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:

Larry Geiber c/o Moore & Associates 96 East Broadway, Suite 7 Eugene, OR 97401

Matt Ashley 2397 Lakeshore Dr. Klamath falls, OR 97601

Tru Line Surveying, Inc. 2333 Summers Lane Klamath Falls, OR 97603

Maureen Geiber 812 Prescott Lane Springefield, OR 97477

Gary L. Hart 1060 Lakeshore Drive Klamath Falls, OR 97601 Maureen Geiber c/o Moore & Associates 96 East Broadway,Suite 7 Eugene, OR 97401

Julie Wittig 2397 Lakeshore Dr. Klamath Falls, OR 97601

Larry Geiber 812 Prescott Lane Springefield, OR 97477

Tru Line Surveying Inc. c/o Credit Bureau of Klamath Co. 839 Main St. Klamath, 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 __________. 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 Hart, Gary L.

Grantor

to

DAVID E. FENNELL,

Trustee

File No. 7104.21145

After recording return to:

ROUTH CRABTREE & FENNELL Attn: Eric Wang PO Box 4143 Bellevue, WA 98009-4143 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 _

_, 20<u>م</u>ر, by

Notary Public for Washington Residing at Maple Valley

My commission expires: 10/19/00.

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Gary L. Hart, an unmarried man, as grantor, to Aspen Title & Escrow, as trustee, in favor of Goodrich & Pennington Mortgage Fund, Inc., a Delaware Corporation, as beneficiary, dated 01/22/98, recorded 01/29/98, in the mortgage records of Klamath County, Oregon, in Book M-98, Page 2811 and subsequently assigned to Bankers Trust Company of California, N.A., as Custodian or Trustee by Assignment recorded as Book M-98, Page 45157, covering the following described real property situated in said county and state, to wit:

All of Lot 60 and the Westerly portion of Lot 59, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwesterly corner of Lot 59, Lakeshore Gardens; thence North 731.5 feet to the Northwesterly corner of said Lot 59; thence North 84 degrees 09' East along the Northerly line of said Lot 59, a distance of 120 feet; thence South parallel to the Westerly line of said Lot 59 to the Southerly line of said Lot 59; thence Southwesterly along the Southerly line of said Lot 59 to the point of beginning.

PROPERTY ADDRESS: 1060 Lakeshore Drive 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 \$3,512.19 beginning 01/01/00; plus late charges of \$160.53 each month beginning 01/16/00; plus prior accrued late charges of \$0.00; plus advances of (\$3,032.06); 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: \$387,099.16 with interest thereon at the rate of 9.2 percent per annum beginning 12/01/99; plus late charges of \$160.53 each month beginning 01/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of (\$3,032.06); 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 October 6, 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.

well as any other person owing an obligation, the jubeneficiary" include their respective successors in int	performance of which is secured by said trust deed, and the words "trustee" and terest, if any.
DATED JUNE 1, 20 GO	David E. Fennell Trustee
For further information, please contact:	
Eric Wang	
ROUTH CRABTREE & FENNELL	
PO Box 4143	
Bellevue, WA 98009-4143	4 (/ / / / / / / / / / / / / / / / / /
(425) 586-1900	*. • / · · ·
File No.7104.21145/Hart, Gary L.	
State of Washington, County of King) ss:	
I, the undersigned, certify that the foregoing is	s 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 NON-OCCUPANCY

STATE OF OREGON)
	38 (
County of Klamath)

I, Ed Foreman, 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 7th day of June, 2000, after personal inspection, I found the following described real property to be unoccupied:

SEE ATTACHED

Commonly known as:

1060 Lakeshore Drive

Klamath Falls, OR 97601

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

ED FOREMAN

186974

SUBSCRIBED AND SWORN to before mc this 12 day of June, 2000, by Ed Foreman.



