

200 FEB 18 PM 3:14

**RECORDING COVER SHEET
FOR NOTICE OF SALE PROOF
OF COMPLIANCE, PER ORS 205.234**

Vol M00 Page 5327

**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON
PRESENTING THE ATTACHED INSTRUMENT FOR
RECORDING. ANY ERRORS IN THIS COVER SHEET
DO NOT AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.**

*This Space For County Recording Use Only
as of 8-1-98*

AFTER RECORDING RETURN TO
*name and address of the person authorized to receive the
instrument after recording, as required by ORS 205.180(4)
and ORS 205.238.*

**MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on
Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of
Sale or Proof of Service will be considered a transaction.**

☒ **AFFIDAVIT OF MAILING NOTICE OF SALE** *(must have trustee's notice of sale attached)*

☐ **AFFIDAVIT OF PUBLICATION NOTICE OF SALE**

☐ **PROOF OF SERVICE**

Original Grantor on Trust Deed

Thomas E Jones

Beneficiary

Associates Financial Services Company of Oregon, Inc.

A/66-

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Thomas E. Jones, as grantor, to Amerititle as trustee, in favor of Associates Financial Services Company of Oregon, Inc., as beneficiary, dated March 2, 1998, recorded March 18, 1998 in the mortgage records of Klamath County, Oregon, in book M-98 at page 8725 as recorder's fee no. 54863, covering the following described real property situated in said county and state, to-wit:

See Attached Exhibit 'A'

Our title company has informed us the real property in question is located at: 4534 Anderson Avenue, Klamath Falls, OR

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 May 1999 through October 1999, in the amount of \$5,899.74 plus real property taxes for 1998-99. Grantor might be delinquent on other taxes, assessments and municipal liens at this time.

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 May 10, 1999 the principal sum of \$86,487.26 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 March 2, 2000, at the hour of 11:00 a.m., in accord with the standard of time established by ORS 187.110, at the center entrance to the Post Office Building also known as the Federal Building, 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 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.

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: October 26, 1999

Paul S. Cosgrove
 Paul S. Cosgrove, 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.

 Laura L. Henderson, For said Trustee

FOR ADDITIONAL INFORMATION
 CALL (503) 226-7677

PARCEL 1:

Lot 50, ELMWOOD PARK, in the County of Klamath, State of Oregon.

PARCEL 2:

A parcel of land situate in the SW 1/4 of the NW 1/4 of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a one-half inch iron pin marking the Southeast corner of Lot 50, ELMWOOD PARK, in the County of Klamath, State of Oregon; thence North 89 degrees 33' 00" West along the South line of said Lot 50 a distance of 78.5 feet to a 1/2 inch iron pin marking the Southwest corner of said Lot 50; thence South to a point lying on the Northerly right of way line of the U.S.B.R. Klamath Project A-3 Lateral; thence North 55 degrees 14' East along said Northerly right of way line to the point of beginning.

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

RE: Trust Deed from
Thomas E. Jones

Granter

To

Paul S. Cosgrove, Esq.

Trustee

AFTER RECORDING RETURN TO

Paul S. Cosgrove
Lindsay Hart Neil & Weigler LLP
Suite 3400, 1300 SW Fifth
Portland, OR 97201

65009-149

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah) ss.

I, Laura L. Henderson, 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:

NAME

ADDRESS

See Attached Exhibit 'T'

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 Laura L. Henderson 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 October 28, 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.

Laura L. Henderson

Subscribed and sworn to before me on October 28, 1999

Pamela E. Doherty

Notary Public for Oregon.

My commission expires _____

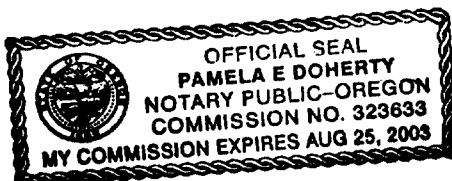


Exhibit 'T'

Occupants
4534 Anderson Avenue
Klamath Falls, OR 97603

Thomas E. Jones
3435 Anderson Avenue
Klamath Falls, OR 97603

Klamath Irrigation District
c/o Dave Solem
6640 KID Land
Klamath Falls, OR 97603

Klamath Basin Improvement District
c/o Cindy Cherry
6640 KID Land
Klamath Falls, OR 97603

Highland Credit Union
c/o Nancy Neley
3737 Shasta Way
Klamath Falls, OR 97603

Carter-Jones Collections, L.L.C.
R/A Kent Pederson
1143 Pine Street
Klamath Falls, OR 97601

South Valley Bank & Trust
an Oregon Banking Corporation
Attn: Stepahin Vergie
803 Main Street
Klamath Falls, OR 97601

William M. Ganong, Esq.
514 Walnut Avenue
Klamath Falls, OR 97601

PROOF OF SERVICE

5332

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:

4534 ANDERSON AVENUE, KLAMATH FALLS, OREGON 97603, as follows:

Personal service upon Tom Jones, by delivering said true copy, personally and in person, at above address on November 1, 1999 at 12 05 P.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 199__ at ____:____.m.

