

'98 AUG -5 A9:17

MTC 43970

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:

Thad Chesnut
2795 Patterson Street
Klamath Falls, OR 97603-6969

State of Oregon
Dept. of Revenue
24 West Sixth
Medford, OR 97501

Coastal Adjustment Bureau, Inc.
P.O. Box 224
Eugene, OR 97440

Oregon Bureau of Labor and Industries
800 NE Oregon St. #32
Portland, OR 97232

Dist. Dir. Of IRS/ATTN:
Chief, Spec. Proc. Staff
915 Second Avenue M/S246
Seattle, WA 98174

Leonard Lewis
5461 Upton Road
Central Point, OR 97501

Boyd C. Yaden, Trustee
Estate of Thena, Inc.
419 Main Street
Klamath Falls, OR 97601

Jean Bailey
2437 Kane St.
Klamath Falls, OR 97603

Enver Bozgoz
1135 Pine Street
Klamath Falls, OR 97601

Arie C. DeGrout
303 Pine Street
Klamath Falls, OR 97601

Dept. of Revenue
P.O. Box 14725
Salem, OR 97309

Radiance M B Chesnut
2795 Patterson Street
Klamath Falls, OR 97603-6969

State of Oregon
Attorney General
1162 Court St. NE
Salem, OR 97310

B.J. Matzen
435 Oak Ave.
Klamath Falls, OR 97601

Enver Bozgoz
7629 Donegal Ave.
Klamath Falls, OR 97603

Warren Meca
2704 Watson St.
Klamath Falls, OR 97603

Thomas N. Hanson
c/o Stark & Hammack
201 West Main St. #1B
Medford, OR 97501

State of Oregon
Employment Dept.
875 Union St. NE, #107
Salem, OR 97311

Probate Legal Clinic, Inc.
419 Main St.
Klamath Falls, OR 97601

Myron Gitnes
110 N. 7th St.
Klamath Falls, OR 97601

Lisette M. LeBourveau
419 Main Street
Klamath Falls, OR 97601

DCBS/Business Administration
350 Winter St. NE
Salem, OR 97310

28640

Leonard Lewis
P.O. Box 3968
Central Point, OR 97502

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 4/7/98. 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 4/7, 1998, by Lori Hicks

Camie L. Rambert
Notary Public for Washington

Residing at Kirkland

My commission expires: 5/19/2002

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Chesnut, Thad and Radiance M B
Grantor

to

DAVID E. FENNELL,
Trustee

File No. 7104.20265

After recording return to:

ROUTH CRABTREE & FENNELL

Attn: Becky Baker

PO Box 4143

Bellevue, WA 98009-4143

CAMIE L. RAMBERT
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
MAY 19, 2002

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Thad Chesnut and Radiance M. B. Chesnut, as tenants by the entirety, as grantor, to Mountain Title Company of Klamath County, as trustee, in favor of Southern Pacific Funding Corporation, a California Corporation, as beneficiary, dated 5/24/95, recorded 5/31/95, in the mortgage records of Klamath County, Oregon, in Volume M95, Page 14401 and subsequently assigned to Bankers Trust Company of California, N.A., as Trustee under that certain pooling and servicing agreement dated as of June 1, 1995, for Southern Pacific Secured Assets Corp. Mortgage pass-through Certificates, Series 1995-1, covering the following described real property situated in said county and state, to wit:

Lot 3 and the Southerly 5 feet of Lot 2, Block 2, First Addition to Eastmount, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 2795 Patterson Street
Klamath Falls, OR 97603-6969

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 \$1,392.15 beginning 11/1/97; plus late charges of \$69.61 each month beginning 11/16/97; 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: \$114,906.05 with interest thereon at the rate of 14.25 percent per annum beginning 10/1/97; plus late charges of \$69.61 each month beginning 11/16/97 until paid; 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 August 7, 1998 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.

28642

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 3, 1998



David E. Fennell -- Trustee

For further information, please contact:

Becky Baker
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

28643.

