

200 MAR 27 AM 11:32

MTC 49615

Vol MOO Page 9911

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:

Western Credit Services

81 E. Stewart Avenue
Medford, OR 97501

Brian M. Mason
2447 Reclamation Avenue
Klamath Falls, OR 97601

Ila Mason
2447 Reclamation Avenue
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 12-7-99. 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 12-07, 1999, by Juan Sanchez.

Rebecca A Baker
Notary Public for Washington
Residing at Algona
My commission expires: 5-7-03

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Mason, Brian M. and Ila
Grantor

to
DAVID E. FENNELL,
Trustee

File No. 7297.20126

After recording return to:

ROUTH CRABTREE & FENNELL
Attn: Becky Baker
PO Box 4143
Bellevue, WA 98009-4143



41.00 m

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Brian M. Mason and Ila Mason, as tenants by the entirety, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of First National Investment Corporation, a Washington corporation, as beneficiary, dated 10/05/94, recorded 10/13/94, in the mortgage records of Klamath County, Oregon, in M94, page 32017 Fee No. 89597 and subsequently assigned to Bankers Trust Company, as Trustee of Advanta Mortgage Loan Trust 1994-4, under the Pooling and Servicing Agreement dated as of December 1, 1994 by Assignment, covering the following described real property situated in said county and state, to wit:

Lot 726, Block 129, Mills Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

PROPERTY ADDRESS: 2447 Reclamation 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 \$370.34 beginning 08/01/99; plus late charges of \$18.51 each month beginning 08/16/99; plus prior accrued late charges of \$0.00; plus advances of \$461.84; 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: \$24,541.68 with interest thereon at the rate of 9.63 percent per annum beginning 07/01/99; plus late charges of \$18.51 each month beginning 08/16/99 until paid; plus prior accrued late charges of \$0.00; plus advances of \$461.84; 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 **April 7, 2000** 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 December 2, 1999


David E. Fennell -- Trustee

For further information, please contact:

Becky Baker
ROUTH CRABTREE & FENNELL
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7297.20126/Mason, Brian M. and Ila

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

STATE OF OREGON)
 County of Klamath) ss.

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:

2447 RECLAMATION AVENUE, KLAMATH FALLS, OREGON 97601, as follows:

Personal service upon Brian Mason, by delivering said true copy, personally and in person, at above address on Dec. 6, 1999 at 1:20 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 _____, 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.

Dave Shuck 12-7-99
 Dave Shuck 180395

SUBSCRIBED AND SWORN to before me this 7 day of December, 1999.



Sandra C Cox
 Notary Public for Oregon

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH
FEB 5 1 2000

Routh Crabtree & Fennell
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 #2868

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:

JANUARY 28

FEBRUARY 4/11/18, 2000

Total Cost: \$703.00

Subscribed and sworn before me this 18TH
day of FEBRUARY 2000

Debra A. Subbie

Notary Public of Oregon

My commission expires 3-15 2000

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Brian M. Mason and Ila Mason, as tenants by the entirety, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of First National Investment Corporation, a Washington Corporation, as beneficiary, dated 10/05/94, recorded 10/13/94, in the mortgage records of Klamath County, Oregon, in M94, page 32017 Fee No 89597 and subsequently assigned to Bankers Trust Company, as Trustee of Advanta Mortgage Loan Trust 1994-4, under the Pooling and Servicing Agreement dated as of December 1, 1994 by Assignment, covering the following described real property situated in said county and state, to wit:

Lot 726, Block 129, Mills Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 2447 Reclamation Avenue Klamath Falls, Oregon 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 \$370.34 beginning 08/01/99; plus late charges of \$18.51 each month beginning 08/16/99; plus prior accrued late charges of \$0.00; plus advances of \$461.84; 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: \$24,541.68 with interest thereon at the rate of 9.63 percent per annum beginning 07/01/99; plus late charges of \$18.51 each month beginning 08/16/99 until paid; plus prior accrued late charges of \$0.00; plus advances of \$461.84; 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.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 7, 2000 at the hour of 10:00 o'clock, A.M. in accordance 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 and 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: December 2, 1999.

David E. Fennell
Trustee

For further information, please contact:

Becky Baker
ROUTH CRABTREE & FENNEL
P.O. Box 4143
Bellevue, Washington 98009-4143
(425) 586-1900
File NO. 7297.20126/Mason, Brian M. and Ila

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

#2868 January 28, 2000
February 4, 11, 18, 2000

State of Oregon, County of Klamath
Recorded 3/27/00, at 11:32 a. m.
In Vol. M00 Page 9911
Linda Smith,
County Clerk Fee \$ 41.00

