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### Vel MQ1 Page 7145

RECORDED AT THE REQUEST OF AND AFTER RECORDING RETURN TO:

H&L Services, Inc., Trustee 1111 Third Avenue, #3400 Seattle, WA 98101

MCNAIR 91850-000044

#### **AFFIDAVIT OF MAILING - TRUSTEE'S NOTICE OF SALE**

STATE OF WASHINGTON

) ) ss

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 made by JEANNIE M. MCNAIR, AN UNMARRIED INDIVIDUAL as grantor, to MOUNTAIN TITLE COMPANY, AN OREGON CORPORATION as Trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated October 27, 1995, and recorded November 20, 1995, in the mortgage records of Klamath County, Oregon, as Fee No. M-95 on Page 31637, and 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:

OCCUPANTS JEANNIE M. MCNAIR JOHN DOE MANAIR

NAME

P.O. BOX 186

**4809 LARRY PLACE** 

KLAMATH FALLS, OR 97603

ADDRESS

BEATY, OR 97621

THE KLAMATH TRIBES HOUSING AUTHORITY

BENEFICIAL OREGON INC.

ASSOCIATES FINANCIAL SERVICES COMPANY OF OREGON, INC. CHILOQUIN, OR 97624

MEDFORD, OR 97501 259 BARNETT ROAD, SUITE J

1345 CENTER DRIVE, SUITE D

MEDFORD, OR 97501

2848 S. 6<sup>th</sup> ST, SUITE 1 KLAMATH FALLS, OR 97603

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 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 Steven G. Jones, attorney for the trustee named in the notice; each such copy was contained in a

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sealed envelope, with postage thereon fully prepaid, and was deposited by me in a United States post office at Seattle, Washington, on <u>**Ctoper 24**</u>, 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 notices was/were 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.

(Afriant)

2000

Subscribed and sworn to before me this \_2912 day of \_\_\_\_\_



Christopher S. Ashcraft Notary Public in and for the State of

Washington, residing at: Seattle My Commission Expires: 3/9/02

O1991, H&L SERVICES, INC. ALL RIGHTS RESERVED

7147

RECORDED AT THE REQUEST OF AND AFTER RECORDING RETURN TO:

H&L Services, Inc., Trustee 1111 Third Avenue, #3400 Seattle, WA 98101

MCNAIR 91850-000044

# WE ARE A DEBT COLLECTOR. THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

#### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by JEANNIE M. MCNAIR, AN UNMARRIED INDIVIDUAL, as grantor, to MOUNTAIN TITLE COMPANY, AN OREGON CORPORATION, as trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated October 27, 1995, recorded November 20, 1995, in the mortgage records of Klamath County, Oregon, as Fee No. M-95 on Page 31637, covering the following described real property situated in Klamath County, Oregon, to-wit:

LOT 32, BLOCK 1, KELENE GARDENS FIRST ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

commonly known as: 4809 LARRY PLACE, KLAMATH FALLS, OR 97603

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 86.753(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Failure to pay the following past due amounts, which are in arrears:

#### MONTHLY PAYMENTS:

4 monthly payments at \$429.51 each; (July 1, 2000 through October 23, 2000.)	\$1,718.04
LATE CHARGES:	
4 late charges of \$21.48 for each monthly payment not made within 15 days of its due date.	85.92
TOTAL MONTHLY PAYMENTS AND LATE CHARGES:	\$\$1,803.96

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:

\$45,135.18 Principal Balance; plus interest thereon at the rate of 7.75% from June 1, 2000 until paid; plus late charges of \$85.92 through October 23, 2000; plus \$21.48 for every month thereafter the regular payment is more than 15 days late; plus 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 is interest during the pendency of this proceeding.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 23, 2001, at the hour of 10:00 o'clock, A.M., in accordance with the standard of time established by ORS 187.110, at the front entrance 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 said 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 the grantor's successors in interest acquired after the execution of grantor 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 the 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: October 17, 2000.

Steven G. Jones, Successor Trustee C/O H&L SERVICES, INC. 1111 THIRD AVENUE, #3400 Seattle, Washington 98104-7006 (206) 386-5470

#### STATE OF WASHINGTON ) ) ss COUNTY OF K I N G )

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 PLLC

for

Willard Hatch Attorney

Successor

Trustee

#### 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: Steven G. Jones, C/O H&L Services, Inc., 1111 3rd Avenue, Suite 3400, Seattle, WA 98101.

