

M06-03968

Klamath County, Oregon

03/03/2006 02:07:41 PM

Pages 4 Fee: \$36.00

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath, ss:

I, Linda Crane, being first duly sworn, depose, and say and certify 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy 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:

NAME	ADDRESS
Benny E. Mendiola	PO Box 10003, Sinajana, Guam 96926
Martha C. Mendiola	PO Box 10003, Sinajana, Guam 96926
Oregon Shores Recreational Club, Inc.,	2019 Meadowview Drive, Chiloquin, OR 97624

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.*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Donald R. Crane, attorney for the trustee named in said notice; 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 Chiloquin, Oregon, on November 10, 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 notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

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

Subscribed and sworn to before me on 1-11-2006

Notary Public for Oregon. My commission expires 9-2-06



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Benny E. Mendiola and

Martha C. Mendiola

Grantor

Donald R. Crane TO

Successor Trustee

AFTER RECORDING RETURN TO

Donald R. Crane, Attorney
37070 Highway 62
Chiloquin, OR 97624

(DON'T USE THIS SPACE: RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON, } ss.
County of

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME TITLE
By Deputy

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

EC

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCY

RE: Trust Deed from

Benny E. Mendiola and Martha C.
Mendiola, husband and wife, as
tenants by the entirety

To

Grantor

Aspen Title & Escrow, Inc., an
Oregon Corporation

Trustee

After recording, return to (Name, Address, Zip):

Donald R. Crane, Attorney
37070 Highway 62
Chiloquin, OR 97624STATE OF OREGON,
County of _____ } ss.I certify that the within instrument was
received for recording on _____,
at _____ o'clock _____ M., and recorded in
book/reel/ volume No. _____ on page _____
and/or as fee/file/instrument/microfilm/reception
No. _____, Records of this County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy.

STATE OF OREGON, } ss.

County of KlamathI, Donald R. Crane

being first duly sworn, depose, say and certify that:

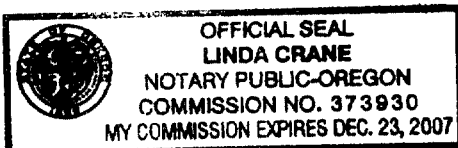
I am the

successor

trustee in that certain trust deed executed and delivered by

Benny E. Mendiola and Martha C. Mendiola (h&w) as tenants by the entirety, as grantor, to
Donald R. Crane, as trustee,in favor of Weststar Loan Servicing, Inc., as beneficiary,dated June 6, 1988, recorded on October 28, 1988, in the Records ofKlamath County, Oregon, in ☒ book ☐ reel ☐ volume No. M-88 at page 18357and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which), covering the following
described real property situated in the above-mentioned county and state, to-wit:Lot 14, Block 36, Tract No. 1184, OREGON SHORES UNIT #2, FIRST ADDITION,
according to the official plat thereof on file in the office of the Clerk
of Klamath County, Oregon.
CODE 118 MAP 3507-017BA-03900-000 KEY #R234393I hereby certify that on March 2, 2006, the above described real property was not occupied.
The word "trustee," as used in this affidavit means any successor trustee to the trustee named in the trust deed described above.

Trustee

SIGNED AND SWORN TO before me on March 2, 2006Linda Crane
Notary Public for OregonMy commission expires 12/23/07

36✓

EC

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Benny E. Mendiola and Martha C. Mendiola,
husband and wife, as tenants by the entirety
 to Aspen Title & Escrow, Inc., an Oregon Corporation, as grantor,
 in favor of FN Realty Services, Inc., a California Corporation, Trustee, as trustee,
 dated June 6, 1988, recorded on October 28, 1988, in the Records of
Klamath County, Oregon, in ☒ book ☐ reel ☐ volume No. M-88 at page 18357
~~or as~~ ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ (indicate which), covering the following
 described real property situated in that county and state, to-wit:

Lot 14, Block 36, Tract No. 1184, OREGON SHORES UNIT #2, FIRST ADDITION, according to the
 official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

CODE 118 MAP 3507-017BA-03900-000 KEY #R234393

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 in grantor's failure to pay when due the following sums:

\$9,420.22 principal, plus interest thereon at the rate of 9.5 percent per annum from
 May 30, 1993, assessments to Oregon Shores Recreational Club, Inc., and Klamath County,
 Oregon, real property taxes for the years commencing 2001-2002.

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

\$9,420.22 principal, plus interest thereon at the rate of 9.5 percent per annum from
 May 30, 1993, until paid, together with Trustee's fees and costs incurred to the date
 of repayment.

WHEREFORE, notice is hereby given that the undersigned trustee will on March 20, 2006, at the hour
 of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at _____
37070 Highway 62

in the City of Chiloquin, County of Klamath, State of Oregon, sell at public
 auction to the highest bidder for cash the interest in the real property described above which the grantor had or had power to convey
 at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest
 acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of
 the 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 rein-
 stated 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 per-
 formance required under the obligation or trust deed, and in addition to paying those 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
 and attorney fees not exceeding the amounts provided by 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 November 9, 2005

 Successor, Trustee

37070 Highway 62

ADDRESS

Chiloquin, OR 97624 (541) 783-7725

CITY

STATE

ZIP

PHONE

State of Oregon, County of _____ ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is
 a complete and exact copy of the original trustee's notice of sale.

 Attorney for Trustee

SERVE:*

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 # 8087

Notice of Sale/Benny E & Martha C Mendiola

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

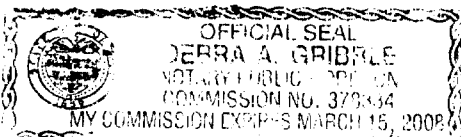
Insertion(s) in the following issues:
February 5, 12, 19, 26, 2006

Total Cost: \$676.20

Jeanine P Day
Subscribed and sworn
before me on: February 26, 2006

Debra A. Gridble
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 Benny E. Mendiola and Martha C. Mendiola, husband and wife, as tenants by the entirety, as grantor to Aspen Title & Escrow Inc., an Oregon Corporation, as trustee, in favor of FN Realty Services, Inc., a California Corporation, Trustee, as beneficiary, dated June 6, 1988, recorded on October 28, 1988, in the Records of Klamath County, Oregon, in book No. M-88 at page 18357, covering the following described real property situated in that county and state, to-wit:

Lot 14, Block 36, Tract No. 1184, OREGON SHORES UNIT NO. 2, FIRST ADDITION, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon. CODE 118 MAP 3507-017BA-03900-000 KEY #R234393.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 in grantor's failure to pay when due the following sums: \$9,420.22 principal, plus interest thereon at the rate of 9.5 percent per annum from May 30, 1993; assessments to Oregon Shores Recreational Club, Inc., and Klamath County, Oregon, real property taxes commencing for the years 2001-2002.

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit: \$9,420.22 principal, plus interest thereon at the rate of 9.5 percent per annum from May 30, 1993; until paid; together with Trustee's fees and costs incurred to the date of repayment.

WHEREFORE, notice is hereby given that the undersigned trustee will on March 20, 2006 at the hour of 10:00 A.M. in accord with the standard of time established by ORS 187.110, at 37070 Highway 62 in the City of Chiloquin, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the real property described above which the grantor had or had power to convey at the time of the execution by grantor of the trust deed together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of the 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 has 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 those 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 and attorney fees not exceeding the amounts provided by 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: November 9, 2005. Donald R. Crane, Successor Trustee, 37070 Highway 62, Chiloquin, OR 97624. (541) 783-7725.
#8087 February 5, 12, 19, 26, 2006.