

04 SEP 7 PM 3:28

MTC-64761

Vol M04 Page 59663

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

RE: Trust Deed from

**Robert J. Thomas**

**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 09/07/04 3:28 p. m

Vol M04 Pg 59663-20

Linda Smith, County Clerk

Fee \$ 56<sup>00</sup> # 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:

Candice R. Thomas  
5640 Blue Heron Drive  
Bonanza, OR 97623

Robert J. Thomas  
PO Box 7626  
Klamath Falls, OR 97601

Occupant  
5640 Blue Heron Drive  
Bonanza, OR 97623

Kings County Family Support  
Division  
PO Box 1289  
Hanford, CA 93232

Klamath County Tax Collector  
Local Government Center  
305 Main Street  
Klamath Falls, OR 97601

Reginald R. Davis  
Klamath County Counsel  
403 Pine Street, Third Floor  
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 Kenneth P. Dobson, 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 June 2, 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.

Subscribed and sworn to before me on September 2, 2004.

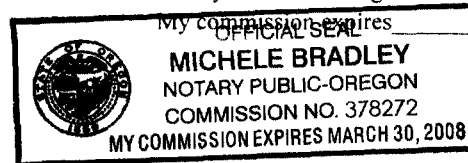
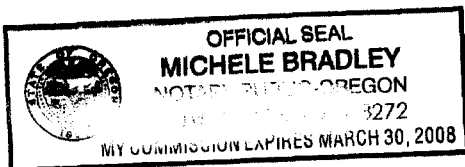
*Laura J. Walker*

Laura J. Walker, Trustee

*Michele Bradley*

Notary Public for Oregon

My commission expires



03-30-08

*500 am*

**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:

Reginald ~~R~~ Davis  
 Klamath County Counsel  
 403 Pine Street, Third Floor  
 Klamath Falls, OR 97601

2. Article Number  
(Transfer from service label)

7002 3150 0005 9692 7707

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature **59664**  
 X *N. Oros*  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
 6-4

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

305 main

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:

Klamath County Tax Collector  
 Local Government Center  
 305 Main Street  
 Klamath Falls, OR 97601

2. Article Number  
(Transfer from service label)

7002 3150 0005 9692 7752

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Sheila Cloud*  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
 Sheila Cloud 6-4

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:

Kings County Family Support Division  
 PO Box 1289  
 Hanford, CA 93232

2. Article Number  
(Transfer from service label)

7002 3150 0005 9692 7714

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *[Signature]*  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
 6-7-4

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.

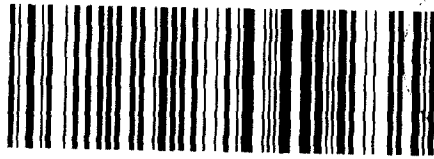
4. Restricted Delivery? (Extra Fee)  Yes

Domestic Return Receipt

102595-02-M-1540

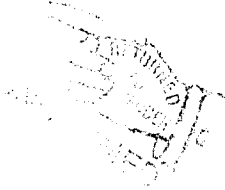
59665

**CERTIFIED MAIL™**



7002 3150 0005 9692 7745

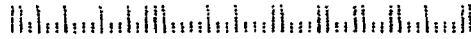
**WON BENEDICT  
& LLOYD LLP**  
ATTORNEYS AT LAW  
2000  
FIFTH AVENUE  
SEASIDE, OR 97204-1136



Robert J. Thomas  
PO Box 7626  
Klamath Falls, OR 97601

JUN 4 2006

97204-1136  
97602-7626



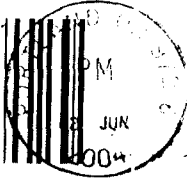
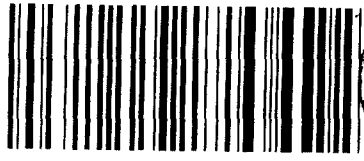
**CERTIFIED MAIL™**

59666

GREETINGS  
FROM  
Far Far Away

**HUSTON BENEDICT  
ENSEN & LLOYD LLP**  
ATTORNEYS AT LAW  
SUITE 2000  
001 SW FIFTH AVENUE  
ND, OREGON 97204-1136

AA



7002 3150 0005 9692 7721

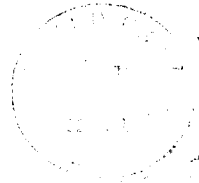
- No Postage Necessary
- Vacant  Illegible
- No Postage Necessary

