

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

Grant Weber and Barbara Tom

To

Grantor

Donald R. Crane

Successor

Trustee

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

Donald R. Crane, Attorney37070 Highway 62Chiloquin, OR 97624

2006-022244

Klamath County, Oregon



0000810520060022440050056

11/06/2006 03:50:23 PM

Fee: \$41.00

SPACE RES  
FOR  
RECORDEFSTATE 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

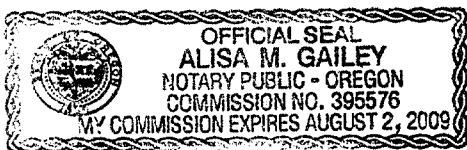
ADDRESS

Grant Weber - 1100 Russelman Park Road, Clayton CA 94517Barbara Tom - 1100 Russelman Park Road, Clayton CA 94517

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 July 27, 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 August 25<sup>th</sup>, 2006Linda Crane  
Notary Public for OregonMy commission expires August 2, 2009

\* 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

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 Grant Weber and Barbara Tom, not as  
tenants in common, but with the right of survivorship, as grantor,  
 to AmeriTitle, an Oregon Corporation, as trustee,  
 in favor of Mark S. Mahan, as beneficiary,  
 dated January 31, 2006, recorded on February 21, 2006, in the Records of  
Klamath County, Oregon, in ☒ book ☐ reel ☐ volume No. M06 at page 03240  
~~or as = file = instrument = microfilm = reception No. =~~ (indicate which), covering the following  
 described real property situated in that county and state, to-wit:

See Exhibit A, attached hereto and made a part hereof.

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:

Monthly payments commencing on April 3, 2006, in the amount of \$4,357.73.

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:

\$655,000 principal, with interest thereon at the rate of 7 percent per annum from March 3, 2006, together with trustee's fees and costs incurred herein to date of sale.

WHEREFORE, notice is hereby given that the undersigned trustee will on December 18, 2006, at the hour of 1:00 o'clock, P.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 July 25, 2006

DONALD R. CRANE

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:\*

\*If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in the name and address of party to be served.

Weber and Tom, Grantors  
Mark S. Mahan, Beneficiary

#### LEGAL DESCRIPTION

Township 40 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

Section 3: S  $\frac{1}{2}$  SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , W  $\frac{1}{2}$  SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , W  $\frac{1}{2}$ , W  $\frac{1}{2}$  SE  $\frac{1}{4}$

Section 4: S  $\frac{1}{2}$ , S  $\frac{1}{2}$  NE  $\frac{1}{4}$

Section 9: E  $\frac{1}{2}$ , N  $\frac{1}{2}$  NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$

Section 10: N  $\frac{1}{2}$  NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  NE  $\frac{1}{4}$

EXHIBIT A

Re: Trust Deed from

Grant Weber and Barbara Tom,  
not as tenants on common but  
with the right of survivorship, Grantors  
to

Donald R. Crane, Successor Trustee

After Recording, return to:  
Donald R. Crane, Attorney  
37070 Highway 62  
Chiloquin, OR 97624

AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON           )  
  ) ss.  
County of Klamath        )

I, Ken Mahan, being first duly sworn, depose, say and certify that:

I am the father of the beneficiary in that certain trust deed executed and delivered by Grant Weber and Barbara Tom, not as tenants in common, but with the right of survivorship, as grantors, to AmeriTitle, an Oregon Corporation, as trustee, in favor of Mark S. Mahan, as beneficiary, dated January 31, 1006, recorded on February 21, 2006, in the Records of Klamath County, Oregon, in book M06 at page 03240, covering the following described real property situated in the above-mentioned county and state, to-wit:

Township 40 South, Range 12 East of the Willamette Meridian, in the  
County of Klamath, State of Oregon.

Section 3: S  $\frac{1}{2}$  SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , W  $\frac{1}{2}$  SW  $\frac{1}{4}$   
NE  $\frac{1}{4}$ , W  $\frac{1}{2}$ , W  $\frac{1}{2}$  SE  $\frac{1}{4}$

Section 4: S  $\frac{1}{2}$ , S  $\frac{1}{2}$  NE  $\frac{1}{4}$

Section 9: E  $\frac{1}{2}$ , N  $\frac{1}{2}$  NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$

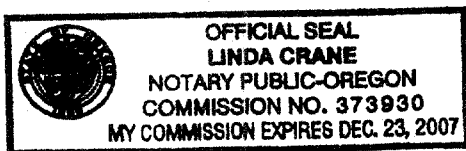
Section 10: N  $\frac{1}{2}$  NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  NE  $\frac{1}{4}$

I hereby certify that on Sept- 5th 2006, the above described real  
property was not occupied.

Ken Mahan  
KEN MAHAN

Subscribed and sworn to before me this 6 day of September, 2006.

Linda Crane  
Notary Public for Oregon  
My commission expires: 12/23/07



# 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 # 8746

Notice of Sale/Grant Weber & Barbara Tom

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

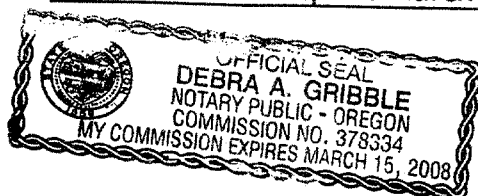
Insertion(s) in the following issues:  
October 6, 13, 20, 27, 2006

Total Cost: \$736.18

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day  
before me on: October 27, 2006

*Debra A Gribble*  
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 Grant Weber and Barbara Tom, not as tenants in common, but with the right of survivorship, as grantor, to Amerititle, an Oregon Corporation, as trustee, in favor of Mark Mahan, as beneficiary, dated January 31, 2006, recorded on February 21, 2006, in the Records of Klamath County, Oregon in Book Volume No. M-06 at page 03240, covering the following described real property situated in that county and state, to-wit:

See Exhibit A, attached hereto and made a part hereof.

#### LEGAL DESCRIPTION

Township 40 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

Section 3: S 1/2 SW 1/4 SE 1/4 NE 1/4, SE 1/4 SW 1/4 NE 1/4, W 1/2 SW 1/4 NE 1/4, W 1/2, W 1/2 SE 1/4.

Section 4: S 1/2, S 1/2 NE 1/4.

Section 9: E 1/2, N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4.

Section 10: N 1/2 NW 1/4, SW 1/4 NW 1/4, NW 1/4 NE 1/4.

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:

Monthly payments commencing on April 3, 2006, in the amount of \$4,357.73.

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:

\$655,000, principal, with interest thereon at the rate of 7 percent per annum from March 3, 2006, together with trustee's fees and costs incurred to date of sale.

WHEREFORE, notice is hereby given

that the undersigned trustee will on December 18, 2006, at the hour of 1:00 P.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 86.735 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: July 25, 2006.  
Donald R. Crane,  
Successor Trustee,

37070 Highway 62,  
Chiloquin, OR 97624.  
(541) 783-7725.

State of Oregon,  
County of Klamath)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.

#8746, October 6, 13, 20, 27, 2006.