

K56151

MAR 20 2001 1:25 PM

**AFTER RECORDING RETURN TO:**

Valerie T. Auerbach (DL)  
Farleigh, Wada & Witt, P.C.  
121 SW Morrison, Suite 600  
Portland, OR 97204

Vol 1111 Page 11118

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**RECORDING COVER PAGE**

*PROOF /*

**Document Being Recorded: AFFIDAVIT OF SERVICE**

Reference is made to a certain trust deed (Trust Deed) made, as follows:

Trust Deed dated January 21, 1997, by **Jack D. Dias and Gertrud V. Dias**, as grantors, to **AmeriTitle**, as trustee, in favor of **Forest Products Federal Credit Union**, as beneficiary, recorded on January 22, 1997, in Book M97, Page 1903, in the mortgage records of Klamath County, Oregon.

The Trust Deed covers the following described real property ("Property") situated in said county and state, to-wit:

Lot 1 of Tract 1283, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The attached document is being recorded in connection with a pending foreclosure.

K41



TRUSTEE'S NOTICE OF SALE

11120

Reference is made to a certain trust deed ("Trust Deed") made, as follows:

Trust Deed dated January 21, 1997, by Jack D. Dias and Gertrud V. Dias, as grantors, to AmeriTitle, as trustee, in favor of Forest Products Federal Credit Union, as beneficiary, recorded on January 22, 1997, in Book M97, Page 1903, in the mortgage records of Klamath County, Oregon.

The Trust Deed covers the following described real property ("Property") situated in said county and state, to-wit:

Lot 1 of Tract 1283, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

There are defaults by the grantor or other person owing an obligation, the performance of which is secured by the Trust Deed, with respect to provisions therein which authorize sale in the event of default of such provision; the defaults for which foreclosure is made is grantor's failure to pay when due the following sums:

Arrearage in the sum of \$3,615.08 as of November 1, 2000, plus additional payments, property expenditures, taxes, liens, assessments, insurance, attorney's and trustee's fees and costs, and interest due at the time of reinstatement or sale.

By reason of said defaults, the beneficiary has declared all sums owing on the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

Payoff in the sum of \$80,786.23 as of November 1, 2000, plus taxes, liens, assessments, property expenditures, insurance, accruing interest, attorney's and trustee's fees and costs incurred by beneficiary or its assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 17, 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: Main 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 above-described 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 the Trust Deed, to satisfy the 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 sum 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 Deed of Trust, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

DATED: November 22, 2000.

Valerie T. Auerbach, Successor Trustee

State of Oregon, County of Multnomah ss.

I, the undersigned, certify that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

Deborah Lewis, Paralegal

For further information, contact: Deborah Lewis, Paralegal Farleigh, Wada & Witt, P.C. 121 SW Morrison, Suite 600 Portland, OR 97204 (503) 228-6044; fax (503) 228-1741

JOSEPH "R" MOUNTAIN  
INVESTIGATIONS

11121

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF KLAMATH

JACK D. DIAS and GERTRUD V. DIAS )  
 )  
 Grantors, )  
 )  
 AMERI TITLE )  
 Trustee )  
 )  
 FOREST PRODUCTS FEDERAL CREDIT )  
 UNION )  
 Respondent. )  
 )  
 )  
 )

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DECLARATION OF SERVICE

I, JOSEPH "R" MOUNTAIN do hereby certify and declare that on November 25, 2000 at the approximate time of 4:00 P.M. I served a TRUSTEE'S NOTICE OF SALE , in the above action to JACK D. Dias, by handing the copies to GERTRUD DIAS, his wife do to his inability to act or respond to the door, personally and in person, while at 4703 Cleveland Avenue, Klamath Falls, Klamath County, Oregon

I further certify that I am a competent person over the age of 18 years, a resident of the State of Oregon, not a party to, nor an Officer, Director for, employee of, nor Attorney for any party, corporate, or otherwise; that the person, firm, or corporation served by me is the identical person, firm, or corporation named in the action

Dated this the 25st day of November, 2000  
JOSEPH "R" MOUNTAIN

**803 MAIN STREET, SUITE 203, KLAMATH FALLS, OREGON 97601  
TEL: (541) 273-8368, TEL/FAX: (541) 273-8507, PAGER (541) 885-9015  
OREGON INVESTIGATORS LICENSE #1998261**

TRUSTEE'S NOTICE OF SALE

11122

Reference is made to a certain trust deed ("Trust Deed") made, as follows:

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The Trust Deed covers the following described real property ("Property") situated in said county and state, to-wit:

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There are defaults by the grantor or other person owing an obligation, the performance of which is secured by the Trust Deed, with respect to provisions therein which authorize sale in the event of default of such provision; the defaults for which foreclosure is made is grantor's failure to pay when due the following sums:

Arrearage in the sum of \$3,615.08 as of November 1, 2000, plus additional payments, property expenditures, taxes, liens, assessments, insurance, attorney's and trustee's fees and costs, and interest due at the time of reinstatement or sale.

By reason of said defaults, the beneficiary has declared all sums owing on the obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

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THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

DATED: November 22, 2000.

Valerie T. Auerbach  
Valerie T. Auerbach, Successor Trustee

State of Oregon, County of Multnomah ss.

I, the undersigned, certify that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

Deborah Lewis  
Deborah Lewis, Paralegal

For further information, contact:  
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121 SW Morrison, Suite 600  
Portland, OR 97204  
(503) 228-6044; fax (503) 228-1741

State of Oregon, County of Klamath  
Recorded 03/20/01, at 1:25 p.m.  
In Vol. M01 Page 1118  
Linda Smith,  
County Clerk Fee \$ 41.00