

Return to:  
Jim Werlings

MTC 67516

GRANTOR: BRUCE DEMELLO

BENEFICIARY: ORAL L. BELL and HELEN BELL, TRUSTEES OF THE BELL'S MASTER COLLABORATIVE TRUST DATED MARCH 9, 1994, (previously erroneously referred to as THE BELL MASTER COLLABORATIVE TRUST DATED MARCH 9, 2000)

Deed of Trust dated October 25, 2002, and recorded on November 14, 2002, in the Klamath County Records in Vol. M02, Page 66035, Official Records of Klamath County, Oregon.

**AFFIDAVIT OF MAILING AND SERVICE  
OF THE TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON            )  
                                      : ss.  
County of Jackson         )

I, LEE A. MILLS, 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 his successor in interest named in the attached original Amended Trustee's Notice of Sale given under the terms of that certain Deed of Trust described in said Notice.

I gave notice of the sale of the real property described in the attached Trustee's Notice of Sale and the Amended Trustee's Notice of Sale by mailing a copy thereof by both first class and certified mail with return receipt requested to the following named persons (or their legal representatives, where so indicated) at their last known addresses, to-wit:

61.00  
56.00

NOTICE  
AMENDED NOTICE

<u>Name</u>	<u>Address</u>	<u>Date of Mailing Notice</u>
Mr. Bruce Demello	13821 Cardinal Drive Bonanza, OR 97624	11/18/05
Ms. Lore J. Heymann	c/o Steven Heymann 120 Rudy Road Los Gatos, CA 95033	11/18/05
Ms. Lore J. Heymann	c/o Sandra K. McBeth Attorney at Law 2450 Professional Parkway, Suite 240 Santa Maria, CA 93455	11/18/05
Ms. Marilyn Scoggins, Trustee of the Marilyn Scoggins Trust	c/o Jake Anderson 1802 Alma Court Grover Beach, CA 93433	11/18/05
William C. Nash and L. Dian Nash	c/o Mr. Michael P. Rudd Brandsness, Brandsness & Rudd 411 Pine Street Klamath Falls, OR 97601	11/18/05
State of Oregon Department of Justice	c/o Klamath County Circuit Court Criminal Division 316 Main Street Klamath Falls, OR 97601	11/18/05
State of Oregon Department of Justice	c/o Mr. Hardy Myers Attorney General 1162 Court Street, NE Salem, OR 97301-4096	11/18/05


Said persons include (a) the Grantor in the Deed of Trust, (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.

The Amended Trustee's Notice of Sale was also served on Grantor on May 3, 2005, by substitute service upon Jane Doe, a person over the age of 18, who lived at the residence, but who refused to give her name, while at 13821 Cardinal Drive, Bonanza, Oregon at the time of service. On May 5, 2005, Joseph R. Mountain mailed a copy to Bruce Demello at 13821 Cardinal Drive, Bonanza, Oregon. The Declaration of Service of Mr. Mountain is attached hereto.

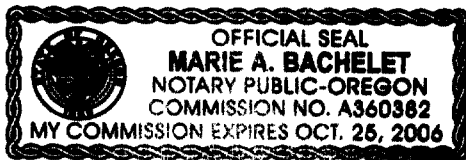
The original Notice of Sale set the sale date for September 9, 2005, at 2:00 p.m. Mr. Demello filed bankruptcy on September 8, 2005, and the original sale was continued. The bankruptcy was dismissed on October 21, 2005, and then the Amended Notice was given. No one appeared at the first sale.

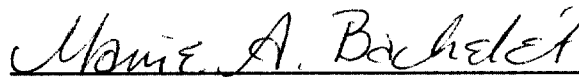
Each of the notices so mailed was certified to be a true copy of the original Amended Trustee's Notice of Sale by Lee A. Mills, attorney for the Trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail at Medford, Oregon, on the dates specified above. 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 by certified mail 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 Amended Trustee's Notice of Sale was recorded. A copy of the Amended Trustee's Notice of Sale is attached hereto.

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

  
LEE A. MILLS

SUBSCRIBED AND SWORN to before me this 21 day of June, 2006.



  
NOTARY PUBLIC - STATE OF OREGON  
My Commission expires: 10-25-06

AFTER RECORDING RETURN TO:

Lee A. Mills  
Brophy, Mills, Schmor, Gerking,  
Brophy & Paradis, LLP  
201 W. Main, Fifth Floor  
P.O. Box 128  
Medford, OR 97501

AFFIDAVIT OF MAILING AND SERVICE  
OF THE AMENDED TRUSTEE'S NOTICE OF SALE

### AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Deed of Trust made by BRUCE DEMELLO as Grantor, and AMERITITLE as Trustee, in favor of ORAL L. BELL and HELEN BELL TRUSTEES OF THE BELL'S MASTER COLLABORATIVE TRUST DATED MARCH 9, 1994, (previously erroneously referred to as THE BELL MASTER COLLABORATIVE TRUST DATED MARCH 9, 2000) as Beneficiary, dated October 25, 2002, recorded November 14, 2002, in Vol. M02, Page 66035, Official Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Lots 23, 24 and 25, Block 91, Klamath Falls Forest Estates Highway 66  
Unit, Plat No. 4, in the County of Klamath, State of Oregon.

