

MTZ- 67460

Vol M05 Page 31363

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from  
Steven W. McBride, Jr.  
Grantor,

To.  
Laura J. Walker  
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 05/02/2005 3:01 P m  
Vol M05 Pg 31363-71  
Linda Smith, County Clerk  
Fee \$ 610 # of Pgs 9

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 amended 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:

MICHELLE SUZANNE MCBRIDE  
5244 BARRY AVENUE  
KLAMATH FALLS, OR 97603

CANDICE AMBORN, TRUSTEE  
PO Box 580  
MEDFORD, OR 97501

STEVEN MCBRIDE, JR.  
5244 BARRY AVENUE  
KLAMATH FALLS, OR 97603

LARS H. OLSEN  
PO Box 12829  
SALEM, OR 97309

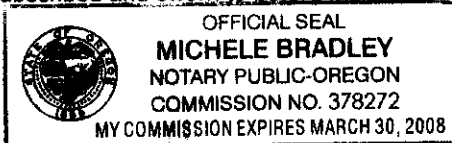
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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.\*

The Notice of Sale was certified to be a true copy of the original notice of sale by Gretchen S. Barnes, 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 January 13, 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, 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.

  
Laura J. Walker, Trustee

Subscribed and sworn to before me on the 26<sup>th</sup> of April, 2005.

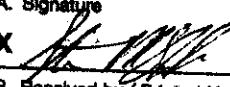


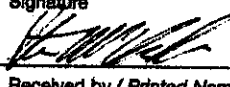
  
Notary Public for Oregon

My commission expires 03-30-08

6/10  
am

31364

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature  <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p><b>Michelle Suzanne McBride</b>  <b>5244 Barry Avenue</b>  <b>Klamath Falls, OR 97603</b></p>		<p>B. Received by (Printed Name) <b>STEVEN MCBRIDE JR</b> C. Date of Delivery <b>1/15/05</b></p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number          (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
		<p><b>7002 2030 0000 0038 5635</b></p>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature  <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p><b>Steven McBride, Jr.</b>  <b>5244 Barry Avenue</b>  <b>Klamath Falls, OR 97603</b></p>		<p>B. Received by (Printed Name) <b>STEVEN MCBRIDE JR</b> C. Date of Delivery <b>1/15/05</b></p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number          (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
		<p><b>7002 2030 0000 0038 5628</b></p>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

31365

## 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:

Candice Amborn, Trustee  
PO Box 580  
Medford, OR 97501

2. Article Number

(Transfer from service label)

7002 2030 0000 0038 5611

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *David G. Huppai*☒ Agent☐ Addressee

B. Received by (Printed Name)

David G. Huppai

C. Date of Delivery

19 2005

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:

Lars H. Olsen  
PO Box 12829  
Salem, OR 97309

2. Article Number

(Transfer from service label)

7002 2030 0000 0038 5604

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Kim Condon*☐ Agent☐ Addressee

B. Received by (Printed Name)

Kim Condon

C. Date of Delivery

11/14/05

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

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Steven W. McBride, Jr. as grantor, to Nancy L. Peterson as trustee, in favor of Stonecrest Homes, Inc. as beneficiary, dated November 24, 1998 recorded on December 1, 1998 as M98, page 43911, Microfilm Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to wit: **SEE EXHIBIT A**

\* The deed was assigned to Green Tree Financial Servicing Corporation as M98, page 43918, recorded on December 1, 1998 and rerecorded as M99, page 4970 on February 11, 1999 in the Microfilm records of Klamath County Oregon.

\*\*Note: this sale was originally scheduled for April 15, 2005 – but was postponed due to bankruptcy. Relief from stay was granted to beneficiary on January 10, 2005.

