

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:

Patricia E. Smith
14105 Meadowbrook Lane
Klamath Falls, OR 97601

Richard J. Smith
14105 Meadowbrook Lane
Klamath Falls, OR 97601

Richard Smith
129 North 2nd Street
Klamath Falls, OR 97601

State of Oregon
Attorney General
1162 Court St. NE
Salem, OR 97310

State of Oregon
Support Enforcement Department
1495 Edgewater Street Northwest, #290
Salem, OR 97304

Carter-Jones Collection Service, Inc.
1143 Pine Street
Klamath Falls, OR 97601

Patricia Smith
P.O. Box 133
Bly, OR 97622

Carter-Jones Collection Service, Inc.
c/o Neal G. Buchanan
601 Main Street, Suite 215
Klamath Falls, OR 97601

Bill G. Smith
c/o Enver Bozgoz, A.A.L.
1135 Pine Street
Klamath Falls, OR 97601

Bill G. Smith
13570 Whispering Pine Drive
Keno, OR 97627

Patricia Smith
14500 McNab, #1204
Bellflower, CA 90706

Carter-Jones Collection Service, Inc.
c/o Neal G. Buchanan
435 Oak Street
Klamath Falls, OR 97601

Highland Community F.C.U.
c/o Robert Foltyn, A.A.L.
635 Main Street
Klamath Falls, OR 97601

Klamath County Tax Collector
305 Main Street
Klamath Falls, OR 97601

State of Oregon, DHR
Support Enforcement Division
39 North Central
Medford, OR 97501

Patricia K. Smith
2169 Madison #C
Klamath Falls, OR 97603

Patricia K. Smith
2932 W. 129th St.
Gardena, CA 90249-1507

Douglas V. Osborne, Attorney
439 Pine Street
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

5/1A

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 11-30-00. 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 11-30, 2000, by Tim M. Murta.



Notary Public for Washington

Residing at Allyra

My commission expires: 5/5/03.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Bergman, Douglas A. Sr. and Dorothy L.
Grantor

to
DAVID E. FENNELL,
Trustee

File No. 7037.22716

After recording return to:

ROUTH CRABTREE & FENNELL
Attn: Becky Baker
PO Box 4143
Bellevue, WA 98009-4143



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Douglas A. Bergman, Sr. and Dorothy L. Bergman, as grantor, to Mountain Title Company of Klamath County, as trustee, in favor of Town & Country Mortgage, Inc., an Oregon corporation, as beneficiary, dated 10/04/92, recorded 10/07/92, in the mortgage records of Klamath County, Oregon, in Book M-92, Page 23460 and subsequently assigned to Chemical Mortgage Company by Assignment recorded as Book: M-94, Page: 20001, covering the following described real property situated in said county and state, to wit:

Lots 15 and 16 in Block 2 of Tract 1046, Round Lake Estates, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 14105 Meadowbrook Lane
Klamath Falls, OR 97601

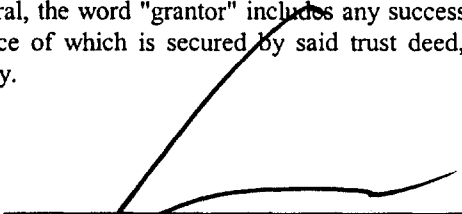
Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$488.38 beginning 06/01/00; plus late charges of \$16.51 each month beginning 10/16/99; plus prior accrued late charges of \$659.95; plus advances of \$1,971.54; 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: \$53,757.55 with interest thereon at the rate of 7.5 percent per annum beginning 05/01/00; plus late charges of \$16.51 each month beginning 10/16/99 until paid; plus prior accrued late charges of \$659.95; plus advances of \$1,971.54; 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 **April 6, 2001** 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 11/21, 2000



David E. Fennell -- Trustee

For further information, please contact:

Becky Baker
ROUTH CRABTREE & FENNELL
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7037.22716/Bergman, Douglas A. Sr. and Dorothy L.

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

10924

STATE OF OREGON)
 County of Klamath) ss.

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:

14105 MEADOWBROOK LANE, KLAMATH FALLS, OREGON 97601, as follows:

Personal service upon Patricia Smith, by delivering said true copy, personally and in person, at the above address on December 4, 2000 at 7:43 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 Richard Smith, by delivering said true copy, at his/her usual place of abode as indicated above, to Patricia Smith who is a person over the age of 14 years and a member of the household on December 4, 2000 at 7:43 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
 193792

SUBSCRIBED AND SWORN to before me this 5th day of Dec, 2000 by Ed Foreman



Margaret A. Nielsen
 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#3749

Trustee's Notice of Sale

Douglas A. Bergman Sr.

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:

January 11, 18, 25, 2001

February 1, 2001

Total Cost: \$702.00

Larry L. Wells

Subscribed and sworn before me this 1st
day of February 20 01

Debra A. Subbie

Notary Public of Oregon



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tor's failure to pay when due the following sums: monthly payments of \$488.38 beginning 06/01/00; plus late charges of \$16.51 each month beginning 10/16/99; plus prior accrued late charges of \$659.95; plus advances of \$1,971.54; together with the 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.

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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 pay-

ing 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: 11/21/00

David E. Fennell

Trustee

For further information, please contact:

Becky Baker

ROUTH CRABTREE & FENNELL

PO Box 4143

Bellevue, WA 98009-4143

(425) 586-1900

File No. 7037.22717 Bergman, Douglas A. Sr. and Dorothy L.

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

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OBTAINED WILL BE USED FOR THAT PURPOSE.

#3749 January 11, 18, 25, 2001

February 1, 2001

10926

Received

FEB 1 2 2001

Routh Crabtree & Fennell

State of Oregon, County of Klamath

Recorded 03/19/01, at 3:25 p.m.

In Vol. M01 Page 10926

Linda Smith,

County Clerk Fee \$ 5.00