

45672

Vol. 197 Page 31018

09-AQ-10060 (0002) AMT1

REGIONAL TRUSTEE SERVICES CORPORATION  
2730 WASHINGTON MUTUAL TOWER  
1201 THIRD AVENUE  
SEATTLE, WA, 98101

MC 46327

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF Washington, COUNTY OF KING } ss.

I, ROBERTA L.H. BUCHANAN, 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 his successor in interest named in the attached original notice of sale given under the terms of that certain trust 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:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

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 86.735.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by an authorized representative of 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 June 3, 1997. 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.

31019

09-AQ-10060 (0003) AMT2

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

REGIONAL TRUSTEE SERVICES CORPORATION

By: *Robert M. Bubana*

Subscribed and sworn to before me on June 3, 1997.

(SEAL)

NICHOLAS E. LAVANDIER  
STATE OF WASHINGTON  
NOTARY---PUBLIC  
MY COMMISSION EXPIRES 3-05-00

*Nicholas E. Lavandier*  
Notary Public for Washington

My commission expires: 03-05-00

EXHIBIT A:

GRANTORS

GREGORY J. KOLKOW  
2745 NORTH FIFTH STREET  
MALIN, OR 97632

PARTIES IN POSSESSION  
2745 NORTH FIFTH STREET  
MALIN, OR 97632

GREGORY J. KOLKOW  
P.O. BOX 511  
MALIN, OR 97632

## EXHIBIT B:

## TSG NOTIFY

BRETT E. SMITH  
C/O MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY  
222 S. 6TH STREET  
KLAMATH FALLS, OR 97601

MARY ANN SMITH  
C/O MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY  
222 S. 6TH STREET  
KLAMATH FALLS, OR 97601

JAN JOELLE KOLKOW  
C/O DOUGLAS V. OSBORNE, ATTY.  
439 PINE STREET  
KLAMATH FALLS, OR 97601

LORNA MARGARET JACOX, TRUSTEE OF THE LORNA  
MARGARET JACOX REVOCABLE TRUST  
3215 W. MONICA DRIVE  
COLORADO SPRINGS, CO 80916



31021

IN THE \_\_\_\_\_ COURT OF THE STATE OF \_\_\_\_\_  
 COUNTY OF KLAMATH : COURT CASE NO. 09-NI-10060  
AMERIQUEST MORTGAGE COMPANY FKA  
LONG BEACH MORTGAGE COMPANY

vs  
GREGORY J KOLKOW  
A MARRIED MAN

## PROOF OF SERVICE

STATE OF OREGON )

County of KLAMATH ) SS.

I hereby certify that on the 23 day of May, 19 97, at the hour of 1812  
 I served OCCUPANTS, GREGORY KOLKOW

- by \_\_\_\_\_
- ☒ Personal Service (personally and in person)  
☐ Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)  
☐ Office Service (by serving the person apparently in charge)  
☐ By posting (said residence)

A certified/true copy of:

- |  |  |                                       |
|--|--|---------------------------------------|
| <input type="checkbox"/> Summons   | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion  | <input type="checkbox"/> Order               | <input type="checkbox"/> Affidavit    |
| <input type="checkbox"/> Complaint   | <input type="checkbox"/> Citation            | <input type="checkbox"/> Subpoena     |
| <input type="checkbox"/> Petition  | <input type="checkbox"/> Notice              | <input type="checkbox"/> Decree       |
| <input checked="" type="checkbox"/> Other: <u>TRUSTEE'S NOTICE OF SALE</u> |  |                                       |

Together with a copy of \_\_\_\_\_

To GREGORY KOLKOWAt 2745 N FIFTH ST  
MALIN, OR. 97632

NOT FOUND: I certify that I received the within document for service on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
 and after due and diligent search and inquiry, I have been unable to locate \_\_\_\_\_  
 within the county of \_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this  
27 day of May, 19 97

*W. L. Martin*  
 OFFICIAL SEAL  
 KRISTEEN L. MARTIN  
 NOTARY PUBLIC OREGON  
 COMMISSION NO. 058194  
 MY COMMISSION EXPIRES NOV. 17, 2000

*Ramona Walker*  
RAMONA WALKER (#39)  
Cleveland Investigation Company  
(541) 535-6005

Papers  
 Received From GARY'S PROCESS SERVICE  
108 WELLS AVE. SO.  
RENTON  
WA 98055  
FEDERAL ID # 93-0904214  
206-277-0302  
ATTN:

Remit to: CIC	Service Fee	\$ 35.00
P.O. Box 230	Mileage	\$
Talent, OR 97540	Rush/Emergency	\$
Date: <u>5/27/97</u>	Incorrect Add.	\$
CIC File # <u>13098-K</u>		\$
Client No.	Amount Paid	\$ 0.00
	TOTAL DUE	\$ 35.00

**TRUSTEE'S NOTICE OF SALE**

Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq.  
Trustee No.: 09-NT-10060

Reference is made to that certain trust deed made by GREGORY J. KOLKOW, A MARRIED MAN, as grantor, to MOUNTAIN TITLE, as trustee, in favor of AMERIQUEST MORTGAGE COMPANY F/K/A LONG BEACH MORTGAGE COMPANY, as beneficiary, dated October 20, 1995, recorded October 31, 1995, in the mortgage records of KLAMATH County, Oregon, in Book M95, Page 29746. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by AMERIQUEST MORTGAGE COMPANY F/K/A LONG BEACH MORTGAGE COMPANY. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The street address or other common designation, if any, of the real property described above is purported to be:

