

After Recording Return To:

Glenn H. Prohaska
4425 SW Corbett Avenue
Portland, Oregon 97201

2001 JAN -9 AM 11: 09

Vol MQ1 Page 879

2001 JAN 16 PM 3: 12

Vol MQ1 Page 1841

mtc 91851

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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah) ss:

Glenn H. Prohaska, being first duly sworn, depose, and say 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 the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies 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:

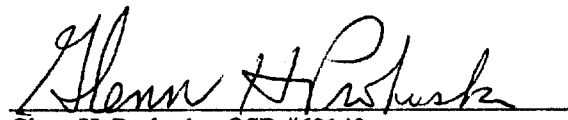
NAME: Lois V. Marlatt
Dave and/or Evon Clevon and/or Occupant(s)

ADDRESS: 5705 Callie Main Apt. C, Carmichael, CA 95841
15116 Clover Creek Rd., Keno, OR 97601


These 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 set forth in ORS 86.785.*

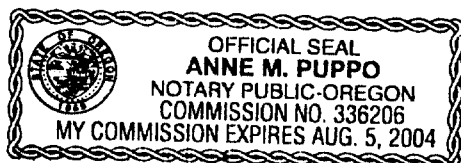
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Glenn H. Prohaska, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Portland, Oregon on August 28, 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, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation and any other legal or commercial entity.


Glenn H. Prohaska, OSB #69140

Subscribed and sworn to before me on January 9, 2001, by Glenn H. Prohaska.


Notary Public for Oregon



36-00
STCK 35 M
RR

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

880

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 00-02675

1842

Received for Service 09/01/00

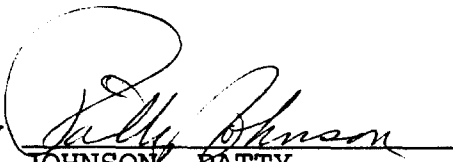
I hereby certify that I received for service on
CLEVEN, DAVID LYNN
the within:

TRUSTEE'S NOTICE OF SALE

CLEVEN, DAVID LYNN
was unable to be located within Klamath County after due and
diligent search and inquiry. I hereby return this process as
Not Found, on 09/14/00, at 07:00 hours.

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

Carl R. Burkhart, Sheriff
Klamath County, Oregon

By 
JOHNSON, PATTY

Copy to:

PROHASKA, GLENN H
4425 SW CORBETT AVE.
PORTLAND

OR. 97201

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

881

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 00-02675

1843

Received for Service 09/01/00

I hereby certify that I received for service on
CLEVEN, EVONNA
the within:

TRUSTEE'S NOTICE OF SALE

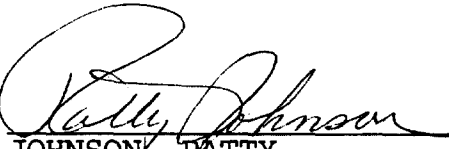
CLEVEN, EVONNA

was unable to be located within Klamath County after due and
diligent search and inquiry. I hereby return this process as
Not Found, on 09/14/00, at 07:00 hours.

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

Carl R. Burkhardt, Sheriff
Klamath County, Oregon

By


JOHNSON, PATTY

Copy to:

PROHASKA, GLENN H
4425 SW CORBETT AVE
PORTLAND

OR 97201

TRUSTEE'S NOTICE OF SALE

882

1844

Reference is made to that certain trust deed made by **William C. Marlatt and Lois V. Marlatt**, as grantor(s), to **Bonnie P. Serkin**, as trustee, in favor of **Conseco Finance Servicing Corp. (fka Green Tree Financial Servicing Corporation)**, as beneficiary, dated **July 5, 1996**, recorded **July 15, 1996**, in the mortgage records of **Klamath County, Oregon**, as Fee No. **20897**^{M96/20895}, covering the following described real property situated in said county and state, to wit:

Lot 5 in Block 3 of KLAMATH RIVER ACRES, according to the official plat thereof on file in the office of the County Clerk of **Klamath County, Oregon**.

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:

\$ 2,774.80 Total delinquent monthly payments and late chgs. due as of 6/30/00
\$ 2,774.80 **TOTAL AMOUNT REQUIRED TO REINSTATE AS OF 6/30/00**


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

\$ 49,864.57 Principal balance of loan
\$ 49,864.57 **TOTAL AMOUNT DUE AS OF 6/30/00**

WHEREFORE, notice hereby is given that the undersigned trustee will on **January 9, 2001**, at the hour of **11:00 o'clock A.M.**, in accord with the standard of time established by **ORS 187.110**, at front steps of **Klamath County Courthouse** 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.