		COURT OF THE STATE OFOreg	
		COUNT CASE NO	
Washir	ngton Mutual Bank		4 3
<u></u>	<b>vs</b>		A 7
Jeanni	le M. McNair	AFFIDAVIT/PROOF OF SI	ERVICE
STATE OF ORE	•	50 2(27	
County of	) SS. Multnomah		
		day of October 2000 at the b	11:25AM
I served	Bobbie Decker and A	_day ofOctober2000, at the he haron Decker & All occupant	by
<u>Bobbi</u> e <u>Aaron</u>	Personal Service (personally and in Substitute Service (by serving a per within named) Office Service (by serving the perso By posting (said residence)	rson over the age of 14 years, who resides at the	usual place of abode of the
	A certified/true copy of:		
	Summons Motion	Writ of Garnishment	Small Claims
	Complaint	Order	Affidavit Subpoena
	Petition	Notice	Decree
<u> </u>	Other Trustee's Notic	e of Sale	
		At 4809 Larry Place Klamath Falls, OR document for service on theday of	······································
and after due a	nd diligent search and inquiry, I have I	been unable to locate	
within the coun	ty of	Dated thisday of	
		age of 18, a resident of said State, not a party to y for any party, corporate or otherwise and knew th	hat the person,
Capitol Investig JEFF ST	gation Company ATE		
Papers			
Received From	ASAP P 0 Box 276420	Remit to: CAPITOL	Service Fee s
	Sacramento, CA 9582	P.O. Box 3225 Portland, OR 97208	Mileage s 0.00 Rush/Emergency s
	•	Date: 10/31/2000	Incorrect Add. s 0.00 j
	9 SKT LILL	File No. 00-29032-M	forward \$ 10.00
	9 2 5 1 5	Client No. 407313	Amount Paid \$ 0.00
			TOTAL DUE s

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IN THE COURT STATE OF OR	EGON, COUNTY	OF
V. Jeannie M. McNair	intiff, endant(s).	) ) NO. ) NOTICE OF ) SUBSTITUTE SERVICE ) )
TO DEFENDANT(S): Aaron De	ocker & All oc	cupant
YOU ARE HEREBY NOTIFIED t the above cause was made address below, your usual	upon you by S	
DATE AND TIME OF SERVICE: TO WHOM THE DOCUMENTS WERE DELIVERED:	Bobb 4809	ober 30th, 2000 11:25AM Die Decker, Co occupant 9 Larry Place Math Falls, OR 97603
	P.	apitol Investigation Co., LTD. .D. Box 3225 ortland, OR 97208
	AFFIDAVIT O	DF MAILING
STATE OF OREGON	) )ss	DATE: 10/31/2000
County of Multnomah	)	
CAUSED TO BE MAILED TO TH	E DEFENDANT (S	WORN, DEPOSE AND SAY THAT I 3) WHOSE NAME AND ADDRESS FE COPIES OF THE FOREGOING

NOTICE, AND OF THE TRUSTEE'S NOTICE OF SALE HEREIN REFERRED TO, BY CAUSING SAME TO BE DEPOSITED IN THE UNITED STATES MAILS AT Portland, OREGON , ON SAID DATE, ADDRESSED AS SHOWN, WHICH IS THE USUAL PLACE OF ABODE OF SAID DEFENDANT(S) BEING THE ADDRESS AT WHICH SUBSTITUTE SERVICE OF TRUSTEE'S NOTICE OF SALE THEREIN WAS HERETOFORE MADE UPON SAID DEFENDANT(S).

SUBSCRIBED AND VSWORN TO BEFORE ME THE DAY AND YEAR LAST ABOVE WEITTEN

Aaron Decker & All occupant 4809 Larry Place Klamath Falls, OR 97603

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# **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#3745

Trustee's Notice of Sale

McNair 91850-000044

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Four

(<u>4</u>) insertion(s) in the following issues: January 10, 17, 24, 31, 2001

·
Total Cost:
Day & will
Subscribed and swom before me this <u>31st</u>
day of January 20 01
Jepha Supple
Notary Public of Oregon
OFFICIAL SEAL My comparison DEBRA CIGRIBBLE 04

My commission EXPIRES MARCH 15, 2004

#### TRUSTEE'S NOTICE OF SALE

#### MCNAIR 91850-000044

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State of Oregon, County of Klamath Recorded 02/22/01, at  $3.57\rho_{m}$ . In Vol. M01 Page 7/45Linda Smith, County Clerk Fee\$  $56^{00}$ 

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#3745 January 10, 17, 24,

31, 2001