

**AMENDED TRUSTEE'S NOTICE OF SALE  
 (after release from stay)**

Reference is made to that certain trust deed made by ROBERT ANDREW HARRIS AND SARA LOUISE HARRIS, as tenants by the entirety, as grantor, to AMERITITLE, an Oregon corporation, as trustee (Neal G. Buchanan was appointed Successor Trustee by Appointment of Successor Trustee, recorded in Volume M03, page 06436 the 3rd day of February, 2003), in favor of VERNON K. MOURER, NETTIE PEARL MOURER, CHARLES R. MOURER, VERNON R. MOURER, or the survivor thereof, as beneficiary, dated July 24, 2002 (signed July 25, 2002) and recorded on August 8, 2002 in the mortgage records of Klamath County, Oregon in volume no. M02 at page 44793, covering the following described real and personal property situated in said county and state, to-wit:

"Lot 2 in Block 2, TRACT NO. 1065, IRISH BEND, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, TOGETHER WITH an undivided 1/90th interest in and to Lot 12, Block 4, TRACT NO. 1065, IRISH BEND. TOGETHER WITH a 1973 VILAW HT Manufactured Home, Oregon License #X92091, Serial #20436 which is situate on the real property described herein."

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) Failure to pay the monthly payment due in the sum of \$575.00 due January 26, 2003, together with a payment in a like amount for each and every month thereafter; 2) Failure to provide proof of insurance on the premises as required by paragraph 4 of the Trust Deed; 3) Failure to pay when due all taxes, assessments and other charges as required by paragraph 5 of the Trust Deed; 4) Allowing the attachment of additional liens or encumbrances in contravention of paragraph 5 of the Trust Deed; 5) Agreeing to sell, convey, assign or alienate the property without first having obtained the written consent or approval of the beneficiary in contravention of the provisions 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: Principal balance in the sum of \$58,734.29, unpaid interest in the sum of \$3,247.31, together with interest on the unpaid principal balance at the rate of 7 1/2% per annum from October 15, 2003 until paid; real property taxes due and owing; reimbursement for any insurance placed upon the premises by the beneficiary until sale; 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 secured by the Trust Deed, together with trustee's and attorney's fees.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on August 5, 2003, at the hour of 1:00 o'clock P.M., in accordance 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; however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by proceedings under the National Bankruptcy Act or for other lawful reason.

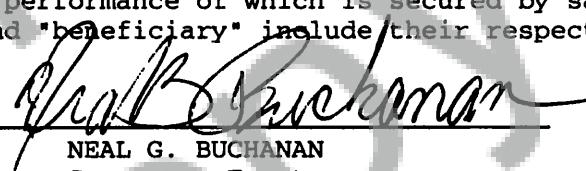
**WE ARE ATTEMPTING TO COLLECT A DEBT.  
 ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

The beneficiary did not participate in obtaining such stay. Said stay was terminated by court order on January 15, 2004 and by dismissal of the said bankruptcy proceeding pursuant to order dated January 23, 2004.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 8, 2004, 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 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: February 6, 2004

  
NEAL G. BUCHANAN  
Successor Trustee

State of Oregon, County of Klamath ) ss.

I, the undersigned, certify that I am the attorney 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

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

13016

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 04-00383

Received for Service 02/09/04

I hereby certify that I received for service on  
OCCUPANTS, ALL  
the within:

AMENDED TRUSTEE'S NOTICE OF SALE

ROBERT HARRIS-12/12/53- WAS SERVED AT THE ABOVE LISTED ADDRESS.

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

Timothy M. Evinger, Sheriff

Klamath County, Oregon

By Clint Wells  
WELLS, CLINT

Copy to:

NEAL G. BUCHANAN, ATTORNEY AT LAW  
435 OAK AVENUE  
KLAMATH FALLS  
OR 97601



NT

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

13018

RE: Trust Deed from

ROBERT ANDREW HARRIS AND  
SARA LOUISE HARRIS

To \_\_\_\_\_ Grantor

AMERITITLE  
(NEAL G. BUCHANAN, AS SUCCESSOR)

Trustee

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

NEAL G. BUCHANAN

435 Oak Ave.

Klamath Falls, OR 97601

STATE 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.

