

TRUSTEE'S NOTICE OF SALE

AMT 47983

Reference is made to that certain trust deed made by Gary L. Hart, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Goodrich and Pennington Mortgage Fund, Inc., as beneficiary, dated 1/22/98, recorded 1/29/98, in the mortgage records of Klamath County, Oregon, in Volume M98, Page 2811 and subsequently assigned to Bankers Trust Company of California N.A., as custodian or trustee by Assignment recorded as Volume M98, Page 45157, covering the following described real property situated in said county and state, to wit:

All of Lot 60 and the Westerly portion of Lot 59, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at the Southwesterly corner of Lot 59 of Lakeshore Gardens, thence North 731.5 feet to the Northwesterly corner of said Lot 59; thence North 84 degrees 09' East along the Northerly line of said Lot 59; a distance of 120 feet; thence South parallel to the Westerly line of said Lot 59; thence Southwesterly along the Southerly line of said Lot 59 to the point of beginning.

PROPERTY ADDRESS: 1060 Lakeshore Drive
Klamath Falls, OR 97601

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 \$3,210.69 beginning 1/1/99; plus late charges of \$160.53 each month beginning 1/16/99; plus prior accrued late charges of \$642.12; plus advances of \$126.50; 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: \$389,874.10 with interest thereon at the rate of 9.2 percent per annum beginning 12/1/98; plus late charges of \$160.53 each month beginning 1/16/99 until paid; plus prior accrued late charges of \$642.12; plus advances of \$126.50; 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 **September 24, 1999** 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.

25.00
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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 May 20, 1999


David E. Fennell -- Trustee

For further information, please contact:

Becky Baker
ROUTH CRABTREE & FENNELL
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7104.20778/Hart, Gary L.

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

AMT 47983

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:

Larry Gieber
c/o Moore & Associates
96 East Broadway, Suite 7
Eugene, OR 97401

Maureen Gieber
c/o Moore & Associates
96 East Broadway, Suite 7
Eugene, OR 97401

Lucia Rael
5626 Glen Ridge Way
Klamath Falls, OR 97603

Larry Gieber
812 Prescott Lane
Springfield, OR 97477

Maureen Gieber
812 Prescott Lane
Springfield, OR 97477

Gary L. Hart
1060 Lakeshore Drive
Klamath Falls, OR 97601

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 5-25-99. 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 5/25, 1999, by Tim M. Murta.

Notary Public for Washington

Residing at _____

My commission expires: _____

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Hart, Gary L.

Grantor

to

DAVID E. FENNELL,

Trustee

File No. 7104.20778

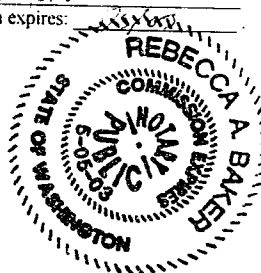
After recording return to:

ROUTH CRABTREE & FENNELL

Attn: Becky Baker

PO Box 4143

Bellevue, WA 98009-4143



37705

7104.20778/Hart
AMT 47983State of Oregon, County of Klamath
Recorded 9/22/99, at 11:35 a.m.
In Vol. M99 Page 37702
Linda Smith,
County Clerk Fee \$ 25.00

PROCESS OF SERVICE

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.

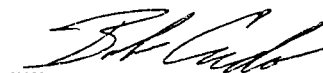
I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, along with a copy of Notice Under the Fair Debt Collection Practices Act, upon the OCCUPANTS at the following address:

1060 Lakeshore Drive, Klamath Falls, Oregon 97601, as follows:

Personal service upon GARY HART, by delivering said true copy, personally and in person, at the above address on May 25, 1999 at 10:05 A.M.

Substitute service upon "JANE DOE" - OCCUPANT, by delivering said true copy, at the dwelling house and usual place of abode, as indicated above, to Gary Hart, who is a person over the age of 14 years and a member of the household on May 25, 1999, at 10:05 A.M.

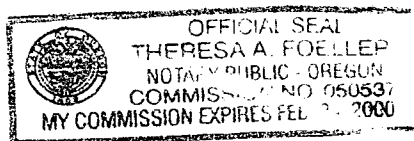
I declare under the penalty of perjury that the above statement is true and correct.



Bob Cudo

173337

SUBSCRIBED AND SWORN to before me this 3rd day of June, 1999.



Notary Public for Oregon