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:

Six monthly payments of \$676.12 each due for the months of November 2003 and July 2004 through November 2004 with interest accruing thereon at the contract rate of 7.99% per annum or \$19.95 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:

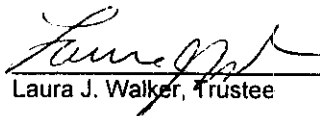
Principal	\$ 91,149.83
Interest and fees as of November 29, 2004:	\$ 6,579.66
Title Report	\$ 429.00

Beneficiary is also entitled to costs and attorney fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 20, 2005, 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.

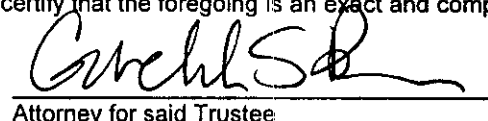
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective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

DATED January 12<sup>th</sup>, 2005

  
Laura J. Walker, Trustee

State of Oregon, County of Multnomah ss:

I, the undersigned attorney of record for the Trustee, 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

SERVE: OCCUPANT  
2116 Patterson Street  
Klamath Falls, OR 97601

## EXHIBIT A

A parcel of land situated in the SW1/4 NW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 720 feet East and 792 feet North of an iron pin driven into the ground near the fence corner at the Southwest corner of the Northwest quarter of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, on the property of Otis V. Saylor, being the Southwest corner of said property abutting on the Dalles – California Highway (now Klamath Falls – Lakeview Highway), and which pin is East 30 feet of the center of a road intersecting said Highway from the North and 30 feet North of the center of said Highway; thence East 540 feet; thence North 80.70 feet to the point of beginning; thence North 80.70 feet; thence West 270 feet; thence South 80.70 feet; thence East 270 feet to the point of beginning.

Tax Account No: 3909-001BC-00500-000

Key No: 507213

# AFFIDAVIT OF SERVICE

## Trustee's Notice of Sale

31368

Case Number: M98,43911

Grantor:

**McBride Jr., Steven W.**

vs.

Beneficiary:

**Peterson, Nancy L.**

For: Laura J. Walker

Received by P.I. & Information Services to be served on **ALL OCCUPANTS at 2116 Patterson St., Klamath Falls, OR 97601**. I, Robert W Bolenbaugh, being duly sworn, depose and say that on the 19th day of January, 2005 at 1:27 p.m., executed service by delivering a true copy of the **Trustee's Notice of Sale** in accordance with state statutes in the manner marked below:

**ORIGINAL**

( ) INDIVIDUAL SERVICE: Served the within-named person.

( ) SUBSTITUTE SERVICE: By serving \_\_\_\_\_ as  
(No Submailing)

( ) SUBSTITUTE SERVICE & SUBMAILING: By serving \_\_\_\_\_ as  
\_\_\_\_\_ And I mailed a true copy of the documents and a copy of this Affidavit of Service to the Defendant's address listed above by first class mail on \_\_\_\_/\_\_\_\_/2004.

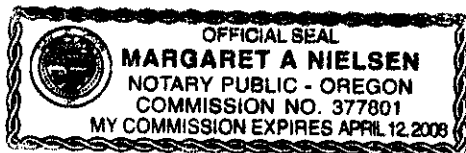
(X) POSTED SERVICE: I Posted a true copy to a conspicuous place on the property described herein.

(X) And I mailed a true copy of the service documents and a copy of this Affidavit of Service to the above parties as the above address via First Class Mail on 01/20/05.

( ) NON SERVICE: For the reason detailed in the Comments below.

**COMMENTS:** Per the neighbor at 2112 Patterson the place has been vacant since the 1st of September 2004. The Power and Water are off. No vehicles were present, no tracks in the snow and there was a phone book left on the porch. A realtor's card was in the door.

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.



Subscribed and Sworn to before me on the 20th day  
of January, 2005 by the affiant who is  
personally known to me.

