Vol MO1

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:

William C. Haylina 5709 Alva Avenue Klamath Falls, OR 97603

Beneficial Oregon, Inc., dba Beneficial Mortgage Co. 1345 Center Drive, Suite D Medford, OR 97501

Southern Oregon Credit Service, Inc. c/o Linda Collins, Reg. Agent 841 Stewart Avenue, #11 Medford, OR 97501

Southern Oregon Credit Service, Inc. c/o John Blackhurst, Atty. 15 Newton Medford, OR 97501

Carter Jones Collection, L.L.C. c/o Kent Pederson, Reg. Agent 1143 Pine Street Klamath Falls, OR 97601

Sharon K. Havlina 5709 Alva Avenue Klamath Falls, OR 97603

Household Finance Corp. 961 Weigel Drive Elmhurst, IL 60126

Southern Oregon Credit Service, Inc. P.O. Box 4070 Medford, OR 97501

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

Carter Jones Collection, L.L.C. P.O. Box 145 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 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 9.22-00. 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

Notary Public for Washington

Residing at

My commission expirés:

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Havlina, William C. and Sharon K.

Grantor

to

DAVID E. FENNELL,

Trustee File No. 7069.22587

After recording return to: **ROUTH CRABTREE & FENNELL** Attn: Kathy Taggart PO Box 4143 Bellevue, WA 98009-4143

KAREN MICHELLE HARD: STATE OF WASHINGTON NOTARY ---- PUBLIC MY COMMISSION EXPIRES 3-17-03

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by William C. Havlina and Sharon K. Havlina, husband and wife, as tenants by the entirety, as grantor, to First American Title Insurance Company of Oregon, as trustee, in favor of Meritage Mortgage Corporation, an Oregon corporation, as beneficiary, dated 04/23/98, recorded 05/01/98, in the mortgage records of Klamath County, Oregon, in No. 57426, Book M-98, Page 14686 and subsequently assigned to Resource Bancshares Mortgage Group, Inc. by Assignment recorded as Book M-98 Page 14949, and re-recorded 6/8/98 as Book M-98 Page 19470, covering the following described real property situated in said county and state, to wit:

Lot 8 in Block 2 of Casa Manana, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 5709 Alva 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 \$670.57 beginning 06/01/00; plus late charges of \$33.53 each month beginning 06/16/00; plus prior accrued late charges of \$52.98; plus advances of \$26.38; 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: \$63,523.59 with interest thereon at the rate of 12.25 percent per annum beginning 05/01/00; plus late charges of \$33.53 each month beginning 06/16/00 until paid; plus prior accrued late charges of \$52.98; plus advances of \$26.38; 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 01/26/01 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 performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.
DATED
For further information, please contact:
Kathy Taggart ROUTH CRABTREE & FENNELL PO Box 4143 Bellevue, WA 98009-4143 (425) 586-1900 File No.7069.22587/Havlina, William C. and Sharon K.
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

PROOF OF SERVICE

STATE OF OREGON	?			
:) ss.			
County of Klamath)			
18 years of age or older am not the beneficiary	nd swear that at all times he and a resident of the state w or trustee named in the ori r an officer, director, emp orate or otherwise.	herein the service here ginal trustee's Notice	einafter set forth was of Sale attached he	made; that I ereto, not the
•	f the attached original Trust	-		
•	ned below, by delivering tn	•		_
	stee or successor trustee,	_		al Fair Debt
Collection Practices Act	, upon the OCCUPANTS	at the following addre	ess:	
5709 ALVA	AVENUE, KLAMATI	H FALLS, OREG	ON 97603, as follo	uma.
· •	·	•		
Personal service	upon <u>Sharon Havling</u> , at the above address on <u>So</u>	a	, by delivering se	uid true copy,
personally and in person	, at the above address on Se	eptember 22	_, 2000 at 1:50:	<u>p</u> .m.
			4 4.10 d	
Personal service	upon		, by delivering sa	nd true copy,
personally and in person	, at the above address on		_, 2000 at:	m.
his/her usual place of ab	e upon <u>William Havl</u> ode as indicated above, to somewher of the household of	Sharon Havlina	who is a	person over
Substitute service	e upon	. bv	delivering said to	ile conv. at
his/her usual place of ab	ode as indicated above, to _	, v _j	who is a	nerson over
	member of the household			
· .	ne penalty of perjury that the	Jaly X Humo Jeffrey K. Han	t nar 191	
SUBSCRIBED AND SV	VORN to before me this <u>&</u>	day of Sept.	_, 2000 by <u>g.e.g.</u>	- Namma r
MARG NOTAR' COMMI MY COMMIS	OFFICIAL SEAL ARET A NIELSEN Y PUBLIC - OREGON SSION NO. 333599 SION EXPIRES APRIL 12, 2004	Margared Notary Public for Ore		<u>en</u>

