

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

Vol M00 Page 42878

200 NOV 29 PM 3:23

**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.**

*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.*

*Standard Trustee Service MTC 49666  
3600 Starwell Drive Ste 200  
Concord, CA 94520*

**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**

*Michael E. Burt*

**Beneficiary**

Record and Return to:

STANDARD TRUSTEE SERVICE COMPANY WASHINGTON  
 2600 STANWELL DRIVE, SUITE 200  
 CONCORD, CA 94520  
 (800) 995-2670

**TRUSTEE'S NOTICE OF SALE**

T.S. No: ONMC053956 AKR

Loan No: 6380725/685/Burt

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby;

**A. PARTIES IN THE DEED OF TRUST:**

GRANTOR(S): Michael E. Burt , a married man  
 TRUSTEE: Amerititle  
 SUCCESSOR TRUSTEE: Fidelity National Title Company of Oregon  
 BENEFICIARY: ComUnity Lending Inc.,

**B. DESCRIPTION OF PROPERTY:**

Lot 4 of Summer's Lane Homes, according to the official plat thereof, on file on the Office of the County Clerk of Klamath County, Oregon.

Property commonly known as: 4303 Onyx Avenue Klamath Falls, OR 97603

**C. TRUST DEED INFORMATION:**

DATED DATE: 05/07/1997  
 RECORDING DATE: 05/15/1997  
 RECORDING NUMBER: Instr. #: 37711 Book: M97 Page: 14886  
 RECORDING PLACE: Official records of the County of Klamath  
 State of Oregon  
 ASSIGNMENT: 09/05/1997 BK: M97 PG: 29207 to Norwest Mortgage, Inc.

**D. DEFAULT:** The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

**1. Monthly Payments:**

Monthly installments and late charges from 06/01/1999 and all subsequent installments and late charges.

TOTAL PAYMENTS AND LATE CHARGES \$11,940.19

**2. Other Arrearages:**

\$15.00

TOTAL AMOUNT DUE: \$11,955.19

Plus all accrued real property taxes, interest or penalties until paid.

**3. Default(s) other than payment of money:**

**E. AMOUNT DUE:** The beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being:

Principal Balance: \$92,888.19

**IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT**

T.S. No: ONMC053956 AKR

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In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 05/01/1999 at 8.500%, as well as all Trustee's fees and costs, Attorneys fees and costs, and all foreclosure costs.

F. **ELECTION TO SELL:** NOTICE IS HEREBY GIVEN That the Beneficiary and Trustee, by reason of said default have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 et. seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in the described property which the Debtor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Grantor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of the Trustee's Attorney.

G. **TIME AND PLACE OF SALE:**

TIME : 10:00 A.M. Wednesday, 12/06/2000

PLACE: On the front steps to the Circuit Court 316 Main Street, Klamath Falls, OR

H. **RIGHT TO REINSTATE:** NOTICE IS FURTHER GIVEN That at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with Trustee's fees and Attorney's fees.

I. 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 the Trust Deed, and the words trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 7/14/2000

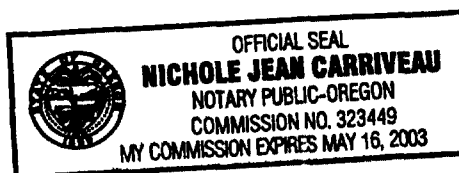
Fidelity National Title Company of Oregon  
401 S.W. Fourth Avenue  
Portland, OR 97204  
(503)223-8338

By: [Signature]  
Thomas R. Moore, Assistant Vice President  
Fidelity National Title Company of Oregon

STATE OF OREGON  
COUNTY OF MULTNOMAH

This instrument was acknowledged before me on 7-14-00 by Thomas R. Moore as Assistant Vice President of Fidelity National Title Company of Oregon

[Signature]  
NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES: 5-16-03



**STANDARD TRUSTEE SERVICE COMPANY WASHINGTON**  
2600 Stanwell Drive, Ste. 200  
Concord, CA 94520  
925-603-1000  
FAX 925-685-3735

T.S. Number: ONMC053956 AKR  
Loan Number: 6380725/685/Burt

**FAIR DEBT COLLECTION PRACTICES ACT NOTIFICATION**

Pursuant to and in compliance with the Fair Debt Collection Practices Acts (Federal [15 USC 1692]) the Trustee/Agent named in the Notice of Default hereby provides the following notification(s):

"We are attempting to collect a debt and any information we obtain will be used for that purpose."

"The debt described in the Notice of Default is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification.

If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor."

**\*\*IF YOU HAVE FILED A CHAPTER 7 BANKRUPTCY AND RECEIVED A DISCHARGE OF DEBTOR, YOU ARE NO LONGER PERSONALLY OBLIGATED TO MAKE PAYMENTS ON THE LOAN. However, the beneficiary still retains a security interest in the property and can exercise its rights to commence foreclosure unless a cure of the default under the security instrument is effected. The following communication is mandatory and should not be read as a requirement that you make payments on your loan. If you in fact follow the options specified in the attached communication and make payments, you should only do so if you are interested in preserving your rights to the property.\*\***

STATE OF CALIFORNIA ) In the matter of Notice of Sale  
COUNTY OF Contra Costa ) S.S. File # ONMC053956

