

1999 SEP 22 PM 1:36

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AFTER RECORDING RETURN TO:  
Shapiro & Kreisman  
522 S.W. Fifth Avenue, #915  
Portland, OR 97204  
99-13476

# OREGON AFFIDAVIT OF MAILING OF NOTICE OF SALE

I, Kelly D. Sutherland, say and certify that:  
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 the successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail and first class mail to each of the following named persons at their last known addresses, to-wit:

Thomas N. Westlund  
225 Roosevelt St.  
Klamath Falls, OR 97601

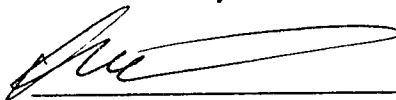
State of Oregon  
Dept. of Human Resources  
500 Summer St., NE  
Salem, OR 97310-1012

Carter-Jones Collection, LLC  
R/A: Kent Peterson  
1143 Pine Street  
Klamath Falls, OR 97601

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Kreisman, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Portland, Oregon, on June 21, 1999. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

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




Kelly D. Sutherland

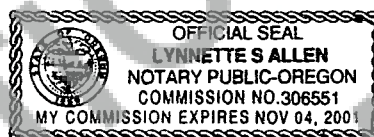
State of Oregon )

County of Multnomah )

On this 21<sup>st</sup> day of June, in the year 1999, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal

  
Notary Public  
My Commission Expires 11/4/01



Lender Loan #: 18816152

## TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Thomas N. Westlund, an unmarried man as grantor, to First American Title Insurance Co., as Trustee, in favor of Temple-Inland Mortgage Corporation as Beneficiary, dated June 19, 1997, recorded July 3, 1997, in the mortgage records of Klamath County, Oregon, in Book No. M97 at Page 20837, beneficial interest having been assigned to HomeSide Lending, Inc., covering the following described real property:

Lot 7, Block 99, BUENA VISTA 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

**COMMONLY KNOWN AS:** 225 Roosevelt Street, Klamath Falls, OR 97601

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:

Monthly payments in the sum of \$487.11 from November 1, 1998, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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

\$51,138.04, together with interest thereon at the rate of 8.75000% per annum from October 1, 1998 together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 13, 1999 at the hour of 11:00 am, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 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 said described real property which the grantor has or had power to convey at the time of the execution of said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of 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 entire amount 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 obligations 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.

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 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.

Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose.

KELLY D. SUTHERLAND

Successor Trustee

Dated 6/10/99

By: 

State of Oregon, County of Multnomah ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

SHAPIRO & KREISMAN  
522 SW 5th Avenue  
Suite 915  
Portland, Oregon 97204  
(503) 241-0772

Lender Loan #: 18816152

State of Oregon, County of Klamath  
Recorded 9/22/99, at 1:36 p.m.  
In Vol. M99 Page 37716  
Linda Smith,  
County Clerk Fee \$ 25-