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Vol. 149 Page 7893

MTC 46299

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:

David S. Harp
4842 Sumac Avenue
Klamath, OR 97603

Patricia Harp
4842 Sumac Avenue
Klamath, OR 97603

Pacific Power & Light Company
Property Management Department
920 Southwest Sixth Avenue
Portland, OR 97204

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 11/23/98. 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 11/25, 1998, by Dolores San Nicolas

Shannon S. M. Blood

Notary Public for Washington

Residing at King County

My commission expires: 05-01-01

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Harp, David S. and Patricia
Grantor

to

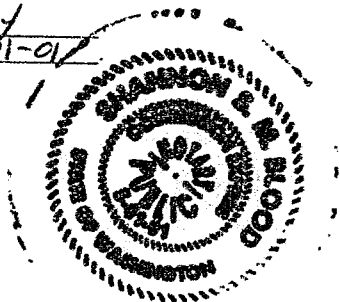
DAVID E. FENNELL,

Trustee

File No. 7248.20035

After recording return to:

ROUTH CRABTREE & FENNELL
Attn: Shannon Blood
PO Box 4143
Bellevue, WA 98009-4143



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TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by David S. Harp and Patti Harp, as grantor, to Amerititle, as trustee, in favor of First Finance, as beneficiary, dated 5/19/97, recorded 5/23/97, in the mortgage records of Klamath County, Oregon, in M97 Page 15835 and subsequently assigned to ContiMortgage by Assignment recorded as Microfilm Records M97 Page 33668, covering the following described real property situated in said county and state, to wit:

Lot 13 in Block 3, Tract 1008, known as Banyon Park, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 4842 Sumac Avenue
Klamath, OR 97603

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 \$705.89 beginning 4/1/98; plus late charges of \$35.29 each month beginning 4/16/98; plus prior accrued late charges of \$136.88; plus advances of \$87.00; 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: \$72,730.00 with interest thereon at the rate of 11.2 percent per annum beginning 3/1/98; plus late charges of \$35.29 each month beginning 4/16/98 until paid; plus prior accrued late charges of \$136.88; plus advances of \$87.00; 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 3/26/99 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.

7895

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 11-16, 1998


David E. Fennell -- Trustee

For further information, please contact:

Shannon Blood
ROUTH CRABTREE & FENNELL
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7248.20035/Harp, David S. and Patricia

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

PROOF OF SERVICE

7896

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, along with a copy of Notice Under the Fair Debt Collection Practices Act, upon the OCCUPANTS at the following address:

4842 SUMAC AVENUE, KLAMATH FALLS, OREGON 97603, as follows:

Personal service upon William Harp, by delivering said true copy, personally and in person, at above address on November 25, 1998 at 3:07 p.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 199 at : m.

Substitute service upon Patty Harp, by delivering said true copy, at his/her usual place of abode as indicated above, to William Harp who is a person over the age of 14 years and a member of the household on November 25, 1998 at 3:07 p.m.

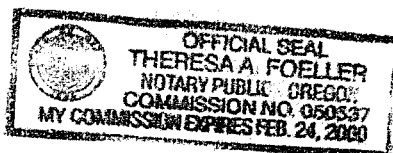
Substitute service upon _____, by delivering said true copy, at his/her usual place of abode as indicated above, to _____ who is a person over the age of 14 years and a member of the household on _____, 199 at : m.

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

Ed Foreman

167768

SUBSCRIBED AND SWORN to before me this 1st day of DECEMBER, 1998



Theresa A. Foeller
Notary Public for Oregon

7248.20035/Harp

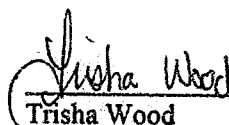
CERTIFICATE OF MAILING

STATE OF OREGON)
) ss.
County of Multnomah)

I, Trisha Wood, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On November 25, 1998, I mailed a true copy of the Trustee's Notice of Sale, along with a copy of Notice Under the Fair Debt Collection Practices Act via First Class Mail, postage pre-paid, together with a statement of the date, time, and place at which substitute service was made, to Patty Harp.

The envelope was addressed as follows: Patty Harp
4842 Sumac Avenue
Klamath Falls, OR 97603

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


Trisha Wood

167768

SUBSCRIBED AND SWORN TO BEFORE ME this 25th day of November, 1998.




Notary Public for Oregon

Affidavit of Publication 7898

STATE OF OREGON,
COUNTY OF KLAMATH

I, Larry L. Wells, Business 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 #1995

KLAMATH COUNTY, OREGON.....

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

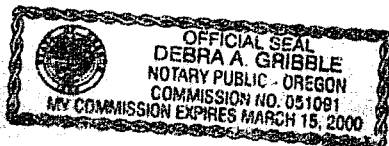
(4) insertion(s) in the following issues:
FEBRUARY 4/11/18/25, 1999

Total Cost: \$637.00

Subscribed and sworn before me this 25TH
day of FEBRUARY 19 99

Debra A. Grubbe
Notary Public of Oregon

My commission expires 3-15 20 00



STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle
of March A.D. 1999 at 11:27 o'clock A. M., and duly recorded in Vol. M99
of Mortgages on Page 7893

FEE \$35.00

Linda Smith, County Clerk
by Kathleen Ross

Both the beneficiary, Klamath County Court, notice, the singular in-
ary and the trustee, Klamath County Court, notice, the singular in-
have decided to sell the house, 117 South 7th Street, the plural the
real property, 117 South 7th Street, in the City of Klamath Falls, Oregon,
the beneficiary, Klamath County Court, notice, the singular in-
by the trustee, Klamath County Court, notice, the singular in-
notice of default, the Oregon, sell at public well as any other per-
been referred pursuant to the highest son owing an obligation,
to Oregon Revised Statutes for each the in the performance of
for which the fore interest in the described which is secured by
closure is made is grant real property which the said trust deed and the
for's failure to pay grantor had for had words "trustee" and
when due the following power to convey at the beneficiary include
sums: monthly pay time of the execution their respective suc-
cessors in interest. If
month beginning 4/16/98, interest which the grant DATED November 16,
98, plus prior accrued for on grantor's suc-
cessors in interest, ac- David E. Fennell
plus advances of \$87.00, together with title acquired after the execu-
tion of the trust deed. For further informa-
tion, please contact: Shannon Blood, ROUTH CRABTREE &
any further sums and expenses of sale, in FENNELL
ary for the protection charge by the trustee, Bellevue, WA 98009-4143
of the above described real property and its in- Notice is further given (425) 585-1900
terest therein. That any person named Elie No. 17248, 20035/
in ORS 84.752 has the Here, David's and Pa-
By reason of said right, at any time prior to the
default the beneficiary has declared all sums due for the
owing on the obligation, to have this for TO COLLECT A DEBT
secured by the trust deed, to have this for AND ANY INFORMA-
deed immediately upon closure proceeding dis- BE USED FOR THAT
and payable said sums and the trust BE USED FOR THAT
being the following: to be paid by pay- PURPOSE
with \$72,730.00 with in ment to the beneficiary
interest thereon at the of the entire amount: \$1995 Feb 4, 11, 18,
rate of 12 percent per annum beginning 4/16/98, then due thereafter
annum beginning 4/16/98, then due thereafter
\$25.25 each month on such portion of the
principal as would not
be due had no de-
fault occurred, and by
trust deed.

DEBRA A. GRUBBE

MAR 01 1999

ROUTH, CRABTREE & FENNELL