

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

Vol M00 Page 18415

**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.**

200 MAY 22 AM 11: 29

*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.*

mtc 49366

**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

Beneficiary

56.00
m

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Edith J. Dalton, Soley, as grantor, to Klamath County Title, as trustee, in favor of Pan American Bank, FSB, as beneficiary, dated 01/16/98, recorded 01/30/98, in the mortgage records of Klamath County, Oregon, in Volume M98, Page 3078 and subsequently assigned to ContiMortgage Corporation by Assignment recorded as Volume M98, Page 22248, covering the following described real property situated in said county and state, to wit:

Lot 8 in Block 8, Tract No. 1064, First Addition to Gatewood, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 5422 Gatewood Drive
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 \$651.49 beginning 06/01/99; plus late charges of \$32.58 each month beginning 06/16/99; plus prior accrued late charges of \$0.00; plus advances of \$1,098.25; 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: \$70,064.60 with interest thereon at the rate of 10.625 percent per annum beginning 05/01/99; plus late charges of \$32.58 each month beginning 06/16/99 until paid; plus prior accrued late charges of \$0.00; plus advances of \$1,098.25; 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 06/16/00 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 2nd floor lobby of the Klamath County Courthouse, 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 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

2/8, 2000


David E. Fennell -- Trustee

For further information, please contact:

Vonnie Nave
ROUTH CRABTREE & FENNELL
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7248.20135/Dalton, Edith J.

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:

Edith J. Dalton
5422 Gatewood Drive
Klamath Falls, OR 97603

Pan American Bank, FSB
625 The City Drive, #490
Orange, CA 92868

Pan American Bank, FSB
1300 South El Camino Real, #320
San Mateo, CA 94402

Greenwood Trust Company
c/o Derrick E. McGavic, Atty. at Law
P.O. Box 10163
Eugene, OR 97440

Edith J. Dalton
4406 "B" Denver Avenue
Klamath Falls, OR 97603

Candace Amborn, Attorney at Law
707 Main Street
Klamath Falls, OR 97601

Ronald R. Sticka, Trustee
P.O. Box 10990
Eugene, OR 97440

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 2-15-00. 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.

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 2-15, 2000 by Sutton Mear.

Julieth Donato
Notary Public for Washington
Residing at Bellevue
My commission expires: 2-17-0

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Dalton, Edith J.

Grantor

to

DAVID E. FENNELL,

Trustee

File No. 7248.20135

After recording return to:

ROUTH CRABTREE & FENNELL

Attn: Vonnle Nave

PO Box 4143

Bellevue, WA 98009-4143

JULIETH DONATO
STATE OF WASHINGTON
NOTARY --- PUBLIC
MY COMMISSION EXPIRES 3-17-03

7248.20135/DALTON

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

I, Dave Shuck, being first duly sworn, depose and say:

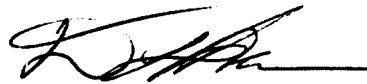
That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 15th day of February, 2000, after personal inspection, I found the following described real property to be unoccupied:

Lot 8 in Block 8, Tract No. 1064, First Addition to Gatewood, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Commonly known as: 5422 Gatewood Drive
 Klamath Falls, OR 97603

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



DAVE SHUCK

182902

SUBSCRIBED AND SWORN to before me this 16 day of February, 2000.



Notary Public for Oregon



ROUTH CRABTREE & FENNELL*A Professional Corporation*

PO Box 4143
Bellevue, Washington 98009-4143
Telephone (425) 586-1900 Facsimile (425) 586-1997

May 17, 2000

7248.20135/Dalton, Edith J.
All Occupants
5422 Gatewood Drive
Klamath Falls, OR 97603

RE: ContiMortgage 0005917513
RCF No.:7248.20135

Occupants:

Please be advised that the property in the above-referenced matter is scheduled to be sold at a Trustee's Sale on 06/16/00. According to ORS 86.755(5) the property must be vacated on or before the tenth day, 06/26/00, following the date of sale. Please vacate the property on or before that date.

If you have any questions, please contact an attorney.

Sincerely,



Vonnie Nave
Foreclosure Analyst

for

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#3010

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:

April 9, 16, 23, 30, 2000

Total Cost: \$675.00

Subscribed and sworn before me this 30th
day of April 20 00

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15, 20 04



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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.

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DATED 02/08/00
David E. Fennell--Trustee

For further information, please contact:

Vonnie Nave
ROUTH CRABTREE & FENNELL

PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900

File No. 7248.20135/Dalton, Edith J.

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.

#3010 April 9, 16, 23, 30, 2000

Received

MAY 12 2000

Routh Crabtree & Fennell

State of Oregon, County of Klamath

Recorded 05/22/00, at 11:29 a.m.

In Vol. M00 Page 18415

Linda Smith,

County Clerk Fee \$ 56⁰⁰