Amended

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

Larry Frederickson

P.O. Box 302  
Crescent, OR 97733**Nature, Right, Lien or Interest:**

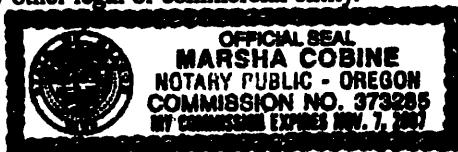
Klamath County Circuit Court Case No. 0300968CV

Klamath County Circuit Court Case No. 0301258CV

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 February 17, 2004. 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 February 17, 2004*Neal Buchanan*

Notary Public for Oregon

My commission expires 11-7-07

NT

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

13019

RE: Trust Deed from

**ROBERT ANDREW HARRIS AND  
SARA LOUISE HARRIS**

To \_\_\_\_\_ Grantor \_\_\_\_\_

**AMERITITLE****(NEAL G. BUCHANAN, As Successor**

Trustee \_\_\_\_\_

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

**NEAL G. BUCHANAN****435 Oak Ave.****Klamath Falls, OR 97601**STATE OF OREGON, County of **Klamath**) as:  
**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. **Amended**

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

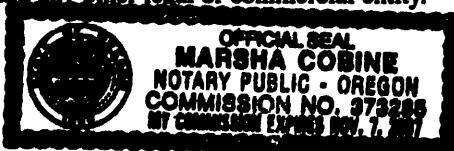
ADDRESS

**SEE THE ATTACHED EXHIBIT A**

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 **Feb. 2004**. 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 **February 6 2004****Marsha Cobine**

Notary Public for Oregon

My commission expires **11-7-07**

## EXHIBIT A

<u>Name and Last Known Address</u>	<u>Nature of Right, Lien or Interest</u>
Robert Andrew Harris and Sara Louise Harris P.O. Box 123 Chiloquin, Oregon 97624	Grantor
Kelly Wright 1663 Greensprings Dr. #16 Klamath Falls, Oregon 97601	Purported Purchaser
Occupant 33774 Metate Lane Chiloquin, Oregon 97624	Party in Possession
Davene Elliott 5910 Tingley Lane Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0000615CV
Robert J. Thomas 27439 Highway 140W Klamath Falls, Oregon 97601	Klamath County Circuit Court Case No. 0200995CV
Brian L. Fitterer 4770 Campew Dr., #200 Newport Beach, CA 92660	Klamath County Circuit Court Case No. 0202623CV
Daniel Lowe and Michelle Lowe P.O. Box 82 Tulelake, CA 96134	Klamath County Circuit Court Case No. 0201724CV
McMahan's Furniture 6320 S. 6th Street Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0300179CV
Harley's Auto Repair and Machine Shop 3000 Pershing Way Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0300206CV
State of Oregon Department of Justice Attorney General's Office 1162 Court Street NE Salem, Oregon 97301	Klamath County Circuit Court Case No. 0300179CV
Carter-Jones Collection Service, Inc. 1143 Pine Street Klamath Falls, Oregon 97601	Klamath County Circuit Court Case No. 0302468CV
Larry Fredrickson 137329 Hwy 97 Crescent, OR 97733	Klamath County Circuit Court Case No. 0300968CV

ON

## TRUSTEE'S NOTICE OF SALE

13021

Reference is made to that certain trust deed made by ROBERT ANDREW HARRIS AND SARA LOUISE HARRIS, as tenants by the entirety, as grantor, to AMERITITLE, an Oregon corporation (NEAL G. BUCHANAN, AS Successor), as trustee, \* in favor of VERNON K. MOURER, NETTIE PEARL MOURER, CHARLES R. MOURER, VERNON R. MOURER, or the survivor thereof, as beneficiary, dated 7/24/02 signed 7/25/02, X, recorded August 8, 2002, 19, in the mortgage records of Klamath County, Oregon, in book #20436, volume No. M02 at page 44793, or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 2 in Block 2, TRACT NO. 1065, IRISH BEND, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, TOGETHER WITH an undivided 1/90th interest in and to Lot 12, Block 4, TRACT NO. 1065, IRISH BEND, TOGETHER WITH a 1973 VILAW HT Manufactured Home, Oregon License #X92091, Serial #20436 which is situate on the real property described herein.

