

MTC 48062

## 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:

Chris D. Ackerman  
2337 Garden Avenue  
Klamath Falls, OR 97601

Naomi Anne Ackerman  
2337 Garden Avenue  
Klamath Falls, OR 97601

First Franklin Financial Corp.  
2150 North First Street  
San Jose, CA 95131

City of Klamath Falls  
Code Enforcement  
PO Box 237  
Klamath Falls, OR 97601

City of Klamath Falls  
Code Enforcement  
226 South Fifth Street  
Klamath Falls, OR 97601

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 11-29-99. 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 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 11/29, 1999, by Tim M. Maury

**KAREN MICHELLE HARDY**  
**STATE OF WASHINGTON**  
**NOTARY --- PUBLIC**  
**MY COMMISSION EXPIRES 3-17-03**

Karen Michelle Hardy  
Notary Public for Washington  
Residing at King County  
My commission expires: 03-17-03

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

**RE: Trust Deed from**  
**Ackerman, Chris D. and Naomi Anne**  
**Grantor**

**to**  
**DAVID E. FENNELL,**  
**Trustee**

**File No. 7261.20035**

**After recording return to:**

**ROUTH CRABTREE & FENNELL**  
**Attn: Shannon Blood**  
**PO Box 4143**  
**Bellevue, WA 98009-4143**

46.00  
m

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Chris D. Ackerman and Naomi Anne Ackerman, husband and wife, as grantor, to Chicago Title Insurance Company, as trustee, in favor of First Franklin Financial Corporation, as beneficiary, dated 07/08/98, recorded 07/20/98, in the mortgage records of Klamath County, Oregon, in Volume M98, Page 26340 and subsequently assigned to The Chase Manhattan Bank, as Trustee for the Registered Holders of Merrill Lynch Mortgage Investors, Inc., Series 1998-FF3 by Assignment, covering the following described real property situated in said county and state, to wit:

The Southerly 75 feet of Lot 373, Block 122, Mills Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon.

PROPERTY ADDRESS: 2337 Garden Avenue  
Klamath Falls, OR 97601

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 \$322.49 beginning 12/01/98; plus late charges of \$16.12 each month beginning 12/16/98; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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: \$39,138.56 with interest thereon at the rate of 9.25 percent per annum beginning 11/01/98; plus late charges of \$16.12 each month beginning 12/16/98 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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 03/31/00 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 1st floor lobby of the Klamath County Courthouse, 316 Main 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 11/19, 1999



David E. Fennell -- Trustee

For further information, please contact:

**Shannon Blood**  
**ROUTH CRABTREE & FENNELL**  
**PO Box 4143**  
**Bellevue, WA 98009-4143**  
**(425) 586-1900**  
**File No. 7261.20035/Ackerman, Chris D. and Naomi Anne**

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**

7261.20035/Ackerman

## AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON       )  
                                   ) ss.  
 County of Klamath       )

I, Dave Shuck, 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 23rd day of November, 1999, after personal inspection, I found the following described real property to be unoccupied:

The Southerly 75 feet of Lot 373, Block 122, Mills Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon.

Commonly known as:       2337 Garden Avenue  
                                   Klamath Falls, Oregon 97601

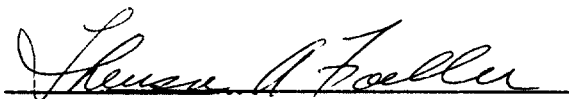
I declare under the penalty of perjury that the above statements are true and correct.



Dave Shuck

180060

SUBSCRIBED AND SWORN to before me this 1st day of December, 1999.



Notary Public for Oregon

# Affidavit of Publication 7835

## 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 2850

Trustee's Notice of Sale

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:

February 6, 13, 20, 27, 2000

Total Cost: \$716.52

Subscribed and sworn before me this 27th  
day of February 20 00

Debra A. Grizzle

Notary Public of Oregon

My commission expires 3-15-2000



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County, Oregon, in Volume M98, Page 26340 and subsequently assigned to The Chase Manhattan Bank, as Trustee for the Registered Holders of Merrill Lynch Mortgage Investors, Inc., Series 1998-FF3 by Assignment, covering the following described real property situated in said county and state, to wit:

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Klamath Falls, OR  
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when due the following sums: monthly payments of \$322.49 beginning 12/01/98; plus late charges of \$16.12 each month beginning 12/16/98; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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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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.

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DATED 11/19, 1999  
David E. Fennell  
Trustee

For further information, please contact:

Shannon Blood  
ROUTH CRABTREE &  
FENNELL  
PO Box 4143  
Bellevue, WA 98009-4143  
(425) 586-1900  
File No. 7261.20035/Ackerman, Chris D. and

State of Oregon, County of Klamath

Recorded 3/10/00, at 11:49 a.m.

In Vol. M00 Page 7831

Linda Smith,

County Clerk Fee \$ 46.00

Naomi Anne

State of Washington,  
County of King)ss:

I, the under-  
signed, 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 INFORMA-  
TION OBTAINED WILL  
BE USED FOR THAT  
PURPOSE

#2850 February 6, 13, 20,  
27, 2000

7836

State of Oregon, County of Klamath  
Recorded 3/10/00, at 11:49 a m.

In Vol. M00 Page 7831

Linda Smith,

County Clerk Fee\$ 46<sup>00</sup>