14/03

I hereby certify that I received for service
the within:

TRUSTEE'S NOTICE OF SALE

Further I certify that on 11/14/03, after personal inspection, I
found the following described real property to be unoccupied:

5608 BRANT DR
BONANZA , Oregon.

All search and service was made within Klamath County, State of
Oregon.

Timothy M. Evinger, Sheriff
Klamath County, Oregon

By 
BRYANT, JOSH

Copy to:

PROHASKA, GLENN H
5901 SW MACADAM AVE STE 230
PORTLAND

OR 97239

Affidavit of Publication

12702

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 # 6122

Notice of Sale/Tyson

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

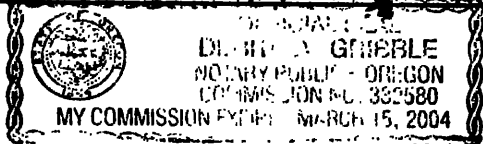
Insertion(s) in the following issues:
September 24, October 1, 8, 15, 2003

Total Cost: \$621.00

Larry L. Wells
Subscribed and sworn
before me on: October 15, 2003

Debra A. Scribble
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 Robin Tyson and Mark Tyson, as grantor(s), to Glenn H. Prohaska as trustee, in favor Conseco Finance Servicing Corp., as beneficiary, dated May 11, 2000, recorded May 15, 2000, in the mortgage records of Klamath County, Oregon as Fee M00, page 17504, covering the following described real property situated in said county and state, to wit:

Parcel 1: Lot 18, Block 42, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, Plat No. 2, in the County of Klamath, State of Oregon.
Parcel 2: Lots 19 and 20, Block 42, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT PLAT NO 2, in the County of Klamath State of Oregon.

which has the address commonly known as 5608 Brant Drive, Bonanza, OR 97623.

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.

\$8,382.22 - Total delinquent monthly payments and late chgs, due as of May 2003. \$8382.22 - TOTAL AMOUNT REQUIRED TO REINSTATE AS OF May 2003.

By reason of the default, 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:

\$105,683.60 - Principal balance of loan.
\$105,683.60 - TOTAL AMOUNT DUE AS OF May 2003.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 23, 2003, at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110 at front steps of Klamath County Courthouse 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 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.

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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: September 24, 2003. Glenn H. Prohaska, Trustee. 5901 SW Macadam - Suite 230, Portland, OR 97239. (503) 241-0020; Fax (503) 223-6212. #6122 September 24, October 1, 8, 15, 2003.

After Recording Return To:

Glenn H. Prohaska
5901 SW Macadam - Ste. 230
Portland, Oregon 97239

12703

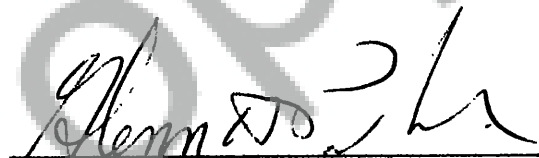
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CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON, County of Multnomah) ss.


THIS IS TO CERTIFY that I am the beneficiary in that certain trust deed in which Robin Tyson and Mark Tyson as grantor, conveyed to Glenn H. Prohaska as trustee, certain real property in Klamath County, Oregon. The trust deed was dated May 11, 2000 and recorded May 15, 2000 in the Records of that county, Recording No./Fee No./ M00, page 17504. Thereafter, a Notice of Default with respect to the trust deed was recorded January 11, 2002 as Recording No./Fee No./Vol. M02, Page 2022. Thereafter, the trust deed was duly foreclosed by advertisement and sale, and the real property covered by the trust deed was sold at the trustee's sale on March 26, 2004. 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.

In construing this certificate the singular includes the plural, "grantor" includes any successor in interest to the grantor, "trustee" includes any successor trustee, and "beneficiary" includes any successor in interest to the beneficiary named in the trust deed.



Glenn H. Prohaska, OSB #69140

Personally appeared before me the above named Glenn H. Prohaska on March 2, 2004 and acknowledged the foregoing to be his voluntary act and deed.



NOTARY PUBLIC FOR OREGON
My Commission expires _____