Margaret A. Nielsen  
NOTARY PUBLIC

Robert W. Bolenbaugh  
ROBERT W. BOLENBAUGH

PROCESS SERVER # \_\_\_\_\_  
Appointed in accordance  
with State Statutes

P.I. & Information Services  
P.O. Box 157  
Beaverton, OR 97075-0157  
(503) 643-4274

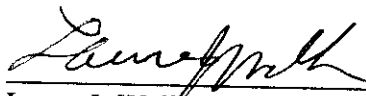
Our Job Serial Number: 2005000067

## AFFIDAVIT OF NONMILITARY SERVICE


STATE OF OREGON                     )  
   )ss:  
 County of Multnomah                )

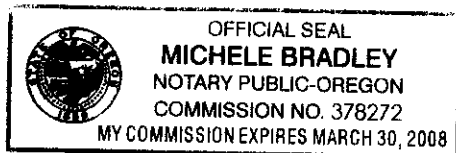
I, Laura J. Walker, depose and say:

1. I am one of the attorneys for Green Tree Servicing LLC,
2. At the time of service of the attached Trustee's Notice of Sale, Steven W. McBride, JR was neither a minor nor an incompetent or incapacitated person, nor in the Military Service of the United States.

  
 \_\_\_\_\_  
 Laura J. Walker

On April 25, 2005, personally appeared the above-named Laura J. Walker and acknowledged the foregoing instrument to be her voluntary act before me.

  
 \_\_\_\_\_  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires: 03-30-08



# Affidavit of Publication

31370

## 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 # 7348

Notice of Sale/Steven W. McBride, Jr.

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:  
March 29, April 5, 12, 19, 2005

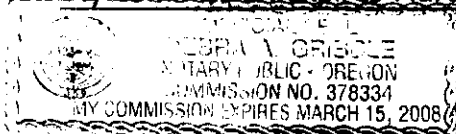
Total Cost: \$999.60

Subscribed and sworn

before me on: April 19, 2005

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 Steven W. McBride, Jr. as grantor, to Nancy L. Peterson as trustee, in favor of Stonecrest Homes, Inc. as beneficiary, dated November 24, 1998 recorded on December 1, 1998 as M98, page 43911, Microfilm Records of Klamath County, Oregon, covering the following described real property situated in the above-mentioned county and state, to wit:

SEE EXHIBIT A

### EXHIBIT A

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Beginning at a point 720 feet East and 792 feet North of an iron pin driven into the ground near the fence corner at the Southwest corner of the Northwest quarter of Section 1,

Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, on the property of Otis V. Saylor, being the Southwest corner of said property abutting on the Dalles - California Highway (now Klamath Falls - Lakeview Highway), and which pin is East 30 feet of the center of a road intersecting said Highway from the North and 30 feet North of the center of said Highway; thence East 540 feet; thence North 80.70 feet to the point of

beginning; thence North 80.70 feet; thence West 270 feet; thence South 80.70 feet; thence East 270 feet to the point of beginning.

Tax Account No: 3909-001BC-00500-000  
Key No. 507213

\* The deed was assigned to Green Tree Financial Servicing Corporation as M98, page 43918, recorded on December 1, 1998 and rerecorded as M99, page 4970 on February 11, 1999 in the Microfilm records of Klamath County Oregon.

\*\*Note: this sale was originally scheduled for April 15, 2005 - but was postponed due to bankruptcy. Relief from stay was granted to beneficiary on January 10, 2005.

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:

Six monthly payments of \$676.12 each due for the months of November 2003 and July 2004 through November 2004 with interest accruing thereon at the contract rate of 7.99% per annum or \$19.95 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 \$ 91,149.83  
Interest and fees as of November 29, 2004: \$6,579.66

Title Report \$ 429.00  
Beneficiary is also entitled to costs and attorney fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 20, 2005, at the hour of 10:00 o'clock, a.m., in accordance 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 January 12th, 2005

Laura J. Walker,  
Trustee

State of Oregon,  
County of Multnomah ss:

I, the undersigned attorney of record for the Trustee, certify that the foregoing is an exact and complete copy of the original trustee's notice of sale

GRETCHEN BARNES

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

SERVE:

OCCUPANT

2116 Patterson St.  
Klamath Falls,  
OR 97601.

#7348 March 29, 2005  
April 5, 12, 19, 2005