

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Reference is made to that certain trust deed made by Sharon K. Brown, as grantor, to Richard D. Guy, as trustee, in favor of America's Wholesale Lender, as beneficiary, dated 05/03/94, recorded 05/09/94, in the mortgage records of Klamath County, Oregon, in Volume M94 Page 14536, covering the following described real property situated in said county and state, to wit:

Lot 6 and the W1/2 of Lot 5 in Block 15, First Addition to the Town of Bonanza, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 31809 College Street, Bonanza, Oregon 97623

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said 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 is grantor's failure to pay when due the following sums: monthly payments of \$274.23 beginning 01/01/97; plus late charges of \$11.28 each month beginning 01/16/97; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

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: \$20,982.78 with interest thereon at the rate of 8.250 percent per annum beginning 12/01/96; plus late charges of \$11.28 each month beginning 01/16/97 until paid; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on Friday, August 29, 1997 at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the following place: at the offices of Brandsness Brandsness & Rudd, 411 Pine Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of 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 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.

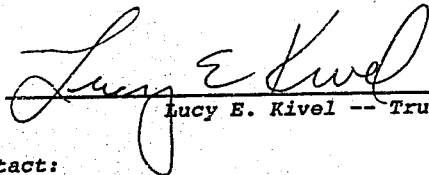
Return: PRESTON GATES & ELLIS, LLP  
ATTN: MILISSA G. TERVET  
5000 COLUMBIA CENTER  
701 FIFTH AVE.  
SEATTLE, WA 98104

97 SEP -8 P3:02

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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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: April 28, 1997

  
Lucy E. Kivel -- Trustee

For further information, please contact:

Melissa G. Tervet  
Preston Gates & Ellis, LLP  
5000 Columbia Center, 701 Fifth Avenue  
Seattle, WA 98104  
(206) 623-7580 ext. 5511

State of Washington, County of King ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

\_\_\_\_\_  
Lucy E. Kivel -- Trustee

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE SALE

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, 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 Washington, 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 address, to-wit:

NAME

ADDRESS

Sharon K. Brown

P.O. Box 71, Bonanza, Oregon 97623

Occupants

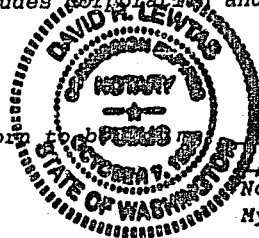
31809 College Street, Bonanza, Oregon 97623

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 LUCY E. KIVEL, 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 Seattle, Washington, on 4-30-97. 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 this



April 30, 1997.

David Q. Lewtas

Notary Public for Washington

My commission expires: 10/1/98

AFFIDAVIT OF MAILING TRUSTEE'S  
NOTICE OF SALE

Brown, Sharon K.

Grantor

TO

Lucy E. Kivel / 17183-40211

Trustee

After recording return to:

Melissa G. Tervet

PRESTON GATES &amp; ELLIS, LLP

5000 COLUMBIA CENTER, 701 FIFTH AVENUE

SEATTLE, WA 98104

# PROOF OF SERVICE

## (Affidavit of Ramona Walker)

STATE OF OREGON )  
 ) ss.  
County of Klamath )

I, Ramona Walker, hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state of Oregon; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, as follows:

Attempts were made in person to effect personal service upon the occupants of the property commonly known as **31809 COLLEGE STREET, BONANZA, OREGON 97623**, ("the Property"), as follows:

On Sunday, May 4, 1997 at 4:23 p.m., I arrived at the Property and found no one home.

On Monday, May 5, 1997 at 5:35 p.m., I returned to the Property address and found no one home.

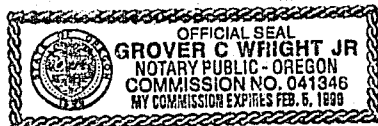
On Wednesday, May 7, 1997 at 6:20 p.m., I returned to the Property address and found no one home. I then walked next door and asked a neighbor whether she knew of any occupants or had seen any individuals recently entering or leaving the Property. I was told that Melody Wilson is the only person believed to be residing at the Property and that Wilson currently works at Kosten's Country Kitchen located at Highway 70 at the corner of 3<sup>rd</sup> Street, Bonanza, Oregon.

On Thursday, May 8, 1997 at 5:42 p.m., I personally served Melody Wilson while she was working a swing shift at Kosten's Country Kitchen. At the time of service, she told me that she is the sole occupant of the Property and that it is her intention to move out of the Property next week.

**I declare under the penalty of perjury that the above statements are true and correct.**

*Ramona Walker*  
Ramona Walker 153997

SUBSCRIBED AND SWORN to before me this 26 day of June, 1997.



  
Notary Public for Oregon

**NATIONWIDE PROCESS SERVICE, INC • 222 CENTURY TOWER • 1201 B.W. 12th AVENUE • PORTLAND, OREGON 97205 • (503) 241-6636**

STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of Klamath County Title the 8th day  
of Sept. A.D., 19 97 at 3:02 o'clock P. M., and duly recorded in Vol. M97,  
of Mortgages on Page 29328

**FEE \$25.00**

By Kathleen Ross Bernetha G. Letsch, County Clerk