

AFFIDAVIT OF MAILING OF NOTICE OF SALE

STATE OF OREGON)
) ss.
 COUNTY OF LANE)

State of Oregon, County of Klamath
 Recorded 02/08/05 3:06 P m
 Vol M05 Pg 08874-78
 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 November 9, 2004:

Monica Mitchell
 2850 Jensen Lane
 Klamath Falls OR 997603

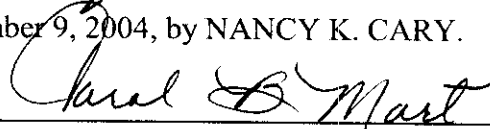
The Klamath Tribes
 PO Box 436
 Chiloquin OR 97624

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.



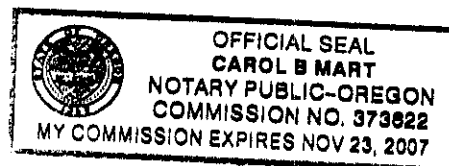
 Nancy K. Cary

Signed and sworn to before me on November 9, 2004, by NANCY K. CARY.



 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
 km

**PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS**

08875

STATE OF: OREGON
COUNTY OF: KLAMATH

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: Occupants of 2850 Jensen Lane Klamath Falls, OR 97603

X PERSONALLY SERVED: Original or True Copy to within named, personally and in person to John Doe at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to _____, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☐ **OTHER METHOD:** By leaving an Original or True Copy with _____.

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on _____ and after personal inspection, I found the above described real property to be unoccupied.

☐ **SUBSTITUTE SERVICE MAILER:** That on the ____ day of _____, 2004 I mailed a copy of the Trustee's Notice of Sale addressed to _____ and all other occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed _____

2850 Jensen Lane Klamath Falls, OR 97603

ADDRESS OF SERVICE

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

October 29, 2004 5:18 PM
DATE OF SERVICE TIME OF SERVICE

☐ or non occupancy

By: 
Robert W Bolenbaugh

Dated this 3rd day of November, 2004.

ROBERT W. BOLENBAUGH

Subscribed and sworn to before me by _____


Notary Public for Oregon



AFTER RECORDING RETURN TO:

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

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:	MONICA L. MITCHELL
Trustee:	WILLIAM L. SISEMORE
Successor Trustee:	NANCY K. CARY
Beneficiary:	STERLING SAVINGS BANK, successor to Klamath First Federal Saving and Loan Association
2. DESCRIPTION OF PROPERTY: The real property is described as follows:

Parcel 2 of Land Partition 6-97 being a portion of Lot 12 of PIEDMONT HEIGHTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, together with that portion of vacated Jones Avenue which inured thereof. TOGETHER WITH AN EASEMENT 30 feet in width over and across the Easterly 30 feet of Lots 3 and 12 of PIEDMONT HEIGHTS, as reserved in instrument recorded in Volume M96, Page 25261, and Volume M96, Page 25265, Microfilm Records of Klamath County, Oregon.
3. RECORDING. The Trust Deed was recorded as follows:

Date Recorded: March 3, 2000
Volume M00, Page 6878
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: Monthly payments in the amount of \$550.00 each, due the first of each month, for the months of July through October, 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 \$55,264.78 plus interest at the rate of 8.75% per annum from June 1, 2004; plus late charges of \$113.50; 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: March 10, 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
Attn: 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: October 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

08878

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 # 7153

Notice of Sale/Monica L. Mitchell

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:
December 30, 2004, January 6, 13, 20, '05

Total Cost: \$644.00

Jeanine P. Day

Subscribed and sworn
before me on: January 20, 2005

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: Monica L. Mitchell; Trustee: William L. Sizemore; 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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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: Monthly payments in the amount of \$550.00 each, due the first of each month, for the months of July through October, 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 \$55,264.78 plus interest at the rate of 8.75% per annum from June 1, 2004; plus late charges of \$113.50; 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: March 10, 2005; Time: 11:00 AM as established by ORS 187.110; Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon.

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) 686-8511. (TS #21669.30068).

Dated: October 25, 2004. Nancy K. Cary, Successor Trustee. Hershner Hunter, LLP, PO Box 1475, Eugene, OR 97440. #7153 December 30, 2004, January 6, 13, 20, 2005.

RECORDING RETURN TO:

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