ROUTH CRABTREE & FENNELL

A Professional Corporation

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

December 20, 2000

7261.20474/Havlina, William C. and Sharon K. All Occupants
5709 Alva Avenue
Klamath Falls, OR 97603

RE: Credit Based Asset Servicing and Securitization, LLP 7658610

RCF No.:7261.20474

Occupants:

Please be advised that the property in the above-referenced matter is scheduled to be sold at a Trustee's Sale on 01/26/01. According to ORS 86.755(5) the property must be vacated on or before the tenth day, 02/05/01, following the date of sale. Please vacate the property on or before that date.

If you have any questions, please contact an attorney.

Sincerely,

Shannon Blood

Foreclosure Analyst

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#3554
Trustee's Notice of Sale
William Havlina
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 2, 9, 16, 23, 2000
Total Cost:\$715.50
Subscribed and swom before me this 23rd November 20 00
Notary Public of Oregon

OF SALE OVER ! reReference When is made to that certain trust deed made by Willlam C. Havlina and Sharon K. Havlina, hus-Sharon K. Havlina, husband and wife; as. tenants by the entirety, as wesums: "monthly "paygrantor" to First Ameriments of: \$670.5% begin Company of Oregon; as charges of \$33,53 each trustee, in favor of month beginning 06/16/ trustee, in favor of month beginning 06/16/
Meritage Mortgage 00; plus prior accruec corporation, and Ore glate charges of 326/38; gon corporation, as plus advances of 326/38; beneficiary, dated 04/ 23/98, recorded 05/01/
98, in the mortgage records of Klamath County, Oregon, in No. 57426 Book M-98, Page 13-anyofurthenisums 3dd 14686, and subsequently leasing 14686, and subsequen trustee, in favor of Meritage Mortgage tool ala Resource Bancshares Mortgage Group, Inc. by Assign-ment: recorded, as, Book, M-98 Page 14949, and re-recorded 6/8/98 as Book M-98 Page 19470, covering the following described real property situated in Sald county and state, to wit: Lot 8 in Block 2 of Casa Manana, accord ing to the Official Plat thereof on file in the Office of the County Clerk of Klamath County 7603 Justin by Both the Henrick ary and the Trustee have elected to sell the

real property to satisfy;

the obligations secured

TRUSTEE'S NOTICE by the trust deed and a notice of default has been recorded pursuant to Oregon, Revised, Sta-tutes 86.735(3), The de-fault for which the fore closure is made decoran-9/has declared all sums owing on the obligation secured by the trust deed immediately due and payable, salessums being the following, to wit: \$63,523.59 with in terest thereon at the grateo of gal 2(25) percent per annum beginning 05/01/00) plus ate charges of \$33:53 each month beginning 06/16/ on the beginning to such the second of the s DRESS: 5709 Alva Avenie Standard Falls, OR1
Advanced by The beneand any further sums advanced by the bene ficiary for the protec tion of the above de scribed real property and its interest therein. WHIE REMORK rnofice.hertby.is.plyer intat. the undersigned trustee will on 01/26/01 tat the hour of 150:00 mo'clockaA.M. in accord with the standard of time established by ISORS 187 110; a Bite for

flowingsplace: sinside the Ist floor Jobby of the Klamath County Court

house, 316 Main Street, in the City of Klamath Falls, County of Klai math, 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 exer cution 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 se cured and the costs and expenses of sale, including % 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 sale to have this foreclosureiproceeding dismissed and the frest deed reinstated by paythent to the beneficiary of the entire amount then due tother than such partion of the principal as would not then beidue had no default occurred) and by curing wany tother default 3complained herein that is capable of being cured by tendering the performance required under the obligation on trustedeed, and in addition to paying said sums or tendering thesoperformance necessary to cure the default, by paying all costs and expenses actually sincurred in tenforcing the obligation and trust deed, together with trusteels and attorney is fees not exceeding the amounts provided by said ORS 84.753 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-per-son owing an oblightion, the or performance? of which is secured by said trust deed and the

March 15 20 04 My commission expires OFFICIAL SEAL DEBRA A. GRIBBLE NOTARY PUBLIC - OREGON COMMISSION NO. 332580 MY COMMISSION EXPIRES MARCH 15, 2004

words trustee and their present in the pr

State of Oregon, County of Klamath Recorded 01/11/01, at 3500m. In Vol. M01 Page 1322 Linda Smith, County Clerk Fee\$ 51.00