\*Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee by an Appointment of Successor Trustee dated 1-27-03 and 1-31-03, recorded 2-3-03 at Vol. M03, Page 06436, in the Records of Klamath County, Oregon.

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) Failure to pay the monthly payment due in the sum of \$575.00 due October 26, 2002, together with a payment in a like amount for each and every month thereafter; 2) Failure to provide proof of insurance on the premises as required by paragraph 4 of the Trust Deed; 3) Failure to pay when due all taxes, assessments and other charges as required by paragraph 5 of the Trust Deed; 4) Allowing the attachments of additional liens or encumbrances in contravention of paragraph 5 of the Trust Deed; 5) Agreeing to sell, convey, assign or alienate the property without first having obtained the written consent or approval of the beneficiary in contravention of the provisions of the Trust Deed.

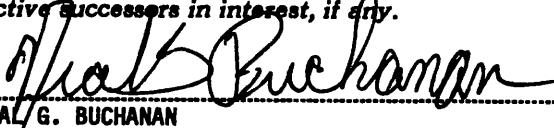
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: Principal and interest in the sum of \$59,450.64, together with interest on the unpaid principal balance at the rate of 7.5% per annum from January 22, 2003 until paid; real property taxes due and owing; reimbursement for any insurance placed upon the premises by the beneficiary until sale; 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 secured by the Trust Deed, together with trustee's and attorney's fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 5, 2003, xx, at the hour of 1:00 o'clock, P. M., in accord with the standard of time established by ORS 187.110, at 435 Oak Ave. (the law offices of Neal G. Buchanan)

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 MARCH 19, 2003, xx

  
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.

NN

13022

Vol M03 Page 16424NOTICE OF DEFAULT  
AND ELECTION TO SELLRE: Trust Deed from  
ROBERT ANDREW HARRIS and SARA LOUISE HARRISTo \_\_\_\_\_  
**AMERITITLE**  
**NEAL G. BUCHANAN as Successor**

Grantor

Trustee

After recording, return to (Name, Address, Zip):  
NEAL G. BUCHANAN  
435 OAK AVE.  
KLAMATH FALLS, OR 97601

State of Oregon, County of Klamath

Recorded 03/19/2003 10:17 A.m.

Vol M03 Pg 16424

Linda Smith, County Clerk

Fee \$ 31 # of Pgs 3Reference is made to that certain trust deed made by ROBERT ANDREW HARRIS and SARA LOUISE HARRIS, as tenants by the entirety, as grantor, to AMERITITLE, an Oregon corporation (NEAL G. BUCHANAN, as Successor) as trustee\*,  
in favor of VERNON K. MOURER, NETTIE PEARL MOURER, CHARLES R. MOURER, VERNON R. MOURER, or the survivor thereof, as beneficiary,  
dated 7/24/02 signed 7/25/02, recorded on August 8, 2002, in the Records of  
Klamath County, Oregon, in book/reel/volume 44793 at page 44793, and/or as  
fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real property  
situated in the above-mentioned county and state, to-wit:Lot 2 in Block 2, TRACT NO. 1065, IRISH BEND, according to the official plat thereof on file in the office of  
the County Clerk of Klamath County, Oregon, TOGETHER WITH an undivided 1/90th interest in and to Lot 12,  
Block 4, TRACT NO. 1065, IRISH BEND, TOGETHER WITH a 1973 VILAW HT Manufactured Home, Oregon License #X92091,  
Serial #20436 which is situate on the real property described herein.\*Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee by an Appointment of Successor Trustee  
dated January 27, 2003 and January 31, 2003, recorded February 3, 2003 at Vol. M03, Page 06436, in the  
Records of Klamath County, Oregon.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the Records of the county or counties in which the above-described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums: 1) Failure to pay the monthly payment due in the sum of \$575.00 due October 26, 2002, together with a payment in a like amount for each and every month thereafter; 2) Failure to provide proof of insurance on the premises as required by paragraph 4 of the Trust Deed; 3) Failure to pay when due all taxes, assessments and other charges as required by paragraph 5 of the Trust Deed; 4) Allowing the attachments of additional liens or encumbrances in contravention of paragraph 5 of the Trust Deed; 5) Agreeing to sell, convey, assign or alienate the property without first having obtained the written consent or approval of the beneficiary in contravention of the provisions of the Trust Deed.