Candice R. Thomas  
5640 Blue Heron Drive  
Bonanza, OR 97623

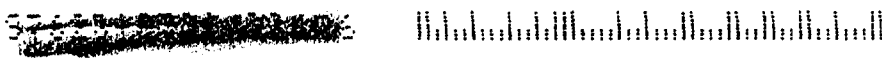


**HUSTON BENEDICT  
ENSEN & LLOYD LLP**  
ATTORNEYS AT LAW  
SUITE 2000  
1 SW FIFTH AVENUE  
OREGON 97204-1136

el4



Candice R. Thomas  
5640 Blue Heron Drive  
Bonanza, OR 97623

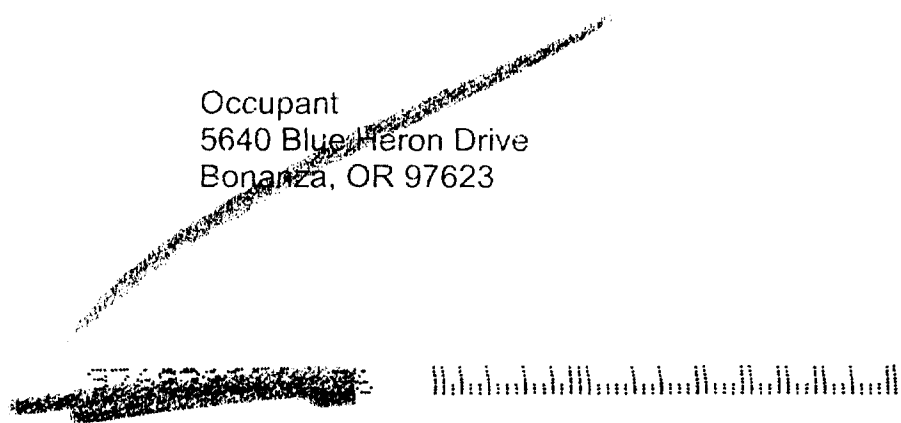


**HUSTON BENEDICT  
ENSEN & LLOYD LLP**  
ATTORNEYS AT LAW  
SUITE 2000  
301 SW FIFTH AVENUE  
PORTLAND, OREGON 97204-1136

u/4

59667

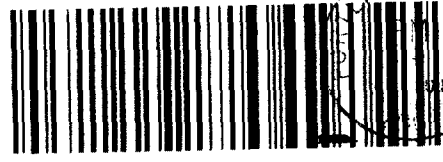
Occupant  
5640 Blue Heron Drive  
Bonanza, OR 97623



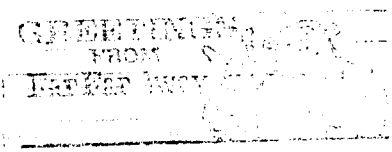
**HUSTON BENEDICT  
ENSEN & LLOYD LLP**  
ATTORNEYS AT LAW  
SUITE 2000  
301 SW FIFTH AVENUE  
PORTLAND, OREGON 97204-1136

**CERTIFIED MAIL™**

AR



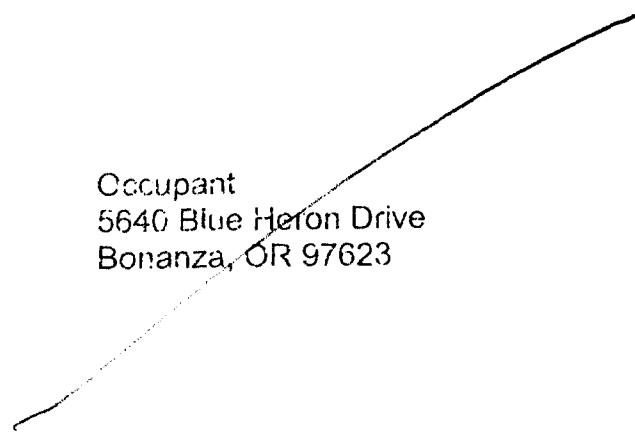
7002 3150 0005 9692 7738



- No Postage Necessary
- Registered Mail
- Return Receipt
- Attention
- No Such Street
- Vacant  Incomplete
- No Mail Receipt
- Box Closed-No Order
- Returned For Better Address
- Postage Due