Code 114	Map 3711-22AO	TL	2800
Code 36	Map 3711-22AO	TL	2900 & 3000

The Trustee and Beneficiary have elected to sell said real property to satisfy the obligations secured by the Trust Deed and a Notice of Default has been recorded pursuant to ORS 86.735. The default for which foreclosure is made is Grantor's failure to pay when due the following sums:

Failure to pay the July, August, September, October, November  
December 2004, and January and February 2005 payments of \$608.96  
each, together with eight late charges of \$28.20 each.

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:

- 1) Principal amount \$46,908.68;
- 2) Interest on the principal amount at the rate of 12% per annum,  
from July 8, 2004, until paid;

- 3) Eight late charges of \$28.20 for July, August, September, October, November, December 2004, and January, 2005, and thereafter for each month a payment is late;
- 4) The cost of Trustee's foreclosure report; and,
- 5) All other costs and expenses actually incurred in enforcing the obligation and trust deed, together with the trustees and attorneys fees not exceeding the amount provided by Oregon Revised Statutes (ORS) 86.753 associated with this foreclosure and any sums expended by beneficiary to protect the property, or its interests therein during the pendency of this proceeding

Notice hereby is given that the Beneficiary and Trustee, by reason of said default, have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the said described property which the Grantor had, or had the power to convey, at the time of the execution by him of the Trust Deed, together with any interest the Grantor or his successors-in-interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed and the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

Said sale will be held at the hour of 2:00 p.m., as established by Section 187.110 of Oregon Revised Statutes on September 9, 2005, at the following place: The front steps of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, which is the hour, date and place fixed by the Trustee for said sale.

Other than as shown of record, neither the said Beneficiary nor the said Trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interests of the Trustee in the Trust Deed, or of any successor-in-interest to the Grantor or of any lessee or other person in possession of or occupying the property, except: None

Notice is further given that 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 proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary of the entire amount due at the time of cure under the terms of the obligation (other than such portion 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.

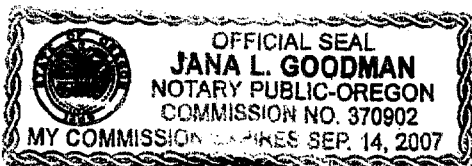
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "Grantor" includes any successor-in-interest to the Grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "Trustee" and "Beneficiary" include their respective successors-in-interest, if any.

DATED: April 25, 2005.

Todd B. Maddox  
Todd B. Maddox, Successor Trustee

STATE OF OREGON       )  
                                  : ss.  
County of Jackson     )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of April, 2005, by Todd B. Maddox.



Jana L. Goodman  
NOTARY PUBLIC - STATE OF OREGON  
My Commission expires: Sept. 14, 2007.

JOSEPH "R" MOUNTAIN  
INVESTIGATIONS

BRUCE DEMELLO

To Grantors.

AMERITITLE

Trustee,

With  
ORAL L. BELL and HELEN BELL  
TRUSTEES OF THE BELL'S MASTER  
COLLABORATIVE TRUST

Beneficiary.

DECLARATION OF SERVICE

I JOSEPH "R" MOUNTAIN do hereby certify and declare that on May 5, 2005 at the approximate time of 11:30 A.M. I served the following; AMENDED NOTICE OF TRUSTEE'S SALE in the above action to BRUCE DEMELLO, by mailing a copy to BRUCE DEMELLO personally at 13821 Cardinal Drive, Bonanza, Oregon 97624 in the Postal Service of the United States of America.

I further certify that I am a competent person over the age of 18 years, a resident of the State of Oregon, not a party to, nor an Officer, Director for, Employee of, nor Attorney for any party, Corporate, or otherwise; that the person, firm, or corporation served by me is the identical person, firm, or corporate named in the action.

Dated this the 5 day of MAY, 2005

Joseph "R" Mountain

803 Main Street, Klamath Falls, Oregon 97601: Phone 541-273-8368  
Fax 541-273-8507, email, jmtinv@aol.com  
OBI# 1998261

JOSEPH "R" MOUNTAIN  
INVESTIGATIONS

BRUCE DEMELLO

To Grantors,

AMERITITLE

Trustee,

With  
ORAL L. BELL and HELEN BELL  
TRUSTEES OF THE BELL'S MASTER  
COLLABORATIVE TRUST

Beneficiary.

DECLARATION OF SERVICE

I DAVE DAVIS do hereby certify and declare that on May 3, 2005 at the approximate time of 9:00 A.M. I served the following; AMENDED NOTICE OF TRUSTEE'S SALE in the above action to BRUCE DEMELLO, by handing the copies personally to JANE DOE who refused to give her name while at 13821 Cardinal Drive, Bonanza, Oregon 97624 at the time of service. After receiving the papers the JANE DOE threw the papers out the door and stated I can't take any papers.

I further certify that I am a competent person over the age of 18 years, a resident of the State of Oregon, not a party to, nor an Officer, Director for, Employee of, nor Attorney for any party, Corporate, or otherwise; that the person, firm, or corporation served by me is the identical person, firm, or corporate named in the action.

Dated this the 5 day of May, 2005

Dave Davis

803 Main Street, Suite 203 Klamath Falls, Oregon 97601: Phone 541-273-8368  
Fax 541-273-8507, email, jmtinv@aol.com  
OBI# 1998261