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: Principal and interest in the sum of \$59,450.64, together with interest on the unpaid principal balance at the rate of 7.5% per annum from January 22, 2003 until paid; real property taxes due and owing; reimbursement for any insurance placed upon the premises by the beneficiary until sale; 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 secured by the Trust Deed, together with trustee's and attorney's fees

(OVER)

16425



Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 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 the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The sale will be held at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110 on August 5, 2003, at the following place: 435 Oak Avenue (the law offices of Neal G. Buchanan) in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address

Nature of Right, Lien or Interest

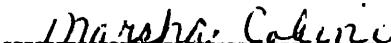
See the attached Exhibit A

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 the 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 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 March 19, 2003  
NEAL G. BUCHANAN

Successor Trustee

 Trustee  Beneficiary (indicate which)STATE OF OREGON, County of Klamath ss.This instrument was acknowledged before me on March 19, 2003,  
by Neal G. BuchananThis instrument was acknowledged before me on \_\_\_\_\_,  
by \_\_\_\_\_  
as \_\_\_\_\_  
of \_\_\_\_\_

Notary Public for Oregon

My commission expires 11-17-03

EXHIBIT A

<u>Name and Last Known Address</u>	<u>Nature of Right, Lien or Interest</u>
Robert Andrew Harris and Sara Louise Harris P.O. Box 453 Gilchrist, Oregon 97737	Grantor
Kelly Wright 2005 Chinchilla Way Klamath Falls, Oregon 97603	Purported Purchaser
Occupant 33774 Metate Lane Chiloquin, Oregon 97624	Party in Possession
Davene Elliott 5910 Tingley Lane Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0000615CV
Robert J. Thomas 27439 Highway 140W Klamath Falls, Oregon 97601	Klamath County Circuit Court Case No. 0200995CV
Brian L. Fitterer 4770 Campew Dr., #200 Newport Beach, CA 92660	Klamath County Circuit Court Case No. 0202623CV
Daniel Lowe and Michelle Lowe P.O. Box 82 Tulelake, CA 96134	Klamath County Circuit Court Case No. 0201724CV
McMahan's Furniture 6320 S. 6th Street Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0300179CV
Harley's Auto Repair and Machine Shop 3000 Pershing Way Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0300206CV

NTS

13025

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

**RE: Trust Deed from**

## ROBERT ANDREW HARRIS AND SARA LOUISE HARRIS

To **Greater**  
**AMERITITLE**  
**(NEAL G. BUCHARAN, as Successor)**

Trustee

STATE 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

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 March 30, 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.

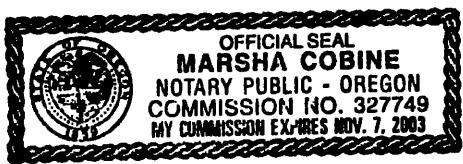
As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation and any other legal or commercial entity.