Substitute service upon Deanna Yaden, by delivering said true copy, at his/her usual place of abode as indicated above, to Tom Jones who is a person over the age of 14 years and a member of the household on November 1, 1999 at 12 : 05 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 _____, 199__ at ____:____.m.

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

 11-2-99
Dave Shuck 179164

SUBSCRIBED AND SWORN to before me this 2nd day of NOVEMBER, 1999.


Notary Public for Oregon

PROOF OF SERVICE

5333

STATE OF OREGON)
) ss.
County of JOSEPHINE)

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:

1877 UPPER APPLGATE ROAD, JACKSONVILLE, OR 97530, as follows:

Personal service upon DANIEL B. KELLY, by delivering said true copy, personally and in person, at above address on 04 NOVEMBER, 1999 at 10:30 A.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 199__ at _____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 _____, 199__ at _____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 _____, 199__ at _____m.

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

GORDON W. PRUDENCIO



179256

SUBSCRIBED AND SWORN to before me this 4th day of November, 1999.



Mary Jane Prudencio
Notary Public for Oregon exp 12-25-01

65009-149/Jones, Thomas

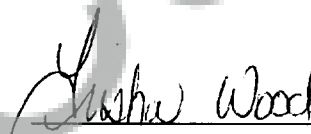
CERTIFICATE OF MAILING

STATE OF OREGON)
) ss.
County of Multnomah)

I, Trisha Wood, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On November 1, 1999, I mailed a true copy of the Trustee's Notice of Sale, along with a copy of Notice Under the Fair Debt Collection Practices Act via First Class Mail, postage pre-paid, together with a statement of the date, time, and place at which substitute service was made, to Deanna Yaden.

The envelope was addressed as follows: Deanna Yaden
4534 Anderson Avenue
Klamath Falls, OR 97603

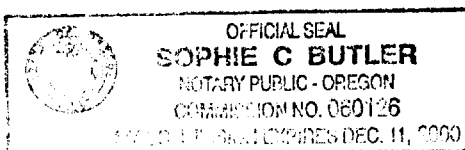
I declare under the penalty of perjury that the above statements are true and correct.

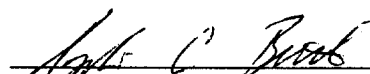


Trisha Wood

179164

SUBSCRIBED AND SWORN TO BEFORE ME this 1st day of November, 1999.





Notary Public for Oregon

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager,
being first duly sworn, despose 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 2864

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 12, 19, 26, February 2, 2000

Jay L. Wells
Total Cost: \$ 703.00

Subscribed and sworn before me this 2nd
day of February 2000

Debra A. Grubbe
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 Thomas E. Jones, as grantor, to Amerititle, as trustee, in favor of Associates Financial Services Company of Oregon, Inc., as beneficiary, dated March 2, 1998, recorded March 18, 1998 in the mortgage records of Klamath County, Oregon, in book M98 at page 8725 as recorder's fee no. 54863, covering the following described real property situated in said county and state, to-wit:

PARCEL 1:

Lot 50, ELM-WOOD PARK, in the County of Klamath, State of Oregon.

PARCEL 2:

A parcel of land situated in the SW 1/4 OF THE NW 1/4 of Section 14, T. 39 S., R. 9 E., W.M., in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a one-half inch iron pin marking the Southeast corner of Lot 50, ELM-WOOD PARK, in the County of Klamath, State of Oregon; thence North 89 degrees 33' 00" West along the South line of said Lot 50 a distance of 78.5 feet to a 1/2 inch iron pin marking the Southwest corner of said Lot 50; thence South to a point lying on the Northerly right of way line of the U.S.E.R. Klamath Project A-3 Lateral; thence North 55 degrees 14' East along said Northerly right of way line to the point of beginning.

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WHEREFORE, notice hereby is given that the undersigned trustee will on March 2, 2000, at the hour of 11:00 a.m., in accord with the standard of time established by ORS 187.110, at the center entrance to the Post Office Building also known as the Federal Building, 317 South Seventh 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, to satisfy the foregoing obligations thereby secured and the cost 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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continued on reverse



DATED: October 26, 1999.

Paul S. Cosgrove,
Successor Trustee
#2864 January 12, 19, 26,
February 2, 2000

5336

State of Oregon, County of Klamath
Recorded 2/18/00, at 2:14 p. m.
In Vol. M00 Page 5327
Linda Smith,
County Clerk Fee \$ 66⁰⁰

Unofficial
Copy