

61748

Vol. M98 Page 24277

'98 JUL -9 11:48

MTC 43494
TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Lettie S. Rodgers, as grantor, to Aspen Title & Escrow, as trustee, in favor of Transamerica Financial Services, as beneficiary, dated 1/11/93, recorded 1/15/93, in the mortgage records of Klamath County, Oregon, in Volume: M93, Page 1157 and subsequently assigned to Mtg. Trust by Assignment recorded as Volume M97, Page 41355, covering the following described real property situated in said county and state, to wit:

Lot 16, Block 217, Mills Second Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon.

PROPERTY ADDRESS: 1524, 1530 and 1536 Division Street
Klamath Falls, OR 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 \$672.00 beginning 11/15/96; plus prior accrued late charges of \$0.00; plus 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.

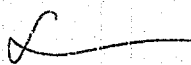
By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$46,813.59 with interest thereon at the rate of 14.5 percent per annum beginning 10/15/96; plus prior accrued late charges of \$0.00; plus 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 7/17/98 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: inside the 2nd floor lobby of the Klamath County Courthouse, 317 South 7th 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 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.

24278

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 3/5, 1998



David E. Fennell - Trustee

For further information, please contact:

Vonnie Nave
ROUTH CRABTREE & FENNELL
PO Box 4143
Bellevue, WA 98009-4143
(425) 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

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:

Lettie S. Rodgers
1524 Division Street
Klamath Falls, OR 97601

Lettie S Rodgers
1530 Division Street
Klamath, OR 97601

William S Dames, Attorney at Law
243 South Holly Street
Medford, OR 97501

Lettie S. Rodgers
7601 Telegraph Canyon Road
Chula Vista, CA 91910

Lettie S. Rodgers
1536 Division Street
Klamath, OR 97601

William S. Dames, Attorney at Law
P.O. Box 759
Medford, OR 97501

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 prepaid, and was deposited by me in the United States post office at Bellevue, Washington, on 3/13/98. 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 3/13, 1998, by Megan MalloryI, Megan MalloryYvonne M. Nave

Notary Public for Washington

Residing at BellevueMy commission expires: 5/4/01

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Rodgers, Lettie S.
Grantor
to
DAVID E. FENNELL,
Trustee

File No. 7069.20143

After recording return to:

ROUTH CRABTREE & FENNELL

Attn: Vonnie Nave

PO Box 4143

Bellevue, WA 98009-4143

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

7069.20143/RODGERS

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

I, Ed Foreman, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 12th day of March, 1998, after personal inspection, I found the following described real property to be unoccupied:

Lot 16, Block 217, Mills Second Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon.

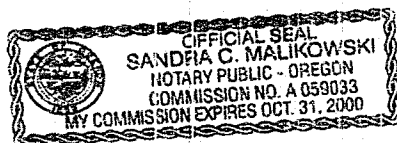
Commonly known as: 1524 Division Street
 Klamath Falls, Oregon 97601

Ed Foreman

Ed Foreman

161169

SUBSCRIBED AND SWORN to before me this 13th day of March, 1998.



Sandria C. Malikowski
Notary Public for Oregon

7069.20143/RODGERS

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

I, Ed Foreman, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

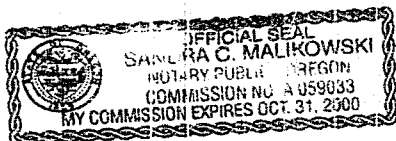
That on the 12th day of March, 1998, after personal inspection, I found the following described real property to be unoccupied:

Lot 16, Block 217, Mills Second Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon.

Commonly known as: 1536 Division Street
Klamath Falls, Oregon 97601

Ed Foreman
Ed Foreman 161258

SUBSCRIBED AND SWORN to before me this 13th day of March, 1998.



Sandra C. Malenkowsky
Notary Public for Oregon

PROOF OF SERVICE

STATE OF OREGON)
) ss.
County of Klamath)

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:

1530 DIVISION STREET, KLAMATH FALLS, OREGON 97601, as follows:

Personal service upon SANDY ROSE, by delivering said true copy, personally and in person, at the above address on March 12, 1998 at 12:49 P.M.

Personal service upon KATHY RUIZ, by delivering said true copy, personally and in person, at the above address on March 12, 1998 at 12:49 P.M.

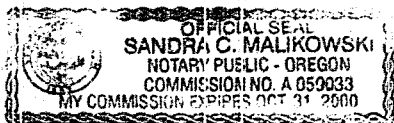
Personal service upon WAKIEM RUIZ, by delivering said true copy, personally and in person, at the above address on March 12, 1998 at 12:49 P.M.

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

Ed Foreman
Ed Foreman

161457

SUBSCRIBED AND SWORN to before me this 13th day of March, 1998.



Sandra C. Malikowski
Notary Public for Oregon

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 #1396

TRUSTEE'S NOTICE OF SALE.....

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

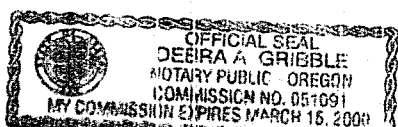
(^ /) insertion(s) in the following issues:

MAY 29

JUNE 4/11/19 1008

Total Cost: \$598.00

Subscribed and sworn before me this 18TH
day of JUNE 19 98

My commission expires 3-15 2000

STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of AmeriTitle the 9th day
of July A.D., 19 93 at 11:48 o'clock A M., and duly recorded in Vol. M98,
of Mortgages on Page 24277.

FEE \$40.00

By Kathleen Ross Bernetha G. Letsch, County Clerk

TRUSTEES NOTICE OF SALE

Reference is made to that certain trust deed made by Leslie S. Rodgers, as grantor, to Ashlen Title Escrow, as trustee, in favor of Transamerica Financial Services, as beneficiary, dated 7/1/93, recorded 1/15/93, in the mortgage records of Klamath County, Oregon, in Volume: M93, Page 1157 and subsequently assigned to MFC Trust by Assignment recorded as Volume M27, Page 4355, covering the following described real property situated in said county and State, to-wit:

Lot 16, Block 217, Mills Second Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon.

PROPERTY ADDRESS: 1524, 1530 and 1534 Division Street Klamath Falls, OR 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 86.733(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$572.00 beginning 11/15/96; plus prior accrued late charges of \$0.00; plus 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: \$46,113.51 with in-

terest at the rate of 12.5 percent per annum beginning 10/15/96, plus prior accrued charges 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 7/17/98 at the hour of 10:00 o'clock, A.M. in accordance with the standard time established by ORS 187.140, at the following place: Inside the 2nd floor lobby of the Klamath County Courthouse, 317 South 7th 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 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 last day 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 furnishing any other debt which is complained of herein that is capable of being cured by performance of the obligations

required under the obligation of trust deed, in addition to paying said sums or tendering said sums or tendering the performance necessary to cure the default, by paying all costs, trustee's fees and attorneys fees 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 constructing 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 3/5, 1998
David E. Fennell--Trustee
For further information, please contact:
Vonnice Nave
ROUTH CRABTREE & FENNELL
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 453-5055

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

#1396 May 28
June 4, 11, 18, 1998

RECEIVED
JUN 22 1998
ROUTH, CRABTREE & FENNELL

RECEIVED
JUN 22 1998

SOUTH CAROLINE & FENWELL