

54897

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Vol 98 Page 8797

After recording return to:  
BISHOP & LYNCH, P.S.  
720 Olive Way, #1600  
Seattle, WA 98101-1801  
Attn: Lauri J. Langton  
Mortenson, 588-7205.01

ATC # 04046814  
NOTICE: WE ARE ATTEMPTING TO COLLECT A DEBT, ANY INFORMATION OBTAINED WILL  
BE USED FOR PURPOSES OF DEBT COLLECTING.

#### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Eugene Mortenson and Kathy Mortenson (also known as Verna Kathleen Mortenson) as tenants by the entirety, as grantor, to Aspen Title, as trustee, in favor of Long Beach Mortgage Company, as beneficiary, dated December 8, 1995, recorded December 13, 1995, in the mortgage records of Klamath County, Oregon, in Book M-95, Page 34028, Fee No.: 10546, covering the following described real property situated in said county and state, to-wit:

Beginning at the Southeast corner of the SW 1/4 NE 1/4 of Section 7, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence North along the East line of said SW 1/4 NE 1/4 a distance of 250.0 feet; thence West at right angles to said East line a distance of 200.0 feet; thence South, parallel to said East line, a distance of 250.0 feet; thence East along the South line of said SW 1/4 NE 1/4 a distance of 200.0 feet to the point of beginning.

Less and excepting all that portion of the above described property heretofore conveyed to the State of Oregon, by and through its State Highway Commission by Deed dated January 15, 1968, recorded January 22, 1968 as Document #19727 in Volume M-58 at Page 473, Microfilm Records of Klamath County, Oregon, and by deed recorded December 18, 1967 in M-67 at Page 9768, Microfilm Records of Klamath County, Oregon.

Code 7 Map 3909-700 TL 900

Commonly known as: 3514 Greensprings Drive, Klamath Falls, OR  
97501

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:

Delinquent monthly payments from August 1, 1996 through November 1, 1997

16 Payment(s) at

\$589.26

\$9,428.16

**Late Charges:**

16	Late Charge(s) at	28.06	
	for each monthly payment not		
	made within 15 days of its due		448.96
	date:		

**TOTAL MONTHLY PAYMENTS AND LATE CHARGES****\$9,877.12**

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:

Unpaid principal balance \$60,560.63, plus interest at the current rate of 10.62500% which is subject to change, from July 1, 1996, additional late charges, advances, foreclosure and bankruptcy fees and costs.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 1, 1998, at the hour of 11:00 o'clock a.m., in accord with the standard of time established by ORS 187.110, at the front entrance to the Klamath County Sheriff's Office, located at 808 So. 5th Street, Klamath Falls, Klamath County, 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.

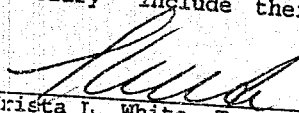
Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred), paying all advances authorized under the trust deed, including all costs and expenses incurred in enforcing the obligation and trust deed, and by curing any other default complained of therein 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.

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

8799

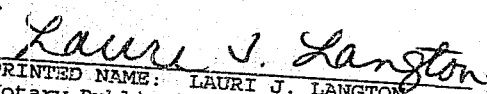
deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: November 19, 1997.

  
Krista L. White, Trustee

State of Washington )  
County of King ) ss.

I certify that I know or have satisfactory evidence that KRISTA L. WHITE is the person who appeared before me, and said person acknowledged that she signed the attached Trustee's Notice of Sale and acknowledged it to be her free and voluntary act and deed and for the uses and purposes mentioned in the instrument.  
Dated this 19 day of November, 1997.

  
PRINTED NAME: LAURI J. LANGTON  
Notary Public in and for the State of Washington, residing at Seattle.  
My Commission Expires: 9-15-98.

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

For Information Contact:

Bishop & Lynch, P.S.  
720 Olive Way, #1600  
Seattle, WA 98101-1801  
(206) 622-7527  
Ref: Mortenson, 588-7205.01

AFFIDAVIT OF MAILING  
Trustee's Notice of Sale

STATE OF WASHINGTON )

) ss.

COUNTY OF KING )

I, Lauri J. Langton, being first duly sworn, depose, 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 addresses, to-wit:

SEE Exhibit "A" Attached hereto and incorporated herein by this reference.

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 Krista L. White, trustee named in said notice; each such copy was contained in a sealed envelope, 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 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.

Lauri J. Langton  
Lauri J. Langton

SUBSCRIBED AND SWORN TO before me this 25<sup>th</sup> day of November, 1997.

