

After recording return  
BIRKOP & LYNCH, P.S.  
720 Olive Way, 1600  
Seattle, WA 98101-1811  
Attn: Lauri J. Langford  
Willwhite, 230-6415-01

cc:

R-52005

**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  
Carol A. Willwhite, as  
favor of Transamerica  
recorded July 25, 1994  
34720, Book N94, Page  
situated in said County

to that certain trust deed made by Norman J. Willwhite and  
trustee, to Aspel Title and Escrow, Inc., as trustee, in  
Financial Services, as beneficiary, dated July 20, 1994,  
in the mortgagor's records of Klamath County, Oregon, in  
2546, covering the following described real property  
and state, to it:

Lot 1, Block 6,  
Klamath, State of

fact No. 053, Oregon Shores, in the County of

Commonly known as:

3458 Basalake Avenue, Chiloquin, OR 97624

Comprises the above-described real property and  
Mobile Home I.D. #58284 (KPD789472559), which is  
the Grantor's obligation to the Beneficiary.

Both the Beneficiary and the trustee have elected to sell the said real  
property to satisfy the default has been recorded  
default for which the following sums:

**Monthly Payments:**

Delinquent monthly payments from October 25, 1997 through August 25, 1998

11 Payment(s) at	\$331.00	\$3,541.00
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**Late Charges:**

10 Late Charge(s) at	\$16.55	165.50
fix each monthly payment made within 15 days of its due date.		

**Past Due Late Charges:**

TOTAL PAST DUE PAYMENTS AND LATE CHARGES	0.00
	\$3,505.50

In consideration of said default the Beneficiary has declared all sums owing on  
the obligation secured by this trust deed immediate, due and payable, said sums  
being the following, to-wit:

Unpaid principal balance \$33,032.84 plus interest at the current rate of  
11.00% which is subject to change, from September 25, 1997, additional  
late charges, advancing fees, foreclosure fees and costs.

Trustee's Notice of Sale

Page 1

HEREFORE, Notice is given that on January 20, 1998, at the time established by OR Sheriff's Office, located in Klamath County, State of Oregon, the interest in the said property is given to the undersigned trustees will on or about 1:00 o'clock a.m. in accord with the standard form of ORS 187.110, at the front entrance to the Klamath County Sheriff's Office, located at 808 S.E. 5th Street, Klamath Falls, Oregon, all at public auction to the highest bidder for cash described real property which the grantor had or had a right to convey at the time of the execution by grantor of the said trust deed which the grantor or grantor's successors in interest of said trust deed to satisfy the foregoing obligations, thereby securing payment of said trust deed 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 discontinued, by payment to the beneficiary of the entire principal as would not then be due but for the amount then due (other than such portion of the principal as would not then be due but for the performance of the obligator of the obligation complained of therein that required under the obligation or tendering the performance and expenses actually incurred together with trustee's 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, and the words "trustee" and "beneficiary" include their respective successors in interest if any.

DATED: September 2, 1998.

State of Washington  
County of King

I certify that I know  
is the person who appears  
signed the attached Trustee  
and voluntary act and deed  
instrument:

Dated this 2 day of September, 1998.

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

For Information Contact:

Trustee's Notice of Sale - page 2

Property is given that the undersigned trustees will on or about 1:00 o'clock a.m. in accord with the standard form of ORS 187.110, at the front entrance to the Klamath County Sheriff's Office, located at 808 S.E. 5th Street, Klamath Falls, Oregon, all at public auction to the highest bidder for cash described real property which the grantor had or had a right to convey at the time of the execution by grantor of the said trust deed which the grantor or grantor's successors in interest of said trust deed to satisfy the foregoing obligations, thereby securing payment of said trust deed and the costs and expenses of sale, including a reasonable charge by the trustee.

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 discontinued, by payment to the beneficiary of the entire principal as would not then be due but for the amount then due (other than such portion of the principal as would not then be due but for the performance of the obligator of the obligation complained of therein that required under the obligation or tendering the performance and expenses actually incurred together with trustee's 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, and the words "trustee" and "beneficiary" include their respective successors in interest if any.

Krista L. White, Trustee

PRINTED NAME: LAUREN J. CONNELL  
Notary Public in and for the State of Washington  
My Commission Expires: 07-15-99

1998

AFFIDAVIT OF ATTENDING  
trustee's notice of Sale

STATE OF WASHINGTON )  
COUNTY OF KING )  
s.

I, Megan K. Reynolds, being first duly sworn, do swear, 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 sale of the real property described in the attached copy thereof by both first class and certified mail 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, 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 the 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.

SUBSCRIBED AND SWORN TO before me this 10th day of September, 1998.

PRINTED NAME: MEGAN K. REYNOLDS

NOTARY PUBLIC in and for the State of Washington residing at [REDACTED]. My Appointment Expires: [REDACTED]

AFTER REMOVAL RETURN TO:

BISHOP & LYNCH, P.S.  
720 Olive Way, Suite 1600  
Seattle, WA 98101-1801  
Attn: Lauri J. Langton  
SO/MA/SE/OREG/WNOD/FRM REV 9/21/98

**APPENDIX**

**Grimm(s)/Grueter(s) Successor(s):**

Norman J. Willhite  
3468 Eastlake Avenue  
Chiloquin, OR 97624

\*  
Carol L. Willhite  
3468 Eastlake Avenue  
Chiloquin, OR 97624

Occupants of the Premises  
3468 Eastlake Avenue  
Chiloquin, OR 97624

Norman J. Willhite  
P.O. Box 103  
Mars Hill, OR 97633

\*  
Carol A. Willhite  
P.O. Box 103  
Mars Hill, OR 97633

**All Other Parties:**

Brian Hawks  
Interplay at Lape  
62 Highway 99 N  
Burgess, OR 97422

\*  
Hoyt C. Yaden  
Trustee  
P.O. Box 606  
Klamath Falls, OR 97601

\*  
Oregon Shores Beach Club, Inc.  
2600 Medoc Point Road  
Chiloquin, OR 97624

230.8-15.01/WH/100

STATE OF OREGON  
AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON

County of Klamath

ss.

I, Don Bernau, being first duly sworn, depose and say:

That I am, and have been at all material times hereunto, 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 16th day of September, 1998, after personal inspection, I found the property to be unoccupied.

Lot 1, Block 6, Tract No. 053, Oregon Shores, in the County of Klamath, State of Oregon

Commonly known as

3461 Castlegate Avenue  
Chiloquin, Oregon 97524

I declare under the penalty of perjury that the above statements are true and correct.

Don Bernau

165690

SUBSCRIBED AND WORN to before me this 17 day of September, 1998.



Notary Public for Oregon

STATE OF OREGON  
COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager,  
being first duly sworn, do hereby 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 #1872

NOTICE: WE ARE ATTEMPTING.....

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

( 4 ) insertion(s) in the following issues:

DECEMBER 2/9/16/23, 1998

Total Cost: \$676.00

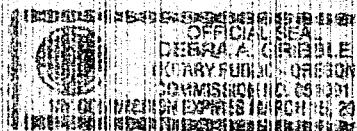
Larry L. Wells

Subscribed and sworn before me this 23RD  
day of DECEMBER 1998

Linda Smith

Notary Public of Oregon

My commission expires 3-15-2000



SUPERIOR COURT, COUNTY OFFICIAL

Filed for record a copy of First Amended Title  
of January 4, 1999 at 11:00 AM and duly recorded in Vol. 115 P.

Fee \$35.00

RECEIVED

JAN 19 1999

BISHOP, LYNCH & WHITE, P.S.

to Linda Smith, County Clerk  
at 115 P.