

**PLEASE RECORD IMMEDIATELY**

After recording return to:

Linda Lewis

PRESTON GATES &amp; ELLIS LLP

5000 Columbia Center, 701 Fifth Avenue  
Seattle, WA 98104-707817183-40642/Kenneth A. AnderschTitle Order Number 50209County KlamathProperty Address 5423 Eastwood Drive, Klamath Falls, OR 97603**Recording Cover Sheet**

This cover sheet has been prepared by the person presenting the attached instrument for recording, as provided by ORS 205.234. Any Errors in this Sheet do not affect the transactions contained in the instrument itself.

A) ~~Names~~ of the transactions described in the attached instruments:

- ☒ Affidavit of Mailing Trustee's Notice of Sale with original
- ☒ Trustee's Notice of Sale attached
- ☐ Affidavit of Service on Occupant
- ☐ Affidavit of Mailing Notice of Substitute Service
- ☒ Affidavit of Notice of Non-Occupancy
- ☒ Affidavit of Publication of Trustee's Notice of Sale
- ☐ Affidavit of Mailing Notice to IRS

(OTHER)

B) Names of Parties involved in the above transactions:

|  |
|--|
| Kenneth A. Andersch and Judy A. Andersch, as tenants by the entirety<br>Original Grantor on Trust Deed |
| America's Wholesale Lender<br>Original Beneficiary on Trust Deed                                       |

Assignee, if any

C) Person Authorized to receive the instrument after recording:

|                        |  |
|------------------------|--|
| <b>Name:</b>           | <i>Linda Lewis</i>   |
| <b>Address:</b>        | <b>PRESTON GATES &amp; ELLIS LLP</b>                                     |
| <b>City/State/Zip:</b> | <b>5000 COLUMBIA CENTER, 701 FIFTH AVENUE<br/>SEATTLE, WA 98104-7078</b> |

After recording return to:  
Linda Lewis  
PRESTON GATES & ELLIS LLP  
5000 Columbia Center, 701 Fifth Avenue  
Seattle, WA 98104-7078

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

*Client Matter Number 17183-40642/Kenneth A. Andersch*

STATE OF WASHINGTON, County of KING ) ss:

I, the undersigned, Katrina Schultz, 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 *Trustee's Notice of Sale* given under the terms of that certain deed described in said notice.

I gave notice of the real property described in the attached *Trustee's 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:

| NAME   | ADDRESS   |
|--|---|
| Kenneth A. Andersch                                | 5423 Eastwood Drive<br>Klamath Falls, OR 97603  |
| Judy A. Andersch                                   | 5423 Eastwood Drive<br>Klamath Falls, OR 97603  |
| Residents/Occupants                                | 5423 Eastwood Drive<br>Klamath Falls, OR 97603  |
| Kenneth A. Andersch                                | 327 Bain Lane<br>Kalispell, MT 59901  |
| Judy A. Andersch                                   | 327 Bain Lane<br>Kalispell, MT 59901  |
| T.A.R. Preferred Mortgage,                         | a California corporation<br>19782 MacArthur Blvd., Suite 250<br>Irvine, CA 92715                                |
| Corporation Service<br>CompanyRegistered Agent for | T.A.R. Preferred Mortgage Corporation, a California corporation<br>285 Liberty Street NE<br>Salem, Oregon 97301 |

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 *Trustee's Notice of Sale* so mailed was certified to be a true copy of the original *Trustee's Notice of Sale* by an attorney of record, 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 Seattle, Washington, on

9-29-99. 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 *Trustee's Notice of Sale* 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.

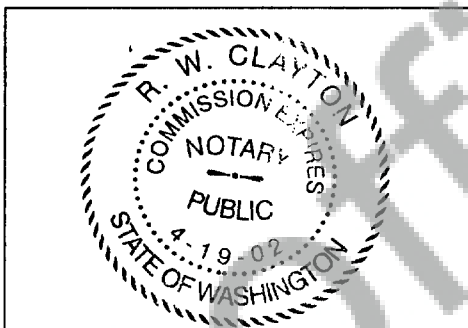


Katrina Schultz

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

I certify that Katrina Schultz has appeared before me and was authorized to execute this instrument on the 29<sup>th</sup> DAY OF September, 1999,

(SEAL)




R. W. Clayton

Notary Public for Washington  
 My Appointment expires April 19, 2002.

