

MTC 49956

**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:

The Heirs and Devisees of Raymond P. White,  
Deceased  
6453 Simmers Avenue  
Klamath Falls, OR 97603

The Heirs and Devisees of Raymond P. White,  
Deceased  
1314-B Center Drive  
Medford, OR 97501

Gary L. Hedlund, Attorney for the Estate of  
Raymond P. White, deceased  
303 Pine Street  
Klamath Falls, OR 97601

Teresa I. Dunn, Personal Representative of the  
Estate of Raymond P. White, Deceased  
PMV #136,1314 B Center Dr  
Medford, OR 97501

Credit Bureau of Klamath County  
839 Main Street  
Klamath Falls, OR 97601

Western Bank  
ATTN: Susan Cutright  
P.O. Box 869  
Coos Bay, OR 97420

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 4/17/00. 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.

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**  
**RE: Trust Deed from**  
**White, Raymond P.**  
**Grantor**  
**to**  
**DAVID E. FENNELL,**  
**Trustee** **File No. 7307.20066**

After recording return to:

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

46.00

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

*Tim M. Marra*

Subscribed and sworn to before me on 1-17, <sup>2000</sup>~~19~~, by Tim M. Marra.

*Rebecca A. Baker*

Notary Public for Washington

Residing at *Albina*

My commission expires: *5/5/03*.



## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Raymond P. White, as grantor, to AmeriTitle, as trustee, in favor of Sierra Pacific Mortgage, as beneficiary, dated 07/02/98, recorded 07/10/98, in the mortgage records of Klamath County, Oregon, in Volume M98, page 24614 and subsequently assigned to First Nationwide Mortgage Corporation by Assignment recorded as Volume M98, page 36226, covering the following described real property situated in said county and state, to wit:

See Exhibit A attached hereto and incorporated herein by this reference.

PROPERTY ADDRESS: 6453 Simmers Avenue  
Klamath Falls, OR 97603

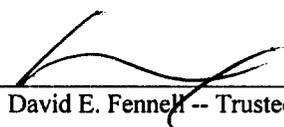
Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$681.30 beginning 09/01/99; plus late charges of \$34.07 each month beginning 09/16/99; 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: \$76,867.04 with interest thereon at the rate of 7.37 percent per annum beginning 08/01/99; plus late charges of \$34.07 each month beginning 09/16/99 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 **May 12, 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 January 12, 2000

  
\_\_\_\_\_  
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.7307.20066/White, Raymond P.**

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**



**LEGAL DESCRIPTION**

A portion of the SE1/4 NW1/4 in Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Beginning at a point 2,152 feet East and 40 feet North of an iron pin driven into the ground at the Southwest corner of the Otis V. Saylor property near the Southwest corner of the Northwest quarter of Section 1 in Township 39 South, Range 9 East of the Willamette Meridian, and which iron pin is 30 feet East of the center of a road intersecting the Dalles-California Highway (Lakeview Highway) from the North and 30 feet North of the center of said Highway; thence East 198 feet; thence North 330 feet; thence West 198 feet; thence South 330 feet to the point of beginning.

State of Oregon, County of Klamath  
Recorded 04/27/00, at 3:43 p.m.  
In Vol. M00 Page 14876  
**Linda Smith,**  
County Clerk Fee \$ 46<sup>00</sup>