

## 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. Havlina  
5709 Alva Avenue  
Klamath Falls, OR 97603

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

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

Household Finance Corp.  
961 Weigel Drive  
Elmhurst, IL 60126

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

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

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

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

Carter Jones Collection, L.L.C.  
c/o Kent Pederson, Reg. Agent  
1143 Pine 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 9/22, 2000, by Tom M. Mura

Karen Michelle Hard  
Notary Public for Washington  
Residing at King County  
My commission expires: 03-17-02

## 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

5/A

**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.

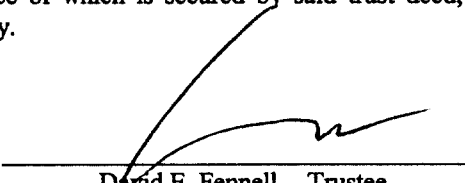
By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$63,523.59 with interest thereon at the rate of 12.25 percent per annum beginning 05/01/00; plus late charges of \$33.53 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.

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

9.22.2000

  
David E. Fennell -- Trustee

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

STATE OF OREGON )  
 ) ss.  
County of Klamath )

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, along with the Notice Under the Federal Fair Debt Collection Practices Act, upon the **OCCUPANTS** at the following address:

**NATIONWIDE PROCESS SERVICE, INC. • 222 CENTURY TOWER • 1201 S.W. 12th AVENUE • PORTLAND, OREGON 97205 • (503) 241-0636**

# ROUTH CRABTREE & FENNELL

*A Professional Corporation*

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

1326

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, 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#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

*Larry L. Wells*

Subscribed and sworn before me this 23rd  
day of November 20 00

*Debra A. Gribble*

Notary Public of Oregon

My commission expires March 15 20 04



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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 9/22/2000

David E. Fennell-Trustee

For further information, please contact:

Kathy Taggart

ROUTH, CRABTREE & FENNELL

PO Box 4143

Bellevue, WA 98007-1143

(425) 586-1900

File No: 7069225877 Hav-

thorn, Witham, C. and Sharon K. 12/08

State of Oregon, County of Klamath

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

FOR AN INFORMATION

NOTICE OF SALE

PURPOSE

#355

23.

State of Oregon, County of Klamath  
 Recorded 01/11/01, at 3:50pm.  
 In Vol. M01 Page 1322  
**Linda Smith,**  
 County Clerk Fee\$ 51.00