WAC

Occupant  
5640 Blue Heron Drive  
Bonanza, OR 97623



59668

**BIRDDOG SECURITY**  
2208 LAUREL ST.  
KLAMATH FALLS OR. 97601  
(541) 883-1181 OR (541) 891-6093

**AFFIDAVIT OF SERVICE NON-OCCUPANCY**

ATTN: MICHELLE BRADLEY

RE: FORECLOSURE THOMAS

**WE HAVE SERVED THE TRUSTEES NOTICE OF SALE ON JULY 03, 04  
AT**

**5640 BLUE HERON DR. BONANZA OR. LOTS 36 & 37, BLOCK 49 KLAMATH  
FALLS FOREST ESTATES, HWY 66 UNIT, PLAT 2, KLAMATH FALLS OR.  
BY POSTING.**

**WE FOUND THE MOBILE HOME VACANT AND ALL PROPERTY AND  
BUILDING VACANT EXCEPT THE WELL HOUSE AND PUMP WAS STILL  
INTACT.**

  
**BIRDDOG SECURITY**  
**MARVIN SOMMERVILLE**

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Robert J. Thomas as grantor, to Nancy L. Peterson as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated November 25, 1997 recorded on December 9, 1997 as M97, page 40026, Microfilm Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to wit:

**Lots 36 and 37, Block 49, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT, PLAT 2, 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:

**Two monthly payments of \$640.16 each due for the months of March 2004 through April 2004 with interest accruing thereon at the contract rate of 8.49% per annum or \$18.65 per diem until paid in full, plus costs and attorneys fees.**

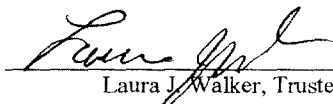
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

<b>Principal</b>	<b>\$ 80,158.22</b>
<b>Interest as of April 25, 2004:</b>	<b>\$ 969.80</b>
<b>Preliminary Title Report</b>	<b>\$ 393.00</b>
<b>Beneficiary is also entitled to costs and attorney fees.</b>	

WHEREFORE, notice hereby is given that the undersigned trustee will on **October 1, 2004**, at the hour of **10:00 o'clock, a.m.**, in accord with the standard of time established by ORS 187.110, at **the Klamath County Courthouse, 316 Main Street, 2<sup>nd</sup> 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.

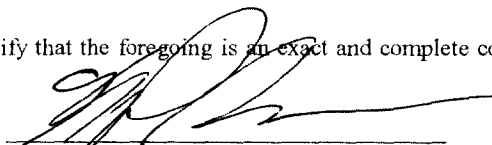
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective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

DATED this 2<sup>nd</sup> day of June, 2004.

  
\_\_\_\_\_  
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

# Affidavit of Publication

## 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 # 6867

Notice of Sale/Thomas

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

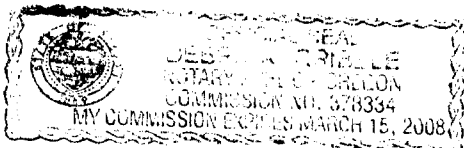
Insertion(s) in the following issues:  
August 4, 11, 18, 25, 2004

Total Cost: \$714.00

Jeanine P. Day  
Subscribed and sworn  
before me on: August 25, 2004

Debra A. Snibbl  
Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Robert J. Thomas as grantor, to Nancy L. Peterson as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated November 25, 1997 recorded on December 9, 1997 as M97, page 40026, Microfilm Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to wit:

Lots 36 and 37, Block 49, KLA-MATH FALLS FOREST ESTATES, HIGHWAY 66 UNIT, PLAT 2, 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:

Two monthly payments of \$640.16 each due for the months of March 2004 through April 2004 with interest accruing thereon at the contract rate of 8.49% per annum or \$18.65 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 \$80,158.22,  
Interest as of April 25, 2004: \$969.80,  
Preliminary Title Report \$393.00.  
Beneficiary is also entitled to costs and attorney fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 1, 2004, at the hour of 10:00 o'clock, a.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 this  
June 2, 2004.

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.

Kenneth P. Dobson  
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.  
#6867 August 4, 11, 18, 25, 2004.