

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

Vol MQ1 Page 28491

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.

mtc 529.67

*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.*

Steven M. Beune  
Harris Beune Christensen, LLP  
12722 S.W. 46th Ave Ste 104  
Portland, OR 97223

**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**

Scott + Regina Murphy

**Beneficiary**

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

RE: Trust Deed from  
Scott D. Murphy and Regina M. Murphy

To

Bonnie P. Serkin

Grantor

Trustee

After recording, return to (Name, Address, Zip):

Steven M. Berne  
Harris Berne Christensen LLP  
12725 S.W. 66th Ave., Suite 104  
Portland, OR 97223

STATE OF OREGON ) **28492**  
 ) ss.  
County of \_\_\_\_\_ )

I certify that the within instrument was received for  
recording on \_\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in  
book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_  
and/or as fee/file/instrument/microfilm/reception No.  
\_\_\_\_\_, Records of this County.

Witness my hand and seal of County affixed.

Name

Title

By \_\_\_\_\_, Deputy.

STATE OF OREGON, County of Washington ) ss.

I, Steven M. Berne, 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 trust 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**

**ADDRESS**

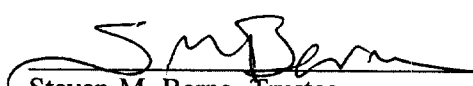
Scott & Regina Murphy  
Klamath County Assessor's Office  
Country Green Association, Inc.

6916 Hilyard Court, Klamath Falls, OR 97603  
403 Pine St., 3rd Floor, Klamath Falls, OR 97601  
6724 Waggoner Ct., Klamath Falls, OR 97603

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.\*

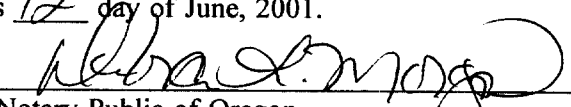
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Steven M. Berne, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Portland, Oregon, on January 11, 2001 and May 3, 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, 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 plural, "trustee" includes a successor trustee, and "person" includes a corporation and any other legal or commercial entity.

  
Steven M. Berne, Trustee

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of June, 2001.



  
Notary Public of Oregon

My commission expires: 10-31-02

\*More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.

**TRUSTEE'S NOTICE OF SALE****28493**

Reference is made to that certain trust deed made by Scott D. Murphy and Regina M. Murphy, as grantor, to Bonnie P. Serkin, as trustee, in favor of Green Tree Financial Servicing Corporation nka Conseco Finance Servicing Corp., as beneficiary, dated March 4, 1996, recorded on March 8, 1996, in the Records of Klamath County, Oregon, in ~~book/reel~~ volume No. M96 at page 6322, ~~and/or as fee/file/instrument/microfilm/reception No. \_\_\_ (indicate which),~~ covering the following described real property situated