NEAL G. BUCHANAN

Subscribed and sworn to before me on March 20, 2003

Maria Cabral

**Notary Public for Oregon**



**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 and Last Known Address</u>	<u>Nature of Right, Lien or Interest</u>
Robert Andrew Harris and Sara Louise Harris P.O. Box 453 Gilchrist, Oregon 97737	Grantor
Kelly Wright 2005 Chinchilla Way Klamath Falls, Oregon 97603	Purported Purchaser
Occupant 33774 Metate Lane Chiloquin, Oregon 97624	Party in Possession
Davene Elliott 5910 Tingley Lane Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0000615CV
Robert J. Thomas 27439 Highway 140W Klamath Falls, Oregon 97601	Klamath County Circuit Court Case No. 0200995CV
Brian L. Fitterer 4770 Campew Dr., #200 Newport Beach, CA 92660	Klamath County Circuit Court Case No. 0202623CV
Daniel Lowe and Michelle Lowe P.O. Box 82 Tulelake, CA 96134	Klamath County Circuit Court Case No. 0201724CV
McMahan's Furniture 6320 S. 6th Street Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0300179CV
Harley's Auto Repair and Machine Shop 3000 Pershing Way Klamath Falls, Oregon 97603	Klamath County Circuit Court Case No. 0300206CV

NT

13027

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

RE: Trust Deed from

ROBERT ANDREW HARRIS AND  
SARA LOUISE HARRIS

To

Grantor

AMERITITLE  
(NEAL G. BUCHANAN, Successor)

Trustee

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

Neal G. Buchanan  
435 Oak Ave.  
Klamath Falls, OR 97601

STATE 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

State of Oregon  
Department of Justice

Re: Klamath County Case No.  
0300179CV

## ADDRESS

Attorney General's Office  
1162 Court Street NE  
Salem, OR 97301

Carter-Jones Collection Service, Inc.

1143 Pine Street  
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 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 July 7, 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 July 7, 2003,

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

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

13028

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 03-00825

Received for Service 03/19/03

I hereby certify that I received for service on  
OCCUPANTS, ALL  
the within:

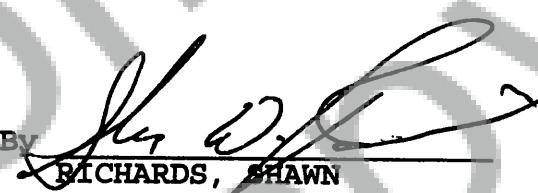
TRUSTEE'S NOTICE OF SALE

OCCUPANTS, ALL  
was served personally, and in person, at  
33774 METATE LANE  
CHILOQUIN , OR, on 04/02/03,  
at 11:10 hours.

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

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By

  
RICHARDS, SHAWN

LIVING AT RESIDENCE: BOWEN, FERNE E  
BOWEN, JACOB  
NEW, ANGLE ALSO POSSIBLY: DON OWENS, JAKE OWENS.

Copy to:

NEAL G. BUCHANAN, ATTORNEY AT LAW  
435 OAK AVENUE  
KLAMATH FALLS OR 97601

EE

**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S  
NOTICE OF SALE UPON OCCUPANT PURSUANT  
TO ORS 95.750 (1) AND PROOF OF SERVICE  
(120-Day Notice)**

RE: Trust Deed from  
**ROBERT ANDREW HARRIS AND SARA LOUISE HARRIS**

To Grantor

**AMERITITLE  
(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

Occupant - unknown

**33774 Metate Lane  
Chiloquin, Oregon 97624**

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.

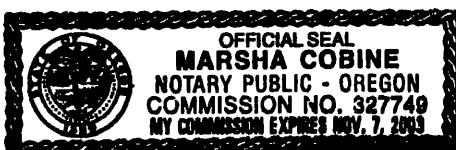
Service should be made by **April 11, 2003**, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in attempting to make service until it has been accomplished.

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*  
NEAL G. BUCHANAN,

(ATTORNEY FOR) TRUSTEE

SIGNED AND SWORN TO before me on **March 19, 2003**



*Marsha Cobine*

Notary Public for Oregon

My commission expires **11-7-03**

NT

13030

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

RE: Trust Deed from

ROBERT ANDREW HARRIS AND  
SARA LOUISE HARRISTo Grantor  
**AMERITITLE**  
**(NEAL G. BUCHANAN, Successor)**

Trustee

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

NEAL G. BUCHANAN  
435 Oak Ave.  
Klamath Falls, OR 97601STATE 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