Amy Rigsby of Standard Trustee Service Company WA, P.O. Box 5070 of Concord, CA 94524-0070 being duly sworn, deposes and says; That she/he is over the age of eighteen years; That on 07/26/2000, by certified mail, return receipt requested/regular mail enclosed in a sealed envelope with prepaid postage thereon, she/he deposited in the United States Post Office at Concord, CA a true and correct copy of which is hereunto attached and made a part hereof, addressed to the following:

P974166136 Michael E. Burt  
& first class mail 4303 Onyx Avenue  
Klamath Falls, OR 97603

P974166137 Occupants of the Premises  
& first class mail 4303 Onyx Avenue  
Klamath Falls, OR 97603

P974166138 Tammera D. Burt  
& first class mail 4303 Onyx Avenue  
Klamath Falls, OR 97603

P974166139 First Union Home Equity  
& first class mail Bank, NA  
CONS-14 0361  
Charlotte, NC 28288

P974166140 IMS Mortgage, Inc.  
& first class mail dba The Money Store  
1770 Tribute Road, Suite 209  
Sacramento, CA 95815

P974166141 The Pacesetter Corporation  
& first class mail aka Pacesetter Products, Inc.  
12775 NE Marx Street  
Portland, OR 97230

P974166142 Klamath Irrigation District  
& first class mail 6640 Kid Lane  
Klamath Falls, OR 97603

The receipts for certification of said letters are hereunto affixed and made a part hereof. I certify (or declare) under penalty of perjury that the foregoing is true and correct.

x Amy Rigsby  
Affiant

## CALIFORNIA

## ALL-PURPOSE

## ACKNOWLEDGEMENT

STATE OF CALIFORNIA )

COUNTY OF CONTRA COSTA )

On 11-28-2000 before me, S. GRANTZ,  
 DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

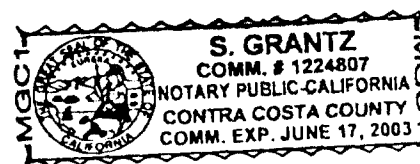
personally appeared, AMY RIGSBY

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

S. Grantz  
 NOTARY PUBLIC SIGNATURE

(SEAL)



## OPTIONAL INFORMATION

TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

DATE OF DOCUMENT \_\_\_\_\_ NUMBER OF PAGES \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

STATE OF CALIFORNIA  
COUNTY OF Contra Costa

) In the matter of Notice of Sale  
) S.S. File # ONMC053956

Amy Rigsby of Standard Trustee Service Company WA, P.O. Box 5070 of Concord, CA 94524-0070 being duly sworn, deposes and says; That she/he is over the age of eighteen years; That on 07/26/2000, by certified mail, return receipt requested/regular mail enclosed in a sealed envelope with prepaid postage thereon, she/he deposited in the United States Post Office at Concord, CA a true and correct copy of which is hereunto attached and made a part hereof, addressed to the following:

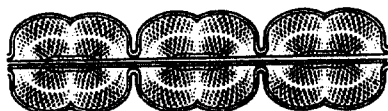
P974166143 Citifinancial  
& first class mail fka Commercial Credit  
7800 NW Garden Valley Blvd.,  
Suite 3  
Roseburg, OR 97470

P974166144 Tamara D. Burt  
& first class mail 4303 Onyx Avenue  
Klamath Falls, OR 97603

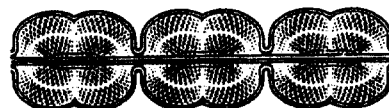
The receipts for certification of said letters are hereunto affixed and made a part hereof. I certify (or declare) under penalty of perjury that the foregoing is true and correct.

x Amy Rigsby  
Affiant

## CALIFORNIA



## ALL-PURPOSE



## ACKNOWLEDGEMENT

STATE OF CALIFORNIA )

COUNTY OF CONTRA COSTA )

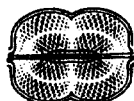
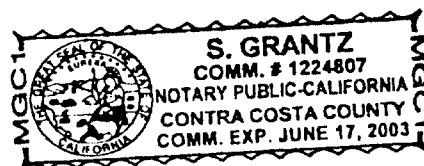
On 11-28-2000 before me, S. GRANTZ,  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared, AMY RIGSBY

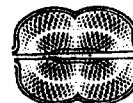
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

*S. Grantz* (SEAL)  
 NOTARY PUBLIC SIGNATURE



## OPTIONAL INFORMATION



TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

DATE OF DOCUMENT \_\_\_\_\_ NUMBER OF PAGES \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_



State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 00-02224

Received for Service 07/21/00

I hereby certify that I received for service on  
BURT, MICHAEL EDWARD  
the within:

TRUSTEE'S NOTICE OF SALE

BURT, MICHAEL EDWARD  
was served by leaving a true copy with  
BURT, TAMMERA DEE  
a person over the age of fourteen years who resides  
at the place of abode of the within named located at  
4303 ONYX AVE  
KLAMATH FALLS , OR, on 07/25/00,  
at 11:50 hours.

All search and service was made within Klamath County, State of  
Oregon.

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

By Chris Zupan  
ZUPAN, CHRIS

Copy to:

TRANSERV LEGAL PROCESS  
310 SW 4TH AVE #200  
PORTLAND

OR 97204

State of Oregon, County of Klamath  
Recorded 11/29/00, at 3:23 p. m.  
In Vol. M00 Page 42878  
Linda Smith,  
County Clerk Fee\$ 61.00