

EC

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



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Naruto Nakamura and Yoshino
Nakamura

To

Grantor

S

Donald R. Crane

37070 Highway 62

Chiloquin, OR 97624

Successor

Trustee

F

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

Donald R. Crane, Attorney

37070 Highway 62

Chiloquin, OR 97624

M06-15109

Klamath County, Oregon

07/27/2006 02:02:02 PM

Pages 5 Fee: \$41.00

BOOK / FILE / VOLUME NO. _____ ON PAGE _____

STATE OF OREGON, County of Klamath) ss:

I, Linda Crane

, 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 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:

NAME

ADDRESS

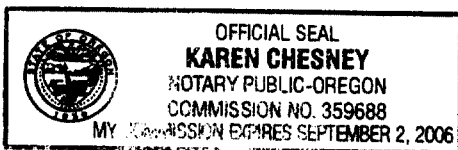
Narute Nakamura 3-28-4 Sonoda, Okinawa City, Japan 00904

Yoshino Nakamura 3-28-4 Sonoda, Okinawa City, Japan 00904

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.*

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 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 at Chiloquin, Oregon, on March 29, 2006. 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.



SIGNED AND SWORN TO before me on April 4, 2006

Notary Public for Oregon

My commission expires 9-2-06

* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.
PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

EC

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TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Naruto Nakamura and Yoshino Nakamura, husband and wife as tenants by the entirety, as grantor, to Aspen Title & Escrow, Inc., an Oregon Corporation, as trustee, in favor of see Exhibit A, attached hereto, as beneficiary, dated December 16, 1990, recorded on May 1, 1991, in the Records of Klamath County, Oregon, in ☒ book ☐ reel ☐ volume No. M-91 at page 8097, 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 7, Block 8, Tract No. 1029, SPRAGUE RIVER PINES, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

CODE 116 MAP 3408-02200 TL 08600 KEY #208377

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:

\$7,450.46 principal, plus interest thereon at the rate of 10% per annum from May 5, 1995, and Klamath County, Oregon, real property taxes for the years commencing 1996-1997.

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:

\$7,450.46, plus interest thereon at the rate of 10% per annum from May 5, 1995, until paid, together with trustee's fees and costs incurred to date of sale.

WHEREFORE, notice is hereby given that the undersigned trustee will on August 14, 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 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 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 March 27, 2006

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:*

Exhibit A

**To Trustee's Notice of Sale
Nakamura, Grantors
Dated 3/27/06**

Beneficiary: FN Realty Services, Inc., a California Corporation, as Agent for Aspen Title & Escrow, Inc., an Oregon Corporation as trustee for Perla Enterprises, Inc., an Oregon Corporation and Western Zapata Land Corp., a Nevada Corporation

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



TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

RE: Trust Deed from

Naruto Nakamura and Yoshino
Nakamura

To

Grantor

Donald R. Crane

37070 Highway 62

Chiloquin, OR 97624

Successor

Trustee

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

Donald R. Crane, Attorney

37070 Highway 62

Chiloquin, OR 97624

SPACE RESERVED
FOR
RECORDER'S USE

STATE 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,

County of Klamath } ss.I, 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

Naruto Nakamura and Yoshino Nakamura

Aspen Title & Escrow, Inc., an Oregon Corporation, as grantor, to

in favor of See attached Exhibit A, as trustee,

dated December 16, 1990, recorded on May 1, 1991, as beneficiary,

Klamath County, Oregon, in ☒ book ☐ reel ☐ volume No. M-91 at page 8097

and/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 7, Block 8, Tract No. 1029, SPRAGUE RIVER PINES, according to the official plat
thereof on file in the office of the Clerk of Klamath County, Oregon.

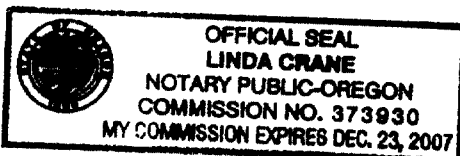
CODE 116 MAP 3408-022CO TL 08600 KEY #208377

I hereby certify that on July 26, 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.

Donald R. Crane

Successor Trustee

SIGNED AND SWORN TO before me on 7-26-06

Linda Crane
Notary Public for Oregon

My commission expires 12/23/07

Exhibit A

To Trustee's Affidavit as to Non-Occupancy
Nakamura, Grantors

Beneficiary: FN Realty Services, Inc., a California Corporation, as Agent for Aspen Title & Escrow, Inc., an Oregon Corporation as trustee for Perla Enterprises, Inc., an Oregon Corporation and Western Zapata Land Corp., a Nevada Corporation