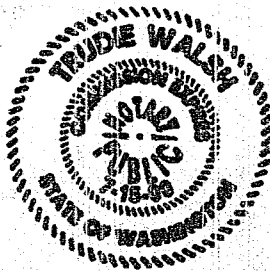
Trudie Walsh  
PRINTED NAME:

**TRUDIE WALSH**

NOTARY PUBLIC in and for the State of  
Washington residing at King County  
My Appointment Expires: 7-15-02

AFTER RECORDING RETURN TO:

BISHOP & LYNCH, P.S.  
720 Olive Way, Suite 1600  
Seattle, WA 98101-1801  
Attn: Lauri J. Langton  
FORBASICOREGMINNO.FRM REV 11/25/97



## EXHIBIT "A"

*Grantor(s)/Grantor(s)' Successor(s):*

Eugene Mortenson  
3514 Greensprings Drive  
Klamath Falls, OR 97601  
\*

Kathy Mortenson aka Verna Kathleen  
Mortenson  
3514 Greensprings Drive  
Klamath Falls, OR  
\*

Kathy Mortenson aka Verna Kathleen  
Mortenson  
P.O. Box 783  
Klamath Falls, OR 97601  
\*

*Occupants of the Premises*

-  
3514 Greensprings Drive  
Klamath Falls, OR  
\*

Eugene Mortenson  
-  
P.O. Box 783  
Klamath Falls, OR 97601  
\*

*All Other Parties:*

# PROOF OF SERVICE

STATE OF OREGON )

8802

County of Klamath ) 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 certified to be such by the attorney for the trustee or successor trustee, upon the **OCCUPANTS** at the following address:

**3514 GREENSPRINGS DRIVE, KLAMATH FALLS, OREGON 97601**, as follows:

Personal service upon Jeffery Allen Mortenson, by delivering said true copy, personally and in person, at above address on November 26, 1997 at 12:01 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 Eugene Mortenson, by delivering said true copy, at his/her usual place of abode as indicated above, to Jeffery Allen Mortenson who is a person over the age of 14 years and a member of the household on November 26, 1997 at 12:01 p.m.

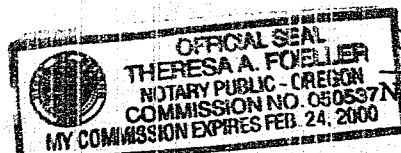
Substitute service upon Verna Mortenson, by delivering said true copy, at his/her usual place of abode as indicated above, to Jeffery Allen Mortenson who is a person over the age of 14 years and a member of the household on November 26, 1997 at 12:01 p.m.

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

*[Signature]*

158798

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



*[Signature]*  
Notary Public for Oregon



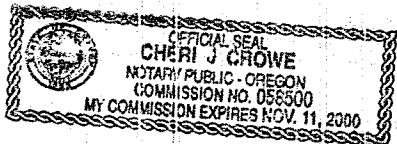
## CERTIFICATE OF MAILING

STATE OF OREGON       )  
                                  ) ss.  
County of Multnomah   )

I, Sophie C. Butler, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On November 26, 1997, I mailed a certified true copy of the Trustee's Notice of Sale, by First Class Mail, postage pre-paid, together with a statement of the date, time, and place at which substitute service was made upon Eugene Mortenson at 3514 Greensprings Drive, Klarnath Falls, Oregon 97601 on November 26, 1997 at the hour of 12:01 p.m.

*Sophie C. Butler*  
Sophie C. Butler 158798

SUBSCRIBED AND SWORN TO BEFORE ME this 5<sup>th</sup> day of December, 1997.



*Cheri J. Crowe*  
NOTARY PUBLIC FOR OREGON

NATIONWIDE PROCESS SERVICE, INC.  
222 CENTURY TOWER  
1201 S.W. 12TH AVENUE  
PORTLAND, OREGON 97205  
(503) 241-0636

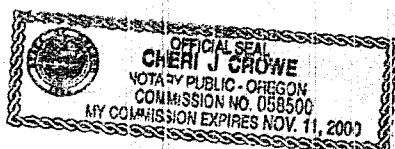
## CERTIFICATE OF MAILING

STATE OF OREGON       )  
                                   ) ss.  
 County of Multnomah   )

I, Sophie C. Butler, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On November 26, 1997, I mailed a certified true copy of the Trustee's Notice of Sale, by First Class Mail, postage pre-paid, together with a statement of the date, time, and place at which substitute service was made upon Verna Mortenson at 3514 Greensprings Drive, Klamath Falls, Oregon 97601 on November 26, 1997 at the hour of 12:01 p.m.

*Sophie C. Butler*  
 Sophie C. Butler 158798

SUBSCRIBED AND SWORN TO BEFORE ME this 5<sup>th</sup> day of December, 1997.



*Cheri J. Crowe*  
 NOTARY PUBLIC FOR OREGON

NATIONWIDE PROCESS SERVICE, INC.  
 222 CENTURY TOWER  
 1201 S.W. 12TH AVENUE  
 PORTLAND, OREGON 97205  
 (503) 241-0636

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 19th day  
 of March A.D., 19 98 at 3:20 o'clock P.M., and duly recorded in Vol. M98  
 of Mortgages on Page 8797.

FEE \$20.00

By *Bernetha G. Leisch* Bernetha G. Leisch, County Clerk