Larry Fredrickson

137329 Hwy 97  
Crescent, OR 97733

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 April 4, 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 April 4, 2003,
  
 Notary Public for Oregon  
 My commission expires 11-7-03

NT

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

13031

RE: Trust Deed from

**ROBERT ANDREW HARRIS AND  
SARA LOUISE HARRIS**

To

Grantor

**AMERITITLE  
(NEAL G. BUCHANAN, Successor)**

Trustee

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

**NEAL G. BUCHANAN**

**435 Oak Ave.**

**Klamath Falls, OR 97601**

STATE OF OREGON, County of **Klamath**) as:

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

**Kelly Wright**

**1663 Greensprings Dr. #16  
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 **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 **April 7, 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 Buchanan*  
NEAL G. BUCHANAN

Subscribed and sworn to before me on **April 7, 2003**,

*Marsha Cobine*

Notary Public for Oregon

My commission expires **11-7-03**



## Affidavit of Publication

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 # 5883

Notice of Sale/Harris

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:

June 10, 17, 24, July 1, 2003

Total Cost: \$850.50

*Debra A. Gribble*  
Subscribed and sworn  
before me on: July 1, 2003

Debra A. Gribble  
Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S  
NOTICE OF SALE

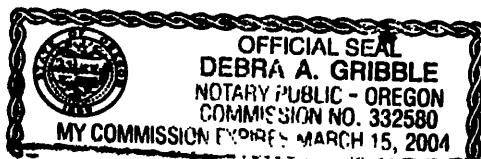
Reference is made to that certain trust deed made by Robert Andrew Harris and Sara Louise Harris, as tenants by the entirety, as grantor to Amerititle, an Oregon corporation (Neal G. Buchanan, as successor), as trustee, Neal G. Buchanan, Attorney at Law, was appointed Successor Trustee by an Appointment of Successor Trustee dated 1/27/03 and 1/31/03, recorded 2/3/03 at Vol. M03, Page 06436, in the Records of the Klamath County, Oregon; in favor of Vernon K. Mourer, Nettle Pearl Mourer, Charles R. Mourer, Vernon R. Mourer, or the survivor thereof, as beneficiary, dated 7/24/02, re-signed 7/25/02, recorded August 8, 2002, in the mortgage records of Klamath County, Oregon in book no. M02 at page 44793 or as fee/file/instrument/microfilm/reception no. -- covering the following described real property situated in said county and state, to-wit:

Lot 2 in Block 2, Tract No. 1065, Irish Bend, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon together with an undivided 1/90th interest in and to Lot 12, Block 4, Tract No. 1065, Irish Bend, together with a 1973 Vliew HT Manufactured Home, Oregon License #X92091, Serial #20436 which is situate on the real property described herein.

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) Failure to pay the monthly payment due in the sum of \$575.00 due October 26, 2002 together with a payment in a like amount for each and every month thereafter; 2) Failure to provide proof of insurance on the premises as required by paragraph 4 of the Trust Deed; 3) Failure to pay when due all taxes, assessments and other charges as required by paragraph 5 of the Trust Deed; 4) Allowing the attachments of additional liens or encumbrances in contravention of paragraph 5 of the Trust Deed; 5) Agreeing to sell, convey, assign or alienate the property without first having obtained the written consent or approval of the beneficiary in contravention of the provisions 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: Principal and interest in the sum of \$59,450.64, together with interest on the unpaid principal balance at the rate of 7.5% per annum from January 22, 2003 until paid; real property taxes due and owing; reimbursement for any insurance placed upon the premises by the beneficiary until sale; 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 secured by the Trust Deed, together with trustee's and attorney's fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 5, 2003 at the hour of 1:00 PM in accord with the standard of time established by ORS 187.110 at 435 Oak Ave. (the law offices of Neal G. Buchanan) 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 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 dis-



missed 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 March 19, 2003. Neal G. Buchanan, Successor Trustee. We are attempting to collect a debt. Any information obtained will be used for that purpose.

#5883 June 10, 17, 24, July 1, 2003.

unofficial  
copy