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Vol M04 Page 31750
AFFIDAVIT OF NON-OCCUPANCY

State of Oregon, County of Klamath
Recorded 05/20/2004 1:13 p m
Vol M04 Pg 31750-31753
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

STATE OF OREGON, County of Klamath) ss.

I, SCOTT D. MacARTHUR, being first duly sworn, depose and certify that:

I am the Successor Trustee under the Trust Deed delivered by Denise Lovett and Mary Dickerson, as grantor to Amerititle, Inc., as Trustee to Andre H. Guiberson, dated September 19, 2002 and recorded October 14, 2002 at Volume M02, page 58550 of the Mortgage Records of Klamath County, Oregon covering the following described property situated in Klamath County, Oregon

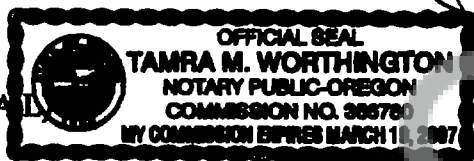
Lot 3 in Block 3 of FAIRVIEW ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

I hereby certify that the above described real property was not occupied at the time the Notice of Default and Election to Sell was recorded on December 19, 2003.

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

Scott D. MacArthur

Subscribed and sworn to before me this 20th day of May, 2004.



*(S E A L)

Tamra M. Worthington
Notary Public for Oregon

My Commission Expires: March 18, 07

CERTIFICATE OF NON-OCCUPANCY STATE OF OREGON, County of Klamath)ss.

After Recording return to:
o/c Scott D. MacArthur, P.C.
280 Main Street
Klamath Falls, OR 97601

3/26/04

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

31751

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from
Denise Lovett and Mary Dickerson, Grantor**

TO

Andre H. Guiberson, Beneficiary

**After recording return to:
Scott D. MacArthur, P.C.
280 Main Street
Klamath Falls, OR 97601**

STATE OF OREGON, County of Klamath) ss.

I, Scott D. MacArthur, being first duly sworn, depose, and say and certify 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy 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:

Denise Lovett, 1534 Crescent Avenue, Klamath Falls, OR 97601

Mary Dickerson, 1534 Crescent Avenue, Klamath Falls, OR 97601

Said 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 required by ORS 86.785.

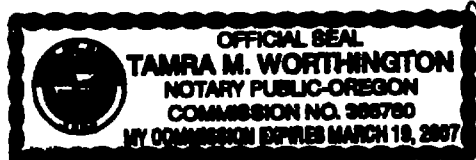
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Scott D. MacArthur, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on April 23, 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 and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

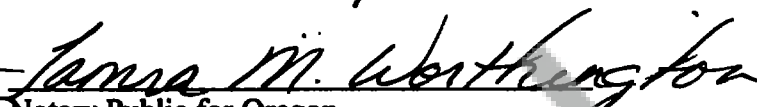
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.



Scott D. MacArthur, Successor Trustee

Subscribed and sworn to before me this 20th day of May, 2004.





Notary Public for Oregon
My commission expires March 18, 07

Affidavit of Publication

31753

STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, 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 I know from my personal knowledge that the

Legal # 6542

Notice of Sale/Lovett-Dickerson

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:

April 7, 14, 21, 28, 2004

Total Cost: \$594.00

Subscribed and sworn

before me on: April 28, 2004

Notary Public of Oregon

My commission expires March 15, 2008

AMENDED NOTICE OF DEFAULT AND ELECTION TO SELL.

Reference is made to that certain trust deed made by DENISE LOVETT and MARY DICKERSON, not as tenants in common, but with right of survivorship, as grantor to AMERITITLE, INC., as trustee, in favor of ANDRE H. GUIBERSON, as beneficiary, dated September 19, 2002, recorded October 14, 2002, in the mortgage records of Klamath County, Oregon in book/reel/ volume No. M02 at page 58550, covering the following described real property situated in said county and state, to-wit:

Lot 3 in Block 3 of FAIRVIEW ADDITION to the City of Klamath Falls, 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 obligations secured by said trust deed and a Notice of Default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes. The Default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Payment in full in the amount of \$5,296.74 due in full on October 4, 2003.

By reason of said default, the beneficiary has declared all sums owing on the obligation se-

cured by said trust deed immediately due and payable, said sums being the following, to-wit; \$5,296.74 as of September 2, 2003 plus interest.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 24, 2004 at the hour of 10:00 A.M. Standard Time, as established by Section 187.110, Oregon Revised Statutes, at 280 Main Street, 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 said described real property which the grantors had or had power to convey at the time of the execution by him 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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 ten-

dering 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 Section 86.753 of Oregon Revised Statutes.

In construing this notice, the masculine gender includes the feminine and the neuter, 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: April 7, 2004.
Scott D. MacArthur,
Successor Trustee.
#6542 April 7, 14, 21,
28, 2004.

