

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE	
RE: Trust Deed from John D. Bagwell	Grantor
to	
Robert W. Palmer, Esq.	Trustee
AFTER RECORDING RETURN TO	
Molly Luoto Lindsay, Hart, Neil & Weigler, LLP Suite 3400 1300 S.W. Fifth Avenue Portland, OR 97201-5696	

1999 DEC 27 PM 3:03

81711-9

**ATE 50025**  
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah ) ss:

I, Molly M. Luoto, 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 Oregon, 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 addresses, to-wit:

NAMEADDRESS

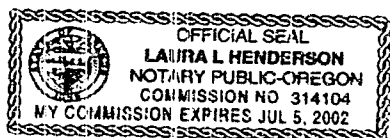
See attached Exhibit A.

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 Molly M. Luoto, 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 Portland, Oregon, on Sept. 8, 1999. 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.

Molly M. Luoto

Subscribed and sworn to before me on September 15, 1999.



Diana L. Henderson  
Notary Public for Oregon.  
My commission expires July 5, 2002

Exhibit A  
Affidavit of Mailing

Mailing on 9/8/99:

Occupants  
815 Division Street  
Klamath Falls, OR 97601

John D. Bagwell  
815 Division Street  
Klamath Falls, OR 97601

John D. Bagwell  
c/o Newton  
3037 Shady Creek Lane  
Corpus Christi, TX 78414

Brenda K. Newton  
5633 Independence Avenue  
Klamath Falls, OR 97603

Mailing on 9/15/99:

Brenda K. Newton  
449 Claremore Street  
Corpus Christi, TX 78412-2720

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by John D. Bagwell, as grantor, to Regional Trustee Services Corporation, as trustee, in favor of WMC Mortgage Corp., as beneficiary, dated March 9, 1998, recorded March 20, 1998, in the mortgage records of Klamath County, Oregon, in Book M-98, page 9022, and as Fee No. 54984, assigned by instrument to Liberty Savings Bank, F.S.B., by document recorded July 26, 1999, in Book M-99, page 29724, Klamath County, Oregon records, covering the following described real property situated in the above-mentioned county and state, to-wit:

The Southerly 40 feet of Lots 554 and 555, Block 120, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

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 for December 1998 through August 1999 for a total of \$3,387.33, plus real property taxes for 1998-99 that are due as of this date.

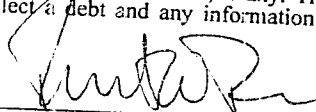
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

As of December 1, 1998, the principal sum of \$41,872.80 plus interest thereafter; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above described property, plus attorney and trustee's fees incurred by reason of said default.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 13, 2000, at the hour of 11:00 a.m., in accord with the standard of time established by ORS 187.110, at center entrance to the Post Office Building (also known as Federal Building), 317 South 7<sup>th</sup> 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 had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said trust deed, together with 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. The Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED August 30, 1999.

  
Robert W. Palmer, Successor Trustee

State of Oregon, County of Multnomah ) ss:

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

For said Trustee

FOR ADDITIONAL INFORMATION  
CALL (503) 226-7677

State of Oregon, County of Klamath  
Recorded 12/27/99, at 3:03 p.m.  
In Vol. M99 Page 50703  
Linda Smith,  
County Clerk Fees 20<sup>00</sup>