2745 N. FIFTH STREET  
MALIN OR 97632

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

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:

Payments:			
3	payments at \$	803.28 each;	\$ 2,409.84
1	payments at \$	802.99 each;	\$ 802.99
( 02-01-97 through 05-20-97 )			
Late Charges:			
	Prior accumulated late charges:		\$ 139.60
	Beneficiary Advances (with interest if applicable)		\$ 56.13
			\$ 19.54
TOTAL:			=====
			\$ 3,428.10

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

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:

UNPAID PRINCIPAL BALANCE OF \$65,149.09, AS OF 01-01-97, PLUS, FROM THAT DATE UNTIL PAID, ACCRUED AND ACCRUING INTEREST AT THE RATE OF 12.50% PER ANNUM, PLUS ANY LATE CHARGES, ESCROW ADVANCES, FORECLOSURE COSTS, TRUSTEE FEES, ATTORNEY FEES, SUMS REQUIRED FOR PROTECTION OF THE PROPERTY AND ADDITIONAL SUMS SECURED BY THE DEED OF TRUST.

WHEREFORE, notice hereby is given that the undersigned trustee will, on October 3, 1997, at the hour of 10:00 A.M., in accord with the standard of time established by ORS 127.110, at FRONT ENTRANCE TO ASPEN TITLE & ESCROW, INC., 525 MAIN STREET, 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 him of the said 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 CRS 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.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 20, 1997

REGIONAL TRUSTEE SERVICES CORPORATION  
f/k/a INTERSTATE TRUSTEE SERVICES CORPORATION  
Successor Trustee

BY 

ALETA LAVANDIER, PRESIDENT  
1201 THIRD AVENUE, SUITE 2730  
SEATTLE, WA 98101 (206) 340-2550  
Sale Information: (206) 654-5545

STATE OF WASHINGTON

COUNTY OF KING

} ss.

I certify that I am an authorized representative of trustee, and the foregoing is a complete and exact copy of the original trustee's notice of sale.

\_\_\_\_\_  
Authorized Representative of Trustee

## EXHIBIT A

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 41 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7 IN BLOCK 19 OF THE CITY OF MALIN EXTENDING THENCE WEST 80 FEET ALONG THE SOUTH LINE EXTENDED OF SAID BLOCK 19 TO WEST LINE OF FIFTH STREET; THENCE NORTH OF THE SAID WEST LINE 260 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 80 FEET; THENCE NORTH 89 DEGREES 46' WEST 138.72 FEET TO THE EAST RIGHT OF WAY LINE OF MALIN IRRIGATION DISTRICT CANAL; THENCE SOUTHWEST ALONG SAID RIGHT OF WAY LINE TO A POINT THAT IS NORTH 89 DEGREES 46' WEST 149.97 FEET FROM THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 46' EAST 149.97 FEET TO THE POINT OF BEGINNING.



# 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 #9707

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 6/13/20/27, 1997

Total Cost: \$859.52

Subscribed and sworn before me this 27TH  
day of AUGUST 19 97

*Debra A. Gable*

Notary Public of Oregon

My commission expires 3-15 2000



TRUSTEE'S NOTICE OF SALE Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq. Trustee No. 09-NT-10060 Reference is made to that certain Trust deed made by GREGORY J. KOLKOW, A. MAR. RIEDMAN, as grantor, to MOUNTAIN TITLE, as trustee, in favor of AMERIQUEST MORTGAGE COMPANY F/TION K/A LONG BEACH MORTGAGE COMPA. TRUSTEE SERVICES NY, as beneficiary, dated October 20, 1995, recorded October 31, 1995, in the mortgage records of Klamath County, Oregon, in Book M95, Page 29746, SEATTLE, WA 98101 The beneficial interest (206) 340-2550 under said Trust Deed Sale Information: (206) and the obligations set forth therein are pre-cured thereby are pre-STATE OF WASHINGTON- sently held by AMERIQUEST MORTGAGE COMPANY F/TION K/A LONG BEACH MORTGAGE COMPANY. I/K/A/I certify that I am an LONG BEACH MORT authorized representative of the Trust Deed encumbered foregoing is a complete the following described and exact copy of the real property situated original trustee's notice in said county and of sale. state, to-wit: /s/Debbie Kaufman EXHIBIT A: Authorized Representa- A TRACT OF LAND of Trustee SITUATED IN THE #9707 August 6, 13, 20, SOUTHWEST QUAR. 27, 1997 TER OF THE NORTH- WEST QUARTER OF SECTION 15, TOWNSHIP 41 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, DESCRIBED AS FOL- LOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 7 IN BLOCK 19 OF THE CITY OF MALIN, EXTENDING THENCE WEST 80 FEET ALONG THE SOUTH LINE EXTENDED OF SAID BLOCK 19 TO WEST LINE OF FIFTH STREET; THENCE NORTH OF THE SAID WEST LINE 260 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 90 FEET; THENCE NORTH 89 DEGREES 46' WEST 138.72 FEET TO THE EAST RIGHT OF WAY LINE OF MA-

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 23rd day of Sept. A.D., 19 97 at 10:07 o'clock A.M., and duly recorded in Vol. M97 of Mortgages on Page 31018

FEE \$45.00

By Bernetha G. Leisch, County Clerk