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ASPEN 04047871

## AMENDED TRUSTEE'S NOTICE OF SALE

(after release from stay)
Trustee No.: 09-WM-13155

Reference is made to that certain trust deed made by HAROLD W. DEARBORN, as grantor, to AMERITITLE, An Oregon Corporation, as trustee, in favor of WASHINGTON MUTUAL BAMK, A Washington Corporation, as beneficiary, dated September 20, 1996, recorded September 25, 1996, in the mortgage records of KLAMATH County, Oregon, in Book M96, Page 30316, covering the following described real property situated in said county and state, to-wit:

THE NORTHERLY 35 FEET OF LOTS 1 AND 2, BLOCK 307, DARROW ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

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

2360 WHITE AVENUE KLAMATH FALLS OR 97601

The undarsigned 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:	
15 payments at \$	634.89 each; \$ 9,523.35
0 payments at \$ (09-26-97 through 12-16-98	• • • • • • • • • • • • • • • • • • •
Late Charges: Prior accumulated late charges:	\$ 476.10 \$
Beneficiary Advances (with interest	if applicable) \$
TOTAL	\$ 9.999.45

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other obligations 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. In addition, the beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens, property taxes, and hazard insurance premiums.

By reason of said defau., 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 \$59,508.73, AS OF 08-26-97, PLUS, FROM THAT DATE UNTIL PAID, ACCRUED AND ACCRUING INTEREST AT THE RATE OF 11.370% 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.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on October 2, 1998, at the hour of 10:00 A.M., in accord with the standard of time established by ORS 187.110, at FRONT ENTRANCE TO ASPEN TITLE & ESCROW, INC., 525 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of Oregon; however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on November 17, 1998.

MHEREFORE, notice hereby is given that the undersigned trustee will, on January 12, 1999, at the hour of 10:00 A.M., in accord with the standard of time established by ORS 187.110, at FRONT ENTRANCE TO ASPEN TITLE & ESCROW, INC., 525 MAIN STREET, FLANATH FALLS, County of KLANATH, State of Oregon, (which is the new date, time and place set for sale) 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 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 interest which the grantor or his successors in interest acquired and the costs and interest deed, to satisfy the foregoing obligations thereby secured and the costs and 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 prior amount then due (other than such portion of the principal as would not then be due that is amount then due (other than such portion of the principal as would not then be due that is 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 contains the paying said sums or tendering the performance necessary trust deed, and in addition to paying said sums or tendering the performance in enforcing 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 masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to 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 respective successors in interest, if any.

DATED: December 16, 1998

INTERSTATE TRUSTEE SERVICES CORPORATION N/K/A REGIONAL TRUSTEE SERVICES CORPORATION Successor Trustee

Wiborah Law DEBURAH KAUFMAN, SECRETARY 720 SEVENTH AVENUE SUITE 400 SEATTLE. WA 98104 (800) 347-2550

STATE OF WASHINGTON

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

After Recording Mail To: Regional Trustee Services 720 Seventh Avenuer Suite 400 seattle, WA 98104

Authorized Representative of Trustee

ASPEN 0407871 09-WM-13155 (0016) AFFTANS1

## REGIONAL TRUSTEE SERVICES CORPORATION 720 SEVENTH AVENUE, SUITE 400 SEATTLE, WA, 98104

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

STATE OF Washing County OF KING } ss. arthropom , being first duly sworn. d say and certify that: depose, an

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 Trustee's Amended Notice of Sale by mailing a copy thereof by registered or certified mail to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

HAROLD W. DEARBORN PARTIES IN POSSESSION 2360 WHITE AVENUE KLAMATH FALLS, OR, 97601

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

Said Amended Trustee's Notice of Sale was given in compliance with ORS 86.755(6), within 30 days after release from a stay of the foreclosure proceedings, and the above named persons include all of those persons listed in ORS 86.740 and ORS 86.750(1).

Each of the notices so mailed was certified to be a true copy of the original amended 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 December 16, 1998, which was within 30 days after release from a stay of the foreclosure proceeding set forth therein.

09-WM-13155 (0017) AFFTANS2

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

REGIONAL TRUSTES SERVICES CORPORATION

By:

Subscribed and sworn to before me on December 16, 1998.

(SEAL)

Notary Public for Washington

My commission expires:

3-9-02

JULIE A BLUE
STATE OF WASHINGTON
NOTARY ---- PUBLIC
NO COMMISSION EXPIRES 3-09-02

EXHIBIT A:

TSG NOTIFY

PELICAN CITY AUTO WRECKERS 247 GAGE ROAD KLAMATH FALLS, OR 97601-1411

PELICAN CITY AUTO WRECKERS AND TOWING C/O WILLIAM E. ADAMS, REG. AGENT 2545 CALIFORNIA AVENUE KLAMATH FALLS, OR 97601

After Recording Mail TO: Regional Trustee Services 720 Seventh Avenue, Suite 400 Seattle, WA 98104

STATE OF OREGON: COU	NTY OF KLAMATH: SS.	the	4th day
Filed for record at request of	Aspen Title	o'clock 106	Vol. <u>M99</u>
Ot Tamere	of <u>Mortgages</u>	Linds Smith, County Cle	rk
FEE \$30.00			