AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from David E. Coker Granter To Paul S. Cosgrove, Esq. Trustee AFTER RECORDING RETURN TO Paul S. Cosgrove Lindsay Hart Neil & Weigler LLP Suite 3400, 1300 SW Fifth Portland, OR 97201 65009-278

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah) ss.

I, Laura L. Henderson, 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 Oregon, 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 addresses, to-wit:

NAME	<u>ADDRESS</u>
Occupants	1323 Worden Avenue, Klamath Falls, OR 97601
David E. Coker	1323 Worden Avenue, Klamath Falls, OR 97601
Carol J. Coker	1323 Worden Avenue, Klamath Falls, OR 97601
Carter-Jones Collection, L.L.C. R/A Kent Henderson	1143 Pine Street, Klamath Falls, OR 97601
Southern Oregon Credit Service R/A Linda Collins	841 Stewart Ave., Suite 11, Medford, OR 97501
Credit Bureau of Klamath County R/A Mills, LTD., Arthur Mills	839 Main, Klamath Falls, 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 Laura L. Henderson 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 Portland Oregon, on September 2, 2000. 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 September 🖇 , 2000 tamela E Notary Public for Oregon.

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by David E. Coker and Carol J. Coker, as tenants by the entirety, as grantor, to Aspen Title and Escrow, as trustee, in favor of Associates Financial Services Company of Oregon, Inc., as beneficiary, dated January 31, 2000, recorded February 4, 2000 in the mortgage records of Klamath County, Oregon, in book M-00 at page 3704, covering the following described real property situated in said county and state, to-wit:

#### See Attached Exhibit 'A'

Our title company has informed us the real property in question is located at: 1323 Worden Rd, Klamath Falls, OR.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said 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 for April 2000 through August 2000, in the amount of \$3,899.45, and that portion of real property taxes to become due for 2000-01.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

As of April 10, 2000, the principal sum of \$66,926.26, plus interest thereafter; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above described property, plus attorney and trustee's fees incurred by reason of said default.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 10, 2001, at the hour of 11:00 a.m., in accord with the standard of time established by ORS 187.110, at the main entrance to 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 said described real property which the grantor had or had power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of said 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. The Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect

purpose.

DATED: August 31, 2000

State of Oregon, County of Multnomah) ss:

I, the undersigned, certify that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Laura L. Henderson, For said Trustee

FOR ADDITIONAL INFORMATION CALL (503) 226-7677

That portion of Lots 3 and 4, Block 1, FAIRVIEW ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the West line of Lot 4, Block 1, FAIRVIEW ADDITION, 10 feet North of the Southwest corner of said Lot 4; thence North 50 feet; thence East 65 feet; thence South 50 feet; thence West 65 feet to the point of beginning.

## AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON	)
	) ss
County of Klamath	)

I, Jeff Hamar, 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 8th day of September, 2000, after personal inspection, I found the following described real property to be unoccupied:

## SEE EXHIBIT A

Commonly known as: 1323 Worden Road Klamath Falls, OR

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

JEFF HAMAR 190900

SUBSCRIBED AND SWORN to before me this Aday of September, 2000, by Jeff Hamar.



Margaret a Nielse

That portion of Lots 3 and 4, Block 1, FAIRVIEW ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the West line of Lot 4, Block 1, FAIRVIEW ADDITION, 10 feet North of the Southwest corner of said Lot 4; thence North 50 feet; thence East 65 feet; thence South 50 feet; thence West 65 feet to the point of beginning.

# 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 Legal#3599 Trustee's Notice of Sale David E. Coker 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: November 8, 15, 22, 29, 2000 Total Cost: \$648.00 Subscribed and sworn before me this 29th November 20 00 day of

pany of Oregon, Inc., as beneficiary on penetic peneticiary, and attack the protection of the mortgage frees for the protection of the mortgage frees for the protection of the mortgage frees for the protection of the above devolution of the above pany of Oregon, Inc., as beneficiary, was chated and state, to will a state of County of Klamath, State of Oregon, described as follows:

And 4 , Block 1, FAIR-VIEW ADDITION TO THE CITY OF KLA-MATH FALLS-In the County of Klamath, State of Oregon, described as follows:

And the Undersigned trustee will on January 10, 2001; at the house of the house will on January 11:00 atm. In accord with the standard of the established by ORS 187.110, at the Main Street, house, 316 Main Street, scribed as follows:

Beginning at a point on the West line of Lot 4, in the City of Klamath Block 1, FAIRVIEW and house, 316 Main Street, in the City of Klamath Block 1, FAIRVIEW math, State of Oregon, North of the Southwest sell-at-public auction to thence North-50 feet; cash the interest in the thence South 50 feet; property which the point of beginning. the point of beginning. Our title company has time of the execution informed us the real by grantor of the said property in question is trust a deed a topether. word with any interest which the grantor or grantor's successors in interest which the grantor or grantor's successors in interest acquired after the acquired after the have elected to sell-the ideed; to satisfy the obligations satisfy the obligations thereby used and a Notice of of sell-the deed and a Notice of sell-the deed and a Defaultion has been sonable charge by the recorded pursuant to trustees Notice risitives Oregonia Revisedrista therigiven that any operatures 86.735(3); the de-4 sonot named wings ORS. tutes: 86.735(3); the de-9 tytes:86.735(3);;the de-q sonornamed:min:eORS; fault:for:which the fore-; 86.753 has the right; at closure is made:is:gran-y; anytitime/prior to five; for, so failure;dto:ipay; days::before athe state; when to pay when due lastasetsfordhe sales to the following:sums; visits have athis foreclosure; hoppingsays: pay-x proceedissaydism;sed; ments:eforb Aprilia 2000; and the first ideal reins; through August 2000; in: stated-by-masy ments to stated by nanyment to the beneficiary of the entire amount then due through August 2000, in the amount of \$3,899.45, land that portion of real property daxes to be come due for 2000-01 (offier than such thore tion of the ptincipal as

granton had or had power to convey at the time of the execution

TRUSTEE'S NOTICE

OF SALE

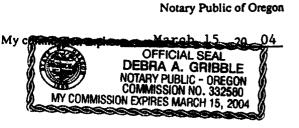
OF SALE

Reference

Sansits

made to that certain secured by a decided that plained of the commade by a decided that plained of herein that is trust deed made by a deed immediately due capable of being cured by the entirety; as grantor, to Aspen Title and Escrow, as trustee, in favor of Associates Figure 1 and 1 a sums advanced by they cure the default, by beneficiary on beneficial paying all costs and exary's successor in interpretable penses actually in-

> son owing an obligation, the performance of which is secured by said trust deed and the words "trustee" include their reporting trustees. their respective success
> sors in interest, if any,
> The Federal Fair Debt
> Collection Practices
> Act requires we state:
> This is an attempt to collect a debt and any information obtained will be used for that Paul S. Cosgrove, Successor Trustee State of Oregon, County, of Multnoman)ss: ""
>
> [Xiiiii the q unders signed, certify that the foregoing is a complete and exact copy of the original trustee's notice Laura L. Henderson, FOR ADDITIONAL INFORMATION (503) 226-7677 rt-#3599 November 8, (15,



State of Oregon, County of Klamath Recorded 01/02/01, at 3'/9 p. m. In Vol. Moi Page 127 Linda Smith. Fee\$\_4600 County Clerk