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:

2795 PATTERSON STREET, KLAMATH FALLS, OREGON 97603-6969, as follows:

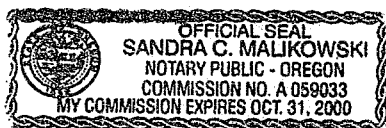
Personal service upon Yvonna Chestnut, by delivering said true copy, personally and in person, at the above address on April 7, 1998 at 10:45 a.m.

At the time of service, Yvonna Chestnut stated that four other adults also reside at this address, but refused to provide the names of the other occupants. Therefore, substitute service was effected upon Jane and/or John Does 1 through 4, Occupants, by delivering a separate copy for each, at their usual place of abode as indicated above, to Yvonna Chestnut, who is a person over the age of 14 years and a member of the household on April 7, 1998 at 10:45 a.m.

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


Sid Mathis 161813

SUBSCRIBED AND SWORN to before me this 8th day of April, 1998.



Sandra C Malukowski
Notary Public for Oregon

close &

28644

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 #1472

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:

JUNE 18/25

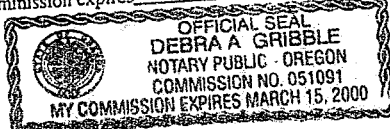
JULY 2/9, 1993

Total Cost: \$650.00

Subscribed and sworn before me this 9TH

Subscribed and sworn before me _____
day of JULY 1998

My commission expires 3-15 20 00



STATE OF OREGON; COUNTY OF KLAMATH: SS.

STATE OF OREGON: COUNTY OF KLAMATH. ss.
 Filed for record at request of Amerititle the 5th day
 of August A.D., 19 98 at 9:17 o'clock A. M., and duly recorded in Vol. M98
Mortgages on Page 28639.
 _____, Bernetha G. Letsch, County Clerk

FEE	\$35.00
-----	---------

TRUSTEES' NOTICE OF SALE
Reference is made to that certain deed made by Thad Chestnut and Rachelle M.B. Chestnut as grantors to Mountain Title Company of Klamath County, Oregon, as trustee in favor of Southern Pacific Funding Corporation, a California Corporation, as beneficiary, dated 5/24/95, recorded 5/31/95, in the mortgage records of Klamath County, Oregon, in Volume M95-14401 and subsequently assigned to Bankers Trust Company of California, N.A. as trustee under that certain pooling and servicing agreement filed as of June 1, 1995, for Southern Pacific Secured Assets Corporation Mortgage pass-through certificates, Series 1995-1, covering the following described real property situated in said county and state to wit:

Lot 3 and 4 and Southerly 5 feet of Lot 27, Block 27, First Addition to Eastmount, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS:
2795 Patterson Street
Klamath Falls, OR 97603-6969

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 trustee has the authority to foreclose upon the real property in the event of the grantor's failure to pay the following sums: monthly payments of \$1,392.15 beginning 11/1/97; plus late charges of \$69.61 each month beginning 11/16/97; plus accrued late charges of \$0.00, together with the 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 is given that the undersigned trustee will on August 7, 1998 at the hour of 10:00 o'clock, A.M. in accordance with the terms of the deed of trust, which is secured by said trust deed, and the following place: words "trustee" and "beneficiary" include 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 real property described in the foregoing notice of default. The proceeds of the sale shall be applied to the payment of the sums due and owing by the grantor to the beneficiary as follows: first, to pay the principal of the debt secured by the deed of trust; second, to pay the interest thereon at the rate of 14.25 percent per annum beginning 11/1/97; plus late charges of \$69.61 each month beginning 11/16/97; plus accrued late charges of \$0.00, together with the 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.

NOTICE: This is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED: April 3, 1998
David E. Fennell

For further information, please contact:
Becky Baker
SOUTH CRABTREE & FENNELL
PO 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.

1472 June 18, 25
July 2, 9, 1998

RECEIVED
JUL 13

RECEIVED

JUL 13 1998

~~CONFIDENTIAL~~