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

Kenneth A. Andersch, Grantor

Loan No. 2411328

TO

Linda Johannsen, Trustee

Client-Matter No. 17183-40642

After recording return to:

Linda Lewis

PRESTON GATES & ELLIS LLP

5000 COLUMBIA CENTER, 701 FIFTH AVENUE

SEATTLE, WA 98104-7078

After recording return to:

Linda Lewis

PRESTON GATES & ELLIS LLP

5000 Columbia Center, 701 Fifth Avenue  
Seattle, WA 98104-7078

*Client Matter Number 17183-40642/Kenneth A. Andersch*

### TRUSTEE'S NOTICE OF SALE

**The Fair Debt Collection Practices 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.**

Reference is made to that certain trust deed made by Kenneth A. Andersch and Judy A. Andersch, as tenants by the entirety, grantor(s), to Amerititle, as trustee, in favor of America's Wholesale Lender, as beneficiary, dated July 5, 1996, recorded July 15, 1996, in Book M-96, Page 20979, as Recorder's Fee No. 21379, in the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to wit:

Lot 17, Block 8, Tract No. 1064, FIRST ADDITION TO GATEWOOD, in the  
County of Klamath, State of Oregon

PROPERTY ADDRESS: 5423 Eastwood Drive, Klamath Falls, OR 97603

Page 2 / TRUSTEE'S NOTICE OF SALE

Client Matter Number 17183-40642/Kenneth A. Andersch

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 of \$614.00 beginning April 1, 1999; plus late charges of \$29.37 each month beginning April 16, 1999; 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 said trust deed immediately due and payable, said sums being the following, to wit: \$80,924.06 with interest thereon at the rate of 7.50 percent per annum beginning March 1, 1999; plus late charges of \$29.37 each month beginning April 16, 1999, until paid; 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.

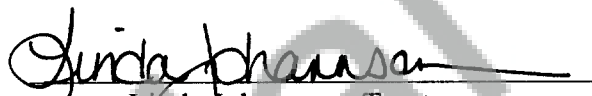
WHEREFORE, notice hereby is given that the undersigned trustee will on **Friday, February 4, 2000, at the hour of 11:00 A.M.**, in accordance with the standard of time established by ORS 187.110, at the following place: at the office of Brandsness Brandsness & Rudd, 411 Pine Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in 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, 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.

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Client Matter Number 17183-40642/Kenneth A. Andersch

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 Sept. 25, 1999.

  
Linda Johansen, Trustee

For further information, please contact:

Linda Lewis

Preston Gates & Ellis LLP

5000 Columbia Center, 701 Fifth Avenue

Seattle, WA 98104-7078

(206) 623-7580 ext. 2753

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

\_\_\_\_\_  
Attorney of Record



17183-40642/Amdersch

## AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON       )  
                                   ) ss.  
 County of Klamath       )

I, Jeffrey Hamar, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 30th day of September, 1999, after personal inspection, I found the following described real property to be unoccupied:

Lot 17, Block 8, Tract No. 1064, FIRST ADDITION TO GATEWOOD, in the County of Klamath, State of Oregon.

Commonly known as:       5423 Eastwood Drive  
                                   Klamath Falls, Oregon 97603

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

  
 Jeffrey Hamar

178094

SUBSCRIBED AND SWORN to before me this 31 day of October, 1999.