DATED August 28, 2000



Trustee

STATE OF OREGON, County of Multnomah) ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Glenn H. Prohaska, OSB #69140

SERVE: Dave Cleven and/or
Evon Cleven
15116 Clover Creek road
Keno, Oregon 97601

(OR CURRENT OCCUPANT)

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#3628

Trustee's Notice of Sale

William C. Marlatt

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 26, 2000

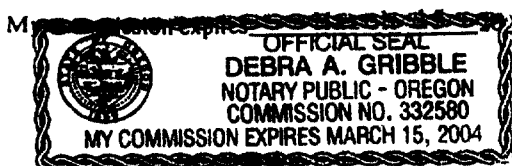
December 3, 10, 17, 2000

Total Cost: \$513.00

Subscribed and sworn before me this 17th
day of December 20 00

Debra A. Gribble

Notary Public of Oregon



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by William C. Marlatt and Lois V. Marlatt, as grantor(s), to Bonnie P. Serkin, as trustee, in favor of Conesco Finance Servicing Corp. (fka Green Tree Financial Servicing Corporation), as beneficiary, dated July 5, 1996, recorded July 15, 1996, in the mortgage records of Klamath County, Oregon, as Fee No. 20897, covering the following described real property situated in said county and state, to-wit:

Lot 5 in Block 3 of Klamath River ACRES according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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:

\$2,774.80 Total delinquent monthly payments and late charges as of 6/30/00
\$2,774.80 TOTAL

AMOUNT REQUIRED TO REINSTATE AS OF 6/30/00

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

\$49,846.57 Principal balance of loan
\$49,846.57 TOTAL AMOUNT DUE AS OF 6/30/00

WHEREFORE notice hereby is given that the undersigned trustee will on January 9, 2001, at the hour of 11:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at front steps of Klamath County Court house 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 86.73.

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: August 28, 2000
Glenn H. Prohaska
Trustee
4425 SW Corbett Ave.,
Portland, OR 97201
(503) 241-0020
Fax: (503) 223-6212
#3628 November 26, 2000
December 3, 10, 17, 2000

After Recording Return To:

Glenn H. Prohaska
4425 SW Corbett Avenue
Portland, Oregon 97201

1847 885

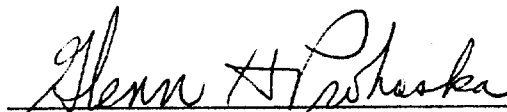
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CERTIFICATE OF NON-MILITARY SERVICE

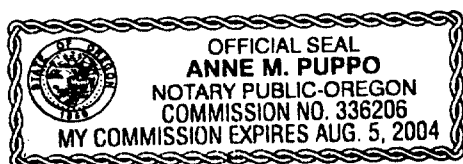
STATE OF OREGON, County of Multnomah) ss.

THIS IS TO CERTIFY that I am the beneficiary in that certain trust deed in which William C. Marlatt and Lois V. Marlatt as grantor, conveyed to Bonnie P. Serkin as trustee, certain real property in Klamath County, Oregon. The trust deed was dated July 5, 1996 and recorded July 15, 1996 in the Records of that county, ~~20897~~ ^{M96/20895}. Thereafter, a Notice of Default with respect to the trust deed was recorded August 23, 2000 as fee No. Volume M00, Page 30932. Thereafter, the trust deed was duly foreclosed by advertisement and sale, and the real property covered by the trust deed was sold at the trustee's sale on January 9, 2001. I reasonably believe that, at no time during the period of three months and one day immediately preceding the day of the sale, and including the day thereof, was the real property described in and covered by the trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

In construing this certificate the singular includes the plural, "grantor" includes any successor in interest to the grantor, "trustee" includes any successor trustee, and "beneficiary" includes any successor in interest to the beneficiary named in the trust deed.


Glenn H. Prohaska, OSB #69140

This instrument was acknowledged before me on January 9, 2001 by Glenn H. Prohaska.




Notary Public for Oregon

State of Oregon, County of Klamath
Recorded 01/16/01, at 3:12 p. m.
In Vol. M01 Page 1841
Linda Smith,
County Clerk Fee\$ 35⁰⁰ RK

State of Oregon, County of Klamath
Recorded 01/09/01, at 11:09 a. m.
In Vol. M01 Page 879
Linda Smith,
County Clerk Fee\$ 51⁰⁰