

04 DEC 6 PM 3:26

MTT - 46398

AFFIDAVIT OF MAILING OF NOTICE OF SALE

STATE OF OREGON)
) ss.
COUNTY OF LANE)

State of Oregon, County of Klamath
Recorded 12/06/04 3:26 p m
Vol M04 Pg 83495-499
Linda Smith, County Clerk
Fee \$ 4/00 # of Pgs 5

I, NANCY K. CARY, being first duly sworn, depose and say:

1. I am the Successor Trustee of the Trust Deed described in the attached Trustee's Notice of Sale.

2. I served the attached Trustee's Notice of Sale upon the following parties by depositing true copies thereof in the United States Mail at Eugene, Oregon, on September 3, 2004:

Michael J. Bevans
9050 Montoya Street, #2
Sacramento CA 95826

Gerald I. Ainsworth, Trustee
PO Box 6011
Incline Village NV 89450-6337

Donna De Paola
Attorney at Law
570 Poli Street
Ventura CA 93001

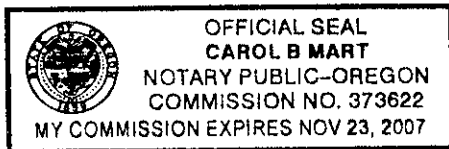
3. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below their names which, to the best of my knowledge, were their last known addresses as of the date of mailing. The copies were mailed by certified mail, return receipt requested, and by first class mail, with postage prepaid.

Nancy K. Cary

Signed and sworn to before me on September 3, 2004, by NANCY K. CARY.

Carol B Mart

Notary Public for Oregon
My Commission Expires: 11-23-07



AFTER RECORDING RETURN TO:
Hershner Hunter LLP
Attn: Carol Mart
PO Box 1475
Eugene, OR 97440

AFFIDAVIT OF MAILING

4/00 am

**JEFFERSON STATE ADJUSTERS
RECOVERY IS OUR BUSINESS**

1135 Pine Street
Klamath Falls, Oregon 97601
Phone: (541) 882-8036 Fax: (541) 883-2129

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON
COUNTY OF KLAMATH

AFTER RECORDING RETURN TO:
Hershner Hunter LLP
Attn: Carol Mart
PO Box 1475
Eugene, OR 97440

I, Ed Foreman, being first duly sworn, depose and say: That I am and have been at all material times hereto, a competent person over the age of eighteen years and a resident of the county of Klamath, State of Oregon. I am not a party to, an attorney for, or interested in any suit or action involving the property described below.

That on the 30th day of August 2004, after personal inspection, I found the following described real property to be unoccupied.

Commonly described as (Street address)

421 N Seventh Street Klamath Falls, Oregon 97601

I declare under the penalty of perjury that the above statements are true and correct.

Ed Foreman August 30, 2004
Ed Foreman (Signed and Dated)

Subscribed and Sworn to before me this 31st day of August 2004



Margaret A. Nielsen
NOTARY PUBLIC OF OREGON
MY COMMISSION EXPIRES:

The following Trustee's Notice of Sale is served on you (if mailed, by certified mail, return receipt requested and first class mail) pursuant to ORS Chapter 86, requiring notice of the foreclosure to be given to the grantor of the trust deed, to certain successors in interest of the grantor and junior lien holders, and to the occupants of the property.

TO:

TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES:

Grantor:	MICHAEL J. BEVENS
Trustee:	WILLIAM L. SISEMORE
Successor Trustee:	NANCY K. CARY
Beneficiary:	STERLING SAVINGS BANK, successor to Klamath First Federal Savings and Loan Association

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

The Southerly one-half of Lot 5, Block 53, NICHOLS ADDITION to the City of Klamath Falls, Oregon, more particularly described as follows:

Beginning at the most Southerly corner of said Lot 5; thence Northeasterly and parallel with Jefferson Street (formerly Bush Street) 65 feet to the corner common to Lots 5, 6, 3 and 4 of said Block 53; thence Northwesterly along the line between Lots 5 and 6 of said Block 60 feet; thence Southwesterly and parallel with Jefferson Street 65 feet to the Easterly line of Seventh Street; thence Southeasterly along said line of Seventh Street 60 feet to the place of beginning.

3. RECORDING. The Trust Deed was recorded as follows:

Date Recorded: August 18, 1997
Volume M97, Page 27046
Official Records of Klamath County, Oregon

4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: A partial monthly payment in the amount of \$474.00 due March 1, 2004, plus monthly payments in the amount of \$474.35, due the first of each month, for the months of April through August 2004; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$52,128.92 plus interest at at the rate of 8% per annum from February 1, 2004; plus late charges of \$102.75; plus advances and foreclosure attorney fees and costs.

6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.

7. TIME OF SALE.

Date: January 6, 2005
Time: 11:00 a.m. as established by ORS 187.110
Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon

AFTER RECORDING RETURN TO:
Hershner Hunter LLP
Attr: Carol Mart
PO Box 1475
Eugene, OR 97440

8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-0344.

DATED: August 25, 2004.

/s/ Nancy K. Cary

Nancy K. Cary, Successor Trustee
HERSHNER, HUNTER, ANDREWS,
NEILL & SMITH, LLP
P.O. Box 1475
Eugene, OR 97440

FAIR DEBT COLLECTION PRACTICES ACT NOTICE

We are attempting to collect a debt on behalf of the beneficiary named above (also referred to as the "creditor") and any information obtained will be used for that purpose. This debt is owed to the creditor in the amount of described above. Under some circumstances, you may receive more than one copy of this notice. Unless you dispute the validity of this debt, or any portion thereof, in writing within 30 days after your first receipt of the original or a copy of this notice, we will assume the debt to be valid. If you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that the debt, or any portion thereof, is disputed, we will obtain verification of the debt or (if applicable) a copy of a judgment against you and a copy of the verification or (if applicable) the judgment will be mailed to you. We will provide you with the name and address of the original creditor, if different from the creditor named above, if you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that you request such information. This communication is from a debt collector.

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 # 7049

Notice of Sale/Bevens

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

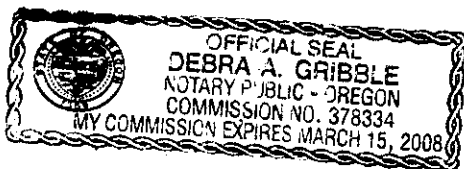
Insertion(s) in the following issues: October 28, November 4, 11, 18, 2004

Total Cost: \$658.00

Jeanine P. Day
Subscribed and sworn before me on: November 18, 2004

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES: Grantor: Michael J. Bevens; Trustee: William L. Sisemore; Successor Trustee: Nancy K. Cary; Beneficiary: Sterling Savings Bank, successor to Klamath First Federal Savings and Loan Association.

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

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Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511. (TS #21669.30067).

Dated: August 25, 2004. Nancy K. Cary, Successor Trustee. Hershner Hunter, LLP, PO Box 1475, Eugene, OR 97440. #7049 October 28, November 4, 11, 18, 2004.

AFTER RECORDING RETURN TO:

Hershner Hunter LLP
Attn: Carol Mart
PO Box 1475
Eugene, OR 97440