  
 Notary Public for Oregon

# Affidavit of Publication

## 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 2795

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:  
January 11, 18, 25, February 1, 2000

Total Cost: \$648.92

Subscribed and sworn before me this 1st  
day of February 2000

Notary Public of Oregon

My commission expires March 15 2000

### TRUSTEE'S NOTICE OF SALE

**The Fair Debt Collec-  
tion Practices Act re-  
quires that we state the  
following: This is an at-  
tempt to collect a debt  
and any information ob-  
tained will be used for  
that purpose.**

Reference is  
made to that certain  
trust deed made by  
Kenneth A. Andersch  
and Judy A. Andersch,  
as tenants by the en-  
tirety, grantor, to  
Amerititle, as trustee,  
in favor of America's  
Wholesale Lender, as  
beneficiary, dated July  
5, 1996, recorded July  
15, 1996, in Book M96,  
page 20979, as  
Recorder's Fee No.  
21379, in the mortgage  
records of Klamath  
County, Oregon, cover-  
ing the following de-  
scribed real property  
situated in said county  
and state, to-wit:

Lot 17, Block 8,  
Tract No. 1064, FIRST  
ADDITION TO GATE-  
WOOD, in the County of  
Klamath, State of Ore-  
gon.

PROPERTY AD-  
DRESS: 5423 Eastwood  
Drive, Klamath Falls,  
Oregon 97603

Both the benefici-  
ary and the trustee  
have elected to sell the  
said real property to  
satisfy the obligations  
secured by said trust  
deed and a notice of de-  
fault has been recorded  
pursuant to Oregon Re-  
vised Statutes  
86.735(3); the default  
for which the foreclo-  
sure is made is gran-  
tor's failure to pay  
when due the following  
sums: monthly pay-  
ments of \$614.00 begin-  
ning April 1, 1999; plus  
late charges of \$29.37  
each month beginning  
April 16, 1999; together  
with title expense,  
costs, trustee's fees  
and attorney's fees in-  
curred herein by rea-  
son of said default; and  
any further sums ad-  
vanced by the benefici-

ary for the protection  
of the above described  
real property and its in-  
terest therein.

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: \$80,924.06 with in-  
terest thereon at the  
rate of 7.50 percent per  
annum beginning  
March 1, 1999, plus late  
charges of \$29.37 each  
month beginning April  
16, 1999, until paid; to-  
gether with title ex-  
pense, costs, trustee's  
fees and attorney's fees  
incurred herein by rea-  
son of said default; and  
any further sums ad-  
vanced by the benefici-  
ary for the protection  
of the above described  
real property and its in-  
terest therein.

WHEREFORE,  
notice hereby is given  
that the undersigned  
trustee will on Friday,  
February 4, 2000, at the  
hour of 11:00 A.M., in  
accordance with the  
standard of time estab-  
lished by ORS 187.110,  
at the following place:  
at the office of Brands-  
ness Brandsness &  
Rudd, 411 Pine 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 said  
described real property  
which the grantor had  
or had power to convey  
at the time of the exe-  
cution by grantor of the  
said trust deed, togeth-  
er with any interest  
which the grantor or  
grantor's successors in  
interest acquired after  
the execution of said  
trust deed, to satisfy  
the foregoing obliga-  
tions thereby secured  
and the costs and ex-  
penses of sale, includ-  
ing 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 rein-  
stated by payment to  
the beneficiary of the  
entire amount then due  
(other than such por-  
tion of the principal as  
would not then be due  
had no default oc-  
curred) and by curing  
any other default com-  
plained of herein that is  
capable of being cured  
by tendering the per-  
formance required un-  
der the obligation or  
trust deed, and in addi-  
tion to paying said sums  
or tendering the perfor-  
mance necessary to  
cure the default, by  
paying all costs and ex-  
penses actually in-  
curred 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 in-  
cludes the plural, the  
word "grantor" includes  
any successor in inter-  
est to the grantor as  
well as any other per-  
son owing an obligation,  
the performance of  
which is secured by  
said trust deed, and the  
words "trustee" and  
"beneficiary" include  
their respective suc-  
cessors in interest, if  
any.

DATED Septem-  
ber 25, 1999.

Linda Johannsen  
Trustee

For further informa-  
tion, please contact:  
Linda Lewis

Preston Gates & Ellis  
LLP  
5000 Columbia Center,  
701 Fifth Avenue  
Seattle, Washington  
98104-7078  
(206) 623-7580 ext. 2753  
#2795 January 11, 18, 25,  
2000 February 1, 2000



State of Oregon, County of Klamath  
Recorded 2/08/00, at 2:47P m.  
In Vol. M00 Page 4123  
Linda Smith,  
County Clerk Fee\$ 66.00