Sandra Cox
Notary Public for Oregon

Affidavit of Publication

STATE OF OREGON. **COUNTY OF KLAMATH**

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 Lega1#3306

Trustee's Notic	e of Sale
Gary L. Hart	×
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a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Four

(4)	inse	rtion(s) in	the follo	wing issues:
July	13,	20, 27,	2000	

August 3, 2000

Total Cost:	\$742.50	
<u> </u>	y I will	

Subscribed and sworn before me this_ August 20 00 day of

Notary Public of Oregon

March 15 20 04 My commission expires_



TRUSTEE'S NOTICE

Referencé covering the following described real property situated in said county

of said Lot 59 to the point of beginning.
PROPERTY ADDRESS: 1080 Lakeshore Drive+Klamath Falls,

Both the benefici-

OR 97601

ary and the trustee made to that certain the obligations secured trust deed made by by the trust deed and a Gary L. Hart, an un notice of default has married man, as gran been recorded pursuant tor, to Aspen Title 8 to Oregon Revised Statescrow, as trustee, in tutes 86.735(3); the defavor of Goodstate a fault for which the form favor of Goodrich & fault for which the fore-Book M-98, Page 45157, and attorney's fees incurred herein by read son of said default; and any further sums advanced by the beneficiand state, to wit:

All of Lot 60 and the Westerly portion of Lot 59, in the County of Klamath, State of Ore-

WHEREFORE, have elected to sell the notice hereby is given real property to satisfy the obligations secured by the trust deed and a notice of default has 10:00 o clock, A.M. in accord with the stan-dard of time estab-lished by ORS 187 110, at the following place: inside the 1st floor lobfavor of Goodrich & Closure is made is gran-Pennington Mortgage closure is made is gran-Fund, Inc., a Delaware tor's failure to pay Corporation, as bene when due the following Main Street, in the City ficiary, dated 01/22/98, sums; monthly pay-recorded 01/29/98, in ments of \$3,512.19 be-mortgage records of ginning 01/01/00; plus or corporation to the highest Main Street, in the City of Klamath Falls, Coun-ty of Klamath, State of Oregon, sell at public Main Street, in the City of Klamath, State of Oregon, sell at public Main Street, in the City of Klamath, State of Oregon, sell at public Main Street, in the City of Klamath, State of Oregon, sell at public Main Street, in the City of Klamath Falls, Coun-Klamath County, Ore late charges of \$160.53 Oregon, sell at public gon, in Book M-98, Page each month beginning auction to the highest bidder for cash the in-2811 and subsequently 01/16/00, plus prior ac terest in the described 2811 and subsequently 01/16/00, plus prior ac assigned to Bankers crued late charges of real property which the Trust Company of Cali \$0.00; plus advances of grantor had or had fornia, N.A., as Custo (\$3,032.06); together dian or Trustee by As with title expense, time of the execution signment recorded as costs, trustee's fees in deed together with any deed, together with any interest which the grantor or grantor's successors in interest acfor the protection tion of the trust deed, to satisfy the foregoing obligations thereby se Klamath, State of Oregon, more particularly described as follows:
Beginning at the said declared all sinds owing on the owing of said expenses of sale, including a reasonable charge by the trustee. of Lot 59, Lakeshore Gardens; thence North deed Immediately due and payable, said sums westerly corner of said Lot 59; thence North 84 degrees 09' East along the Northerly line of said Lot 59, a distance of 120 feet; thence South parallel to the Westerly line of said Lot 59, thence Southwesterly line of said Lot 59, thence Southwesterly along the Southerly line of said Lot 59, thence Southwesterly along the Southerly line of said Lot 59, thence Southwesterly along the Southerly line of said Lot 59, thence Southwesterly along the Southerly line of said Lot 59 to the with line line said lot 59, the line of said Lot with fitte expense, fault occurred) and by costs, trustee's fees curing any other deand attorneys fees infault complained of curred herein by real son of said default; and of being cured by tensels and further sums added to the performance. any further sums addering the performance dering the performance required under the obliary for the protection gation of the above described and in addition to payreal property and its ining said sums of tendering the performance
necessary to cure the
default, by paying att
costs and expenses ac
tually incurred in en
for cing the edition ceeding the amounts

provided by said ORS

State of Oregon, County of Klamath Recorded 09/13/00, at <u>2:39 p.</u> m. In Vol. M00 Page <u>33 45/</u> Linda Smith, County Clerk Fee\$ 5/

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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 June 1, 2000
David E. Fennell-Trustee
For further information, please contact:
Eric Wang
Routh Crabtree & Fennell
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No.7104.21145/Harry
Gary L.
State of Washington, County of King)ss:
Include the program 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.
#3306 July 13, 20, 27, 2000
August 3, 2000