

MTC-64750

Vol M05 Page 08905

State of Oregon, County of Klamath

Recorded 02/08/05 3:07 p mVol M05 Pg 08905-11

Linda Smith, County Clerk

Fee \$ 56⁰⁰ # of Pgs 7**PLEASE RECORD IMMEDIATELY**

After recording return to:

Patrick Poletti

PRESTON GATES & ELLIS LLP

222 SW Columbia, Suite 1400

Portland, OR 97201

Facsimile: (503) 553-627317183-50166Grantor Rodger O. EvansOriginal Beneficiary Western Sunrise aka Crossland Mortgage Corp.Title Order Number 0064750County KlamathProperty Address 3880 Redondo Way, Klamath Falls, OR, 97603**Recording Cover Sheet**

This cover sheet has been prepared by the person presenting the attached instrument for recording, as provided by ORS 205.234. Any Errors in this Sheet do not affect the transactions contained in the instrument itself. PLEASE FAX US THE RECORDING NUMBERS AND COSTS. Then, please issue an endorsement to the Trustee's Sale Guarantee. Include our file number and grantor name on all correspondence.

- A) Names of the transactions described in the attached instruments:
- X Affidavit of Mailing Amended Trustee's Notice of Sale
 - X Original Amended Trustee's Notice of Sale

5700
7500
Amv

17183-50166/Rodger O. Evans

STATE OF OREGON)
) ss:
County of Multnomah)

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.

NAME	ADDRESS
Rodger O. Evans	3880 Redondo Way Klamath Falls, OR 97603
Fairyanita Evans	3880 Redondo Way Klamath Falls, OR 97603
All Residents and/or Occupants	3880 Redondo Way Klamath Falls, OR 97603
Internal Revenue Services District Director Attn: Chief, Special Procedures	915 Second Avenue, M/S W245 Seattle, WA 98174
Russell Melton	4659 Cannon Ave Klamath Falls, OR 97603
Helen Melton	4659 Cannon Ave Klamath Falls, OR 97603
Rodger O. Evans	6321 A Onyx Klamath Falls, OR 97603-7699
Fairyanita Evans	6321 A Onyx Klamath Falls, OR 97603-7699
Helen Melton	5507 Breitenstein Lane Klamath Falls, OR 97601
Russell L. Melton	5507 Breitenstein Lane Klamath Falls, OR 97601
Earla Patton	327 N. Alameda Ave Klamath Falls, OR 97601
Douglas V. Osborne Atty for Rodger & Fairyanita Evans	439 Pine Street Klamath Falls, OR 97601
Candace Amborn Trustee Case No. 04-66539-aer7	P.O. Box 580 Medford, OR 97501

Each of the Amended Trustee's Notice of Sale so mailed was certified to be a true copy of the original Amended Trustee's Notice of Sale; 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 Portland, Oregon, on February 7, 2005. 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 Amended Trustee's Notice of Sale was mailed after the Notice of Default and Election to Sell described in said notice of sale was recorded.

08908

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

Patrick Poletti

STATE OF OREGON

)

) ss.

COUNTY OF MULTNOMAH

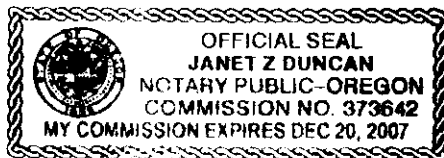
)

I certify that Patrick Poletti has appeared before me and was authorized to execute this instrument on the 7th day of February, 2005.

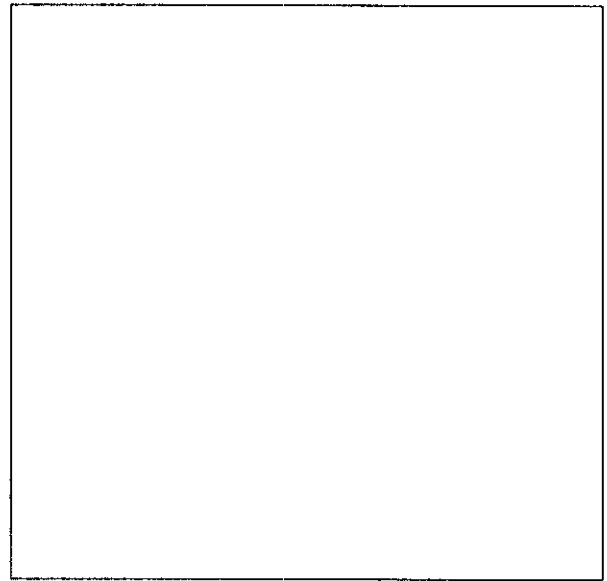
Janet Z Duncan

Notary Public for Oregon

My commission expires: 12-20-07



08909



After recording return to:

Patrick Poletti

PRESTON GATES & ELLIS LLP

222 SW Columbia St., Suite 1400

Portland, OR 97201

17183-50166/Rodger O. Evans

AMENDED TRUSTEE'S NOTICE OF SALE
(after Order Granting Relief from Stay and/or Bankruptcy Dismissal)

Reference is made to that certain deed of trust made by Rodger O. Evans and Fairyanita Evans as grantor, to David A Kubat, OSBA 84265 as trustee, in favor of Western Sunrise aka Crossland Mortgage Corp. as beneficiary, dated September 18, 2000, recorded September 21, 2000, in Volume M00, page 34679, Microfilm Records of Klamath County, Oregon, which was assigned to Secretary of Veterans Affairs, an officer of the United States of America, his/her/their successors and future assigns on May 8, 2003 in Volume M03, page 30667, Microfilm Records of Klamath County, Oregon, all in the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Lot 17 in Block 7 of Tract No. 1037, FIFTH ADDITION TO SUNSET VILLAGE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Property Address: 3880 Redondo Way, Klamath Falls, OR, 97603

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: monthly payments of \$878.77 beginning June 1,

2003; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein, or Grantors failure to pay real property taxes or insurance as required by 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: \$147,845.52 with interest thereon at the rate of 4.0 percent per annum beginning May 1, 2003; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein, or Grantors failure to pay real property taxes or insurance as required by the trust deed.

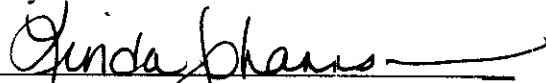
The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on August 20, 2004, at the hour of 11:00 o'clock A.M., in accordance with the standard time established by ORS 187.110, at: inside the main lobby of the Klamath County Courthouse, 316 Main Street, 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 order of the court or by proceedings under the Bankruptcy Code or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on January 31, 2005.

WHEREFORE, notice hereby is given that the undersigned trustee will on Friday, **March 11, 2005**, at the hour of 11:00 o'clock, A.M., in accordance with the standard of time established by ORS 187.110 at: inside the main lobby of the Klamath County Courthouse, 316 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, (which is the new date, time and place set for said sale) 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.

08911

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: FEB. 7, 2005


Linda Johannsen, Trustee

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original Trustee's Notice of Sale.

Attorney of Record