Vol. mg8 Page 40314

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After recording return to:

Nancy L. Peterson, Esq. Successor Trustee Foster, Pepper & Shefelman LLP 101 S.W. Main, 15th Floor Portland, OR 97204-3233

MTC 44689

### AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON )

County of Multnomah )

1, BRIDGETTE MURPHY, 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 Oregon, 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 made by JONATHAN L. FELSINGER and BETSY MARIE FELSINGER, and DONALD A. RIDER and EVELYN V. RIDER as grantor, to AMERITITLE, an Oregon corporation as trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated April 29, 1997, and volume 97, Page 21229, and covers the real property described in the attached 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 respective last known addresses, to-wit:

Jonathan L. Felsinger 3926 Crest St. Klamath Falls, OR 97603-7376

Betsy Marie Felsinger 3926 Crest St Klamath Falls, OR 97603-7376

Donald A. Rider 3838 Crest St. Klamath Falls, OR 997603

Evelyn V. Rider 3838 Crest St. Klamath Falls, OR 97503

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Jon B. Hall Basin Equipment, Inc. 7386 S. 6<sup>th</sup> Klamath Falls, OR 97603-7121

Southern Oregon Credit Service, Inc. 841 Stewart Ave., Ste. 11 Medford, OR 97501

McMahan's 6320 S. 6<sup>th</sup> Klamath Falls, OR 97603

Klamath County Tax Collector 403 Pine Street, Suite 300 Klamath Falls, OR 97601

Carter-Jones Collection LLC 1143 Pine Street Klamath Falls, OR 97601

The above 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 of the 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 Nancy L. Peterson, attorney for the trustee named in the 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 Portland, Oregon on July \_\_\_\_\_\_, 1998. 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 notice(s) was/were mailed after the notice of default and election to sell described in the notice of

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

BRIDGETTE MURPHY

SUBSCRIBED AND SWORN to before me this 17 day of July, 1998.

Official Seal Axemi Midaki NOTARY PUBLIC-OREGON COMMISSION NO. 052627

MY COMMISSION EXPIRES MAR 28, 2000

171. S

Notary Public for Oregon My Commission Expires:

on :

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## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by JONATHAN L. FELSINGER and Reference is made to that certain trust deed made by JONATHAN L. FELSINGER and BETSY MARIE FELSINGER, and DONALD A. RIDER and EVELYN V. RIDER, as grantor, to AMERITITLE, an Oregon corporation, as trustee in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated April 29, 1997, recorded July 9, 1997, in the mortgage records of Klamath County, Oregon, in Microfilm Volume 97, Page 21229, covering the following described real property situated in Klamath County Oregon, to-wit:

The N 1/2 of Lot 13 in Block 1 of SECOND ADDITION TO ALTAMONT ACRES, according to the offical plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The real property is more commonly known as 3926 Crest Street, Klamath Falls,

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:

8 monthly payments at \$912.00 each: (December 3, 1997 through July 17, 1998)

\$7,296.00

7 late charges of \$45.60 for each month payment not made within 15 days of the due date

\$319.20

Property Inspection(s)

\$45.00

Plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, the sums being the following, to-wit:

\$82,595.66; plus interest thereon at the rate of 12.00% from November 3, 1997 until paid; plus late charges of \$319.20 through July 17, 1998; plus \$45.60 for every month thereafter the regular monthly payment is more than 15 days late; plus \$45.00 for property inspection(s); plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds; plus all sums expended by beneficiary to protect its interest during the pendency of this proceeding.

WHEREFORE, notice hereby is given that the undersigned trustee will on November 17, 1998, at the hour of 10:30 a.m., in accordance with the standard of time established by ORS 187.110 at the front entrance of the Klamath County Courthouse, 317 S 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 above 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 the above sums or tendering the performance necessary to cure the default, by paying all trustee's and attorney's fees not exceeding the amounts provided by 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 include their respective successors in interest, if any.

DATED: July 1998	
Nanc	Why Robbush Successor Trustee
STATE OF OREGON	Trustee
County of Multnomah ss.	
I, the undersigned, certify that I am the named successor trustee and that the foregoin trustee's notice of sale.	ne attorney or one of the attorneys for the above ag is a complete and exact copy of the original
	FOSTER PEPPER & SHEFELMAN LLP
PLEASE CONTRACT	Attorney for Successor Trustee
PLEASE CONTACT BRIDGETTE MURPHY 221-8161 WITH ANY QUESTIONS CONCERI	, FORECLOSURE TECHNICIAN, AT 503- NING THIS FORECLOSURE.
If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served	SERVE:
be served.	

DECIMAL)

# NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692

- The amount of the debt is stated in the Trustee's Notice of Sale attached hereto. 1. 2.
- The beneficiary named in the attached Trustee's Notice of Sale is the creditor to whom the debt is owed. 3.
- The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the trustee unless the debtor, within 30 days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
- If the debtor notifies the trustee in writing within 30 days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee. 5.
- If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within 30 days the debtor by the trustee. 6.
- Written requests or objections should be addressed to: Nancy L. Peterson, Foster Pepper & Shefelman LLP, 101 SW Main, 15th Floor, Portland, OR 97204-3223.

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state of oregon	)	
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Councy of Klameth	)	

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, not 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, along with a copy of Notice Under the Fair Debt Collection Practices Act, upon the OCCUPANTS at the following address:

#### 3926 CREST STREET, KLAMATH FALLS, OREGON 97603, as follows:

	<ul> <li>by delivering said true copy.</li> </ul>
Personal service upon Jon athan L. Fulsingin personally and in person, at above address on Suly 20	, 1998 at 5:00 O.m.
Personal service upon Butsy Marie Jelsinger personally and in person, at the above settress on July 20	
Substitute service upon	, by delivering said true copy.
t his/her usual place of abode as indicated above, to	who is a
erson over the age of 14 years and a member of the household on	, 199
<u> </u>	
Substitute service upon	_, by delivering said true copy,
t his/her usual place of abode as indicated above, to	who is a
erson over the age of 14 years and a member of the household on t	, 199_
I declare under the penalty of perjury that the above statement is tr	ue and correct.
Chrie	Powel 0
Chri	1 Paull 164243
SUBSCRIBED AND SWORN to before me this 22 day of	164243
SUBSCRIBED AND SWORN to before me this 22 day of	164243

## Affidavit of Publication

#### STATE OF OREGON. COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager, being first duly sworn, despose 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 #1679

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:
SEPTEMBER 17/24
OCTOBER 1/8, 1998
Total Cost: \$650.00
Total Cost: \$650.00
<del></del>
Subscribed and sworn before me this 8TH
day of OCTOBER 1998
Jepia a Supple
Notary Public of Oregon

THE THIS GONG AND CONTROL OF SALE OF S



3-15 2000

STATE OF OREGON: COUNTY OF KLAMATH: ss.

My commission expires\_\_\_\_

Filed for rec	ord at request of		Ameritit					the	3 E a	da
of	November A	.D., 19	98at	3:40	o'clock	_ <u>P.</u> N	i., and duly r	ecorded in	Vol. <u>M98</u>	
	of_		Mortga			on Page	40314			
						1/	Bernetha G	Letsch, C	County Clerk	
FEE	\$40.00				Ву	- Fast	tun F	Lusal_	County Clerk	
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