

97 SEP 12 11:42 AM 41452  
TRUSTEE'S NOTICE OF SALEVol. M47 Page 30080

Reference is made to that certain trust deed made by Yolanda N. Guzman, as grantor, to First American Title Insurance Company of Oregon, as trustee, in favor of Norwest Mortgage, Inc., dba Directors Mortgage Loan Corporation, as beneficiary, dated 12/5/95, recorded 12/8/95, in the mortgage records of Klamath County, Oregon, in Volume M95, Page 33617, covering the following described real property situated in said county and state, to wit:

Lot 691 in Block 104 of Mills Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 2036 Darrow Avenue, Klamath Falls, Oregon, 97601

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 is grantor's failure to pay when due the following sums: monthly payments of \$304.25 beginning 01/01/97 and \$294.80 beginning 3/1/97; plus late charges of \$12.17 each month beginning 01/16/97 and \$11.79 each month beginning 03/16/97; plus prior accrued late charges of \$0.00; plus escrow advances of \$0.00; 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 the trust deed immediately due and payable, said sums being the following, to wit: \$30,794.13 with interest thereon at the rate of 8.00 percent per annum beginning 12/1/96; plus late charges of \$12.17 each month beginning 01/16/97 and \$11.79 each month beginning 03/16/97 until paid; plus prior accrued late charges of \$0.00; plus escrow advances of \$0.00; 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 October 3, 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: the inside main lobby of the Klamath County Courthouse, 317 South 7th Street, 2nd Floor, 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 described real property 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 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.

30081

*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 May 19, 1997

  
\_\_\_\_\_  
David E. Fennell -- Trustee

*For further information, please contact:*

Vonnie M. Nave  
ROUTH CRABTREE & FENNELL  
1750 - 112TH AVENUE NE, SUITE D-151  
BELLEVUE, WA 98004  
(206) 453-5055

*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.*

\_\_\_\_\_  
David E. Fennell -- Trustee

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

# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

30082

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
Yolanda N. Guzman,	2036 Darrow Avenue, Klamath Falls, OR 97601

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 DAVID E. FENNELL, attorney for the trustee named in said notice, each such copy was contained in a sealed envelope, with postage thereon fully pre-paid, and was deposited by me in the United States post office at Bellevue, Washington, on 5/27/97. 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 on 5/27, 1997, by

Amber Nyman  
Amber Nyman  
Yvonne M. Nave  
Notary Public for Washington  
Residing at Bellevue  
My commission expires: 5/4/01

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Yolanda N. Guzman  
Grantor

to  
DAVID E. FENNELL  
Trustee

File No. 7075.20197/Guzman

YVONNE M. NAVE  
STATE OF WASHINGTON  
NOTARY --- PUBLIC  
MY COMMISSION EXPIRES 5-04-01

After recording return to:

ROUTH CRABTREE & FENNELL  
1750 - 112TH AVENUE NE, SUITE D-151  
BELLEVUE, WA 98004

# PROOF OF SERVICE

30083

STATE OF OREGON )

County of JACKSON ) ss.

I 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 wherein the service hereinafter set forth was made; 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, upon the **OCCUPANTS** at the following address:

**2036 DARROW AVENUE, KLAMATH FALLS, OREGON 97601**, as follows:

Personal service upon YOLANDA GUZMAN, by delivering said true copy, personally and in person, at the above address on 5/24, 1997 at 8:05 p.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 199   at \_\_\_\_\_ m.

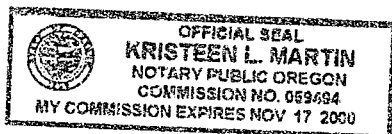
Substitute service upon \_\_\_\_\_, by delivering said true copy, at his/her usual place of abode as indicated above, to \_\_\_\_\_ who is a person over the age of 14 years and a member of the household on \_\_\_\_\_, 199   at \_\_\_\_\_ m.

Substitute service upon \_\_\_\_\_, by delivering said true copy, at his/her usual place of abode as indicated above, to \_\_\_\_\_ who is a person over the age of 14 years and a member of the household on \_\_\_\_\_, 199   at \_\_\_\_\_ m.

I declare under the penalty of perjury that the above statement is true and correct.

Ramona Walker  
Ramona Walker 154525

SUBSCRIBED AND SWORN to before me this 29 day of May, 19997



Kristeen L. Martin  
Notary Public for Oregon

# Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

I, Julie Hughes, Office 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 the

LEGAL #9723

TRUSTEE'S NOTICE.....

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for FOUR

( 4 ) insertion(s) in the following issues:

AUGUST 14/21/28

SEPTEMBER 4, 1997

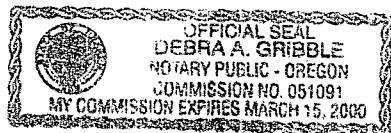
Total Cost: \$606.72

Subscribed and sworn before me this 4TH

day of SEPTEMBER 19 97

Debra A. Gribble  
Notary Public of Oregon

My commission expires 3-15 2000



**TRUSTEE'S NOTICE OF SALE**  
Reference is made to that certain deed made by Yolanda M. Guzman as grantor, to First American Title Insurance Company of Oregon, as trustee, in favor of Northwest Mortgage, Inc., dba Directors Mortgage Loan Corporation, as beneficiary, dated 12/5/95, recorded 12/5/95, in the mortgage records of Klamath County, Oregon, in Volume M95, page 33617, covering the following described real property situated in said county and state, to wit:  
Lot 691 in Block 104 of Mills Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.  
**PROPERTY ADDRESS:** 2036 Darrow Avenue, Klamath Falls, Oregon, 97601  
Both the Beneficiary and the Trustee have elected to sell the said 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 is grantor's failure to pay when due the following sums:  
Monthly payment of \$304.25 beginning 01/01/97 and \$294.80 beginning 3/1/97; plus late charges of \$12.17 each month beginning 01/15/97 and \$11.79 each month beginning 03/15/97 until paid; plus prior accrued late charges of \$0.00; plus escrow advances of \$0.00; 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.  
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: \$30,794.13, with interest thereon at the rate of 8.00 percent per annum beginning 12/1/96; plus late charges of \$12.17 each month beginning 01/15/97 and \$11.79 each month beginning 03/15/97 until paid; plus prior accrued late charges of \$0.00; plus escrow advances of \$0.00; 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.  
**WHEREFORE**, notice hereby is given that the undersigned trustee will on October 3, 1997, at the hour of 10:00 o'clock, A.M., in accordance with the standard of time established by ORS 187.110, at the following place: the inside main lobby of the Klamath County Courthouse, 317 S. 7th Street, 2nd Floor in the City of Klamath Falls, 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 trust deed, together with any interest which the grantor or his 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 discontinued 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 of 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 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 which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.  
DATED: May 19, 1997  
s/ David E. Fennell  
Trustee  
For further information, please contact:  
Vonnice M. Nave  
ROUTH CRABTREE & FENRELL  
1750-112TH AVENUE  
SUITE D-151  
BELLEVUE, WA 98004  
(206) 453-5055  
**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**  
August 14, 21, 28, 1997 September 4, 1997

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 12th day  
of Sept. A.D., 19 97 at 3:47 o'clock P. M., and duly recorded in Vol. M97  
of Mortgages on Page 30080

FEE \$30.00

By Bernetha G. Leisch, County Clerk  
Kathleen Ross