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MTC 49821  
TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Douglas M. Hale Jr. and Carol L. Hale, as grantor, to Forrest N.A. Bacci, Esq., as trustee, in favor of Jefferson State Mortgage Co., as beneficiary, dated 04/28/97, recorded 05/01/97, in the mortgage records of Klamath County, Oregon, in Volume M97, Page 13453 and subsequently assigned to Norwest Mortgage, Inc. by Assignment recorded as Volume M97, Page 13460, covering the following described real property situated in said county and state, to wit:

A portion of Lot 355, Block 123, Mills Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point on the South line of Home Avenue 200 feet: East from the Southeast corner of its intersection with Division Street; thence Southerly at right angles to Home Avenue to the North line of the alley running through Block 123; thence Easterly along the North line of said alley 50 feet; thence Northerly 120 feet to the South line of Home Avenue; thence Westerly along the Southerly line of Home Avenue 50 feet to the Point of Beginning. Excepting therefrom that portion lying within the U.S.R.S. Diversion Canal.

PROPERTY ADDRESS: 2336 Home 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 \$391.45 beginning 07/01/99; plus late charges of \$15.75 each month beginning 07/16/99; plus prior accrued late charges of \$0.00; plus advances of \$232.50; 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: \$39,847.54 with interest thereon at the rate of 8.625 percent per annum beginning 06/01/99; plus late charges of \$15.75 each month beginning 07/16/99 until paid; plus prior accrued late charges of \$0.00; plus advances of \$232.50; 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 04/14/00 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.

46.00  
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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

12-10, 1999

  
\_\_\_\_\_  
David E. Fennell -- Trustee

For further information, please contact:

**Kathy Taggart**  
**ROUTH CRABTREE & FENNELL**  
**PO Box 4143**  
**Bellevue, WA 98009-4143**  
**(425) 586-1900**  
**File No. 7023.21980/Hale, Douglas M. Jr. and Carol L.**

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**

## 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:

Douglas M. Hale, Jr.  
2336 Home Avenue  
Klamath Falls, OR 97601

Carol L. Hale  
2336 Home Avenue  
Klamath Falls, OR 97601

Douglas M. Hale, Jr.  
P.O. Box 518  
Fayetteville, AR 72702

Carol L. Hale  
P.O. Box 518  
Fayetteville, AR 72702

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 12-15-99. 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 12/15, 1999, by Tim M. Murten.

L. C. Nicholson  
Notary Public for Washington

Residing at Edmonds

My commission expires: 03/02/04

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from  
Hale, Douglas M. Jr. and Carol L.  
Grantor

to  
DAVID E. FENNELL,  
Trustee

File No. 7023.21980

After recording return to:

ROUTH CRABTREE & FENNELL  
Attn: Kathy Taggart  
PO Box 4143  
Bellevue, WA 98009-4143

LISA C. NICHOLSON  
STATE OF WASHINGTON  
NOTARY --- PUBLIC  
MY COMMISSION EXPIRES 3-02-04



# 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 2882

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: \$730.04

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

Debra A. Gribble

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 Douglas M. Hale, Jr. and Carol L. Hale, as grantor, to Forrest N. A. Bacchi, Esq., as trustee, in favor of Jefferson State Mortgage Company, as beneficiary, dated 4/28/97, recorded 5/1/97, in the mortgage records of Klamath County, Oregon, in Vol. M97, Page 13453 and subsequently assigned to Norwest Mortgage, Inc. by Assignment recorded as Vol. M97, Page 13460, covering the following described real property situated in said county and state, to-wit:

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PROPERTY ADDRESS: 2336 Home Avenue  
Klamath Falls, Oregon 97601

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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 \$391.45 beginning 7/1/99; plus late charges of \$15.75 each month beginning 7/16/99; plus prior accrued late charges of \$0.00; plus advances of \$232.50; 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: \$39,847.54 with interest thereon at the rate of 8.625 percent per annum beginning 6/1/99; plus late charges of \$15.75 each month beginning 7/16/99 until paid; plus prior accrued late charges of \$0.00; plus advances of \$232.50; 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 sell the above described real property at 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the first 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 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 10, 1999

David E. Fennell  
Trustee

For further information, please contact:

Kathy Taggart

ROUTH CRABTREE &  
FENNELL  
P.O. Box 4143  
Bellevue, Washington  
98009-4143  
(425) 586-1900  
File No. 7023.21980/  
Hale, Douglas M. Jr.  
and Carol L.

THIS IS AN ATTEMPT  
TO COLLECT A DEBT  
AND ANY INFORMA-  
TION OBTAINED WILL  
BE USED FOR THAT  
PURPOSE.  
#2882 February 6, 13,  
20, 27, 2000

11785

State of Oregon, County of Klamath  
Recorded 04/11/00, at 11:24 a. m.  
In Vol. M00 Page 11780  
Linda Smith,  
County Clerk Fee \$ 46<sup>00</sup>