

1999 DEC 10 PM 3: 43

MTC 46299
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 05/19/97, recorded 05/23/97, 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 Bayon Park, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 4342 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 04/01/98; plus late charges of \$35.29 each month beginning 04/16/98; plus prior accrued late charges of \$136.88; plus advances of \$2,822.25; 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 03/01/98; plus late charges of \$35.29 each month beginning 04/16/98 until paid; plus prior accrued late charges of \$136.88; plus advances of \$2,822.25; 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 01/07/00 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.

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 9/1, 1999


David E. Fennell -- Trustee

For further information, please contact:

Vonnie Nave
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

48840

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

Greg Perkins, Attorney at Law
P.O. Box 23834
Eugene, OR 97402

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 9-8-99. 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 9-8-, 1999, by Tim M. Murty.

Julieth Donato
Notary Public for Washington
Residing at Bellevue
My commission expires: 3-17-03.

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: Vonnie Nave
PO Box 4143
Bellevue, WA 98009-4143

JULIETH DONATO
STATE OF WASHINGTON
NOTARY--PUBLIC
MY COMMISSION EXPIRES 3-17-03

PROOF 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:

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

Personal service upon William Harp, by delivering said true copy, personally and in person, at above address on September 7, 1997 at 5:29 P.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 1997 at _____ P.m.

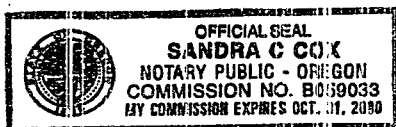
Substitute service upon David Harp and Patty Harp, by delivering said true copy, at his/her usual place of abode as indicated above, to William Harp who is a person over the age of 14 years and a member of the household on September 7, 1997 at 5:29 P.m.

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 _____, 1997 at _____ P.m.

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

Ed Foreman
 Ed Foreman 177340

SUBSCRIBED AND SWORN to before me this 7 day of September, 1997.



Sandra C Cox
 Notary Public for Oregon

ROUTH CRABTREE & FENNELL

A Professional Corporation

PO Box 4143
Bellevue, Washington 98009-4143
Telephone (425) 586-1900 Facsimile (425) 586-1997

48842

December 8, 1999

7248.20035/Harp, David S. and Patricia
All Occupants
4842 Sumac Avenue
Klamath, OR 97603

RE: ContiMortgage 0004418232
RCF No.:7248.20035

Occupants:

Please be advised that the property in the above-referenced matter is scheduled to be sold at a Trustee's Sale on 01/07/00. According to ORS 86.755(5) the property must be vacated on or before the tenth day, 01/17/00, following the date of sale. Please vacate the property on or before that date.

If you have any questions, please contact an attorney.

Sincerely,



Vonnie Nave
Foreclosure Analyst

for

Affidavit of Publication

48843

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 2644
Trustee's Notice

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

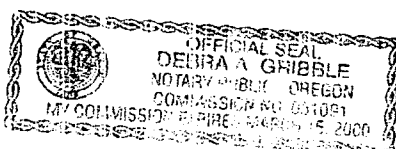
(4) insertion(s) in the following issues:
October 21, 28, November 4, 11, 1999

Total Cost: \$729.00

Subscribed and sworn before me this 11th
day of November 1999

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15 2000



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by David S. Harp and Patti Harp, as grantor, to Ameritlife, as trustee, in favor of First Finance, as beneficiary, dated 05/19/97, recorded 05/23/97, 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: 4642 Sumac Avenue, Klamath Falls, Oregon 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 due the following sums: monthly payments of \$705.89 beginning 04/01/98; plus late charges of \$35.29 each month beginning 04/16/98; plus prior accrued late charges of \$136.88; plus advances of \$2,822.25; 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.

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WHEREFORE, notice hereby is given that the undersigned trustee will on 01/07/00 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.

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: September 9, 1999

David E. Fennell
Trustee

For further information, please contact:

Vonnie Nav
ROUTH CRABTREE & FENNELL
P. O. Box 4143
Bellevue, Washington 98009-4143
(425) 586-1900
File No. 7148.20035/
Harp, David S. and Patricia

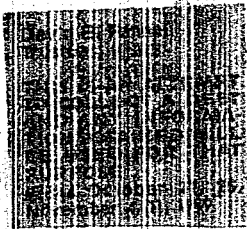
State of Washington, County of King)ss:

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

Received

NOV 17 1999

Routh Crabtree & Fennell



48844

State of Oregon, County of Klamath
Recorded 12/10/99, at 3:43 p.m.
In Vol. M99 Page 48838
Linda Smith,
County Clerk Fees 40⁰⁰

Unofficial
Copy

Received

NOV 1 1999

County of Klamath