

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

FEB 22 AM 11:20

Vol MQ1 Page 7084

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.

52297

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.*

Michael R. Silvey Esq.
Successor Trustee
Foster, Pepper & Snelman LLP
101 S.W. Main 15th Floor, Portland, OR 97204-3233

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

Dino Herrera

Beneficiary

After recording return to:

Michael R. Silvey, Esq.
 Successor Trustee
 Foster, Pepper & Shefelman LLP
 101 S.W. Main, 15th Floor
 Portland, OR 97204-3233

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
)ss.
 County of Multnomah)

I, LILLIAN ERWIN, 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 made by DINO HERRERA, an unmarried individual as grantor, to MOUNTAIN TITLE COMPANY, an Oregon corporation as trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated November 20, 1995, and recorded December 5, 1995, in the mortgage records of Klamath County, Oregon, in Microfilm Volume 95, Page 33274. Said trust deed was modified by Modification of Deed of Trust dated May 1, 1999 and recorded July 13, 1999, in Volume M99, at Page 27962, Microfilm Records of Klamath County, Oregon. The trust deed covers the real property described in the attached 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:

Dino Herrera
 PO Box 1160
 Chiloquin, OR 97624

The Klamath Tribes Housing Authority
 31725 Highway 97 North
 Chiloquin, OR 97624

Dept. of Human Resources
 State of Oregon
 39 North Central
 Medford, OR 97501-2781

McMahan's Furniture
Credit Bureau of Klamath County
839 Main St.
Klamath Falls, OR 97601

McMahan's Furniture
6320 South Sixth St.
Klamath Falls, OR 97603

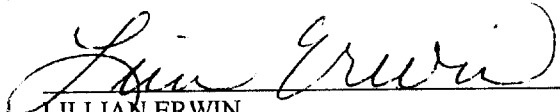
Internal Revenue Service
PO Box 3550
Portland, OR 97208

Internal Revenue Service
915 Second Avenue M/S 246
Seattle, WA 98174

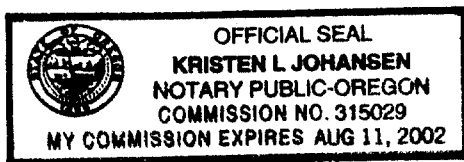
The above persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record of the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

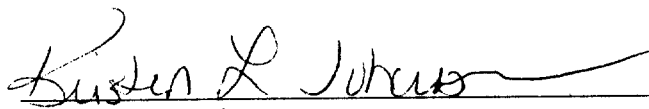
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Michael R. Silvey, attorney for the trustee named in the notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Portland, Oregon on October 31, 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 the notice(s) was/were 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 successor trustee, and person includes corporation and any other legal or commercial entity.


LILLIAN ERWIN

SUBSCRIBED AND SWORN to before me this 31st day of October, 2000.




Notary Public for Oregon
My Commission Expires: Aug 11, 2002

After recording return to:

Michael R. Silvey, Esq.
 Successor Trustee
 Foster, Pepper & Shefelman LLP
 101 S.W. Main, 15th Floor
 Portland, OR 97204-3233

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
)ss.
 County of Multnomah)

I, LILLIAN ERWIN, 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 made by DINO HERRERA, an unmarried individual as grantor, to MOUNTAIN TITLE COMPANY, an Oregon corporation as trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated November 20, 1995, and recorded December 5, 1995, in the mortgage records of Klamath County, Oregon, in Microfilm Volume 95, Page 33274. Said trust deed was modified by Modification of Deed of Trust dated May 1, 1999 and recorded July 13, 1999, in Volume M99, at Page 27962, Microfilm Records of Klamath County, Oregon. The trust deed covers the real property described in the attached 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:


DW Acceptance Corp.
 P O Box 7580
 Klamath Falls, OR 97602

The above 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 of the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

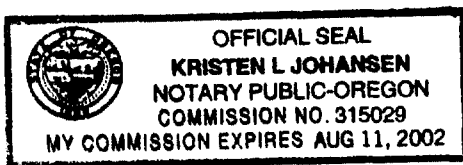
Each of the notices so mailed was certified to be a true copy of the original notice of sale by

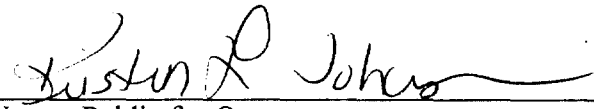
Michael R. Silvey, attorney for the trustee named in the notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Portland, Oregon on February 20, 2001. With respect to each person listed above, one such 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 the notice(s) was/were 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 successor trustee, and person includes corporation and any other legal or commercial entity.


LILLIAN ERWIN

SUBSCRIBED AND SWORN to before me this 20th day of February, 2001.




Notary Public for Oregon
My Commission Expires: Aug 11, 2002

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by DINO HERRERA, an unmarried individual, as grantor, to MOUNTAIN TITLE COMPANY, an Oregon corporation, as trustee in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated November 20, 1995, recorded December 5, 1995, in the mortgage records of Klamath County, Oregon, in Microfilm Volume 95, Page 33274. Said trust deed was modified by Modification of Deed of Trust dated May 1, 1999 and recorded July 13, 1999, in Volume M99, Page 27962, Microfilm Records of Klamath County, Oregon. The trust deed covers the following described real property situated in Klamath County, Oregon, to-wit:

Lots 7 and 8 in Block 13 of CHILOQUIN DRIVE ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The real property is more commonly known as 646 S. Chiloquin Drive, Chiloquin, Oregon.

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:

5 monthly payments at \$552.32 each: (June 1, 2000 through October 30, 2000)	\$2,761.60
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5 Late charges @ \$18.99 each for each month payment not made within 15 days of the due date (through October 15, 2000)	\$94.95
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Property Inspection(s)	\$75.00
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Plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds.


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

\$52,493.58; plus interest thereon at the rate of 7.750% from May 1, 2000, until paid; plus late charges of \$94.95 through October 30, 2000, plus \$18.99 for every month thereafter the regular monthly payment is more than 15 days late; plus \$75.00 for property inspection(s); plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds; plus all sums expended by beneficiary to protect its interest during the pendency of this proceeding.

WHEREFORE, notice hereby is given that the undersigned trustee will on **March 1, 2001**, at the hour of **10:30 a.m.**, in accordance with the standard of time established by ORS 187.110 at the front entrance of the Klamath County Courthouse, 403 Pine 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 above 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 the above 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 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: October 31, 2000


MICHAEL R. SILVEY, Successor 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 successor trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

FOSTER PEPPER & SHEFELMAN LLP

Attorney for Successor Trustee

PLEASE CONTACT LILLIAN ERWIN, PARALEGAL, AT 503-221-5377 WITH ANY QUESTIONS CONCERNING THIS FORECLOSURE.

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE: _____

NOTICE REQUIRED BY THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692

1. The amount of the debt is stated in the Trustee's Notice of Sale attached hereto.
2. The beneficiary named in the attached Trustee's Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the trustee unless the debtor, within 30 days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
4. If the debtor notifies the trustee in writing within 30 days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within 30 days from receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to: Michael R. Silvey, Foster Pepper & Shefelman LLP, 101 SW Main, 15th Floor, Portland, OR 97204-3223.

PROOF OF SERVICE

STATE OF OREGON)
) ss.
 County of Klamath)

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

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:

646 S. CHILOQUIN DRIVE, CHILOQUIN, OREGON 97624, as follows:

Personal service upon Dino Herrera, by delivering said true copy, personally and in person, at the above address on Nov. 1, 2000, 2000 at 2:34 P.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2000 at _____:_____ .m.

Substitute service upon Tammy Herrera, by delivering said true copy, at his/her usual place of abode as indicated above, to Dino Herrera who is a person over the age of 14 years and a member of the household on Nov. 1,, 2000 at 2:34 P.m.

Substitute service upon _____, by delivering said true copy, at his/her usual place of abode as indicated above, to _____ who is a person over the age of 14 years and a member of the household on _____, 2000 at _____:_____ .m.

I declare under the penalty of perjury that the above statement is true and correct.

Ed Foreman

192948

SUBSCRIBED AND SWORN to before me this 2nd day of Nov., 2000 by Ed Foreman.



Margaret A. Nielsen
 Notary Public for Oregon

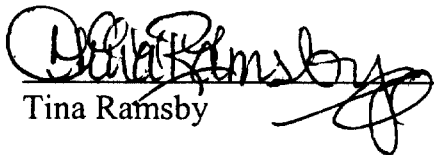
80724-358/Herrera

CERTIFICATE OF MAILING

STATE OF OREGON)
) ss.
County of Multnomah)

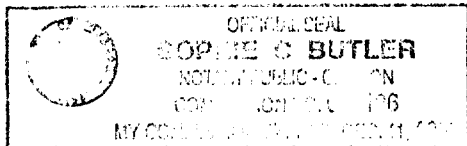
I, Tina Ramsby, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On November 1, 2000, I mailed a true copy of the Trustee's Notice of Sale, along with the Notice Pursuant to the Federal Fair Debt Collection Practices Act, via First Class Mail, postage pre-paid, together with a statement of the date, time, and place at which substitute service was made, to Tammy Herrera.

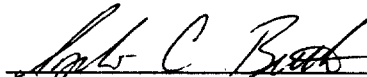
The envelope was addressed as follows: TAMMY HERRERA
646 S. CHILOQUIN DRIVE
CHILOQUIN, OR 97624


Tina Ramsby

192948

SUBSCRIBED AND SWORN TO BEFORE ME this 1st day of November, 2000, by Tina Ramsby.




Notary Public for Oregon

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#3711

Trustee's Notice of Sale

Dino Herrera

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:

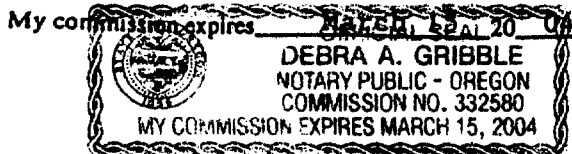
December 19, 26, 2000

January 2, 9, 2001

Total Cost: \$891.00

Subscribed and sworn before me this 9th day of January 20 01

Notary Public of Oregon



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by DINO HERRERA, an unmarried individual, as grantor, to MOUNTAIN TITLE COMPANY, an Oregon corporation, as trustee in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated November 20, 1995, recorded December 5, 1995, in the mortgage records of Klamath County, Oregon in Microfilm Volume 95, Page 33274. Said trust

deed was modified by Modification of Deed of Trust dated May 1, 1999 and recorded July 13, 1999, in Volume M99, Page 27962, Microfilm Records of Klamath County, Oregon. The trust deed covers the following described real property situated in Klamath County, Oregon, to-wit:

Lots 7 and 8 in Block 13 of CHILOQUIN DRIVE ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The real property is more commonly known as 646 S. Chiloquin Drive, Chiloquin, Oregon. 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:

5 monthly payments at \$555.32 cash: \$2,761.60 (June 1, 2000 through October 30, 2000)
5 Late charges @ \$18.99 each for each month payment not made within 15 days of the due date: \$94.94 (through October 15, 2000)

Property inspection(s): \$75.00

Plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds.

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

\$52,493.58; plus interest thereon at the rate of 7.750% from May 1, 2000, until paid; plus late charges of \$94.95 through October 30, 2000, plus \$18.99 for every month thereafter the regular monthly payment is more than 15 days late; plus \$75.00 for property inspection(s); plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds; plus all sums expended by beneficiary to protect its interest during the pendency of this proceeding.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 1, 2001, at the hour of 10:30 a.m., in accordance with the standard of time established by ORS 187.110 at the front entrance of the Klamath County Court-

house 403 Pine 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 above 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 the above 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 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: October 31, 2000
MICHAEL R. SILVEY,
Successor Trustee
STATE OF OREGON)
County of Multnomah)

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named successor trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.
FOSTER PEPPER & SHEFELMAN LLP
Attorney for Successor

Trustee
PLEASE CONTACT
LILLIAN ERWIN,
PARALEGAL, AT
503-221-5377 WITH
ANY QUESTIONS
CONCERNING THIS
FORECLOSURE.

NOTICE REQUIRED
BY THE FAIR DEBT
COLLECTION
PRACTICES ACT, 15
U.S.C.
§ 1692

1. The amount of the debt is stated in the Trustee's Notice of Sale attached hereto.

2. The beneficiary named in the attached Trustee's Notice of sale is the creditor to whom the debt is owed.

3. The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the trustee unless the debtor, within 30 days after the receipt of this notice, disputes the validity of the debt or some portion thereof.

4. If the debtor notifies the trustee in writing within 30 days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.

5. If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within 30 days from receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.

6. Written requests or objections should be addressed to: Michael R Silvey, Foster Pepper & Shefelman LLP, 101 SW Main, 15th Floor, Portland, OR 97204-3223.

#3711 December 19, 26, 2000

January 2, 9, 2001

7095

State of Oregon, County of Klamath

Recorded 02/22/01, at 11:20 a.m.

In Vol. M01 Page 2084

Linda Smith.

County Clerk Fee\$ 76⁰⁰