

2008-012721

Klamath County, Oregon



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09/12/2008 08:34:04 AM

Fee: \$31.00

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from
SKYRIDGE ESTATES III,
a Nevada Limited Liability Company, Grantor

TO

JOHN J. ACHURA and NORMA J. ACHURA, et al, Beneficiary

After recording return to:
Scott D. MacArthur, P.C., Successor Trustee
635 Main Street
Klamath Falls, OR 97601

STATE OF OREGON, County of Klamath) ss.

I, Scott D. MacArthur, 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:

Skyridge Estates III
A Nevada LLL
P.O. Box 1189
Fernly, NV 89408

Default upon Trust Deed

Kenneth R. Gearhart, Trustee
Managing Member, Skyridge Estates III
A Nevada LLC
P.O. Box 1189
Fernly, NV 89408

Default upon Trust Deed

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 Scott D. MacArthur, 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 Klamath Falls,

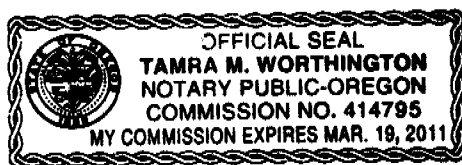
Oregon, on or about April 18, 2008, With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon 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.

Scott D. MacArthur
Scott D. MacArthur, Successor Trustee

Subscribed and sworn to before me this 12th day of September, 2008.

Tamra M. Worthington
Notary Public for Oregon
My commission expires March 19 2011



AFFIDAVIT OF NON-OCCUPANCY

After Recording return to:
Scott D. MacArthur, P.C.
635 Main Street
Klamath Falls, OR 97601

STATE OF OREGON, County of Klamath) ss.

I, SCOTT D. MacARTHUR, being first duly sworn, depose and certify that:

I am the Successor Trustee under the Trust Deed delivered by SKYRIDGE ESTATES III, a Nevada Limited Liability Company as grantor to AMERITITLE, INC., as Trustee to JOHN J. ACHURA and NORMA J. ACHURA, et al, dated February 6, 2006 and recorded February 26, 2006 at Volume M06, page 03400 of the Mortgage Records of Klamath County, Oregon covering the following described property situated in Klamath County, Oregon

PARCEL 2 of LAND PARTITION 57-96, said Land Partition being a portion of Parcel 2 of LAND PARTITION 30-93, situated in the SE1/4 SE1/4 and NE1/4 SE1/4 of Section 26, Township 38 South, Range 9 East of Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM any portion thereof lying within the boundaries of Tract 1441 Sky Ridge Estates Phase 1, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM Lots 34, 36, 40 and 43 of Tract 1482 Sky Ridge Estates Phase 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

I hereby certify that the above described real property was not occupied at the time the Notice of Default and Election to Sell was recorded on April 18, 2008.

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

Scott D. MacArthur

Subscribed and sworn to before me this 12th day of September, 2008.

Tamra M. Worthington

Notary Public for Oregon

My Commission Expires: March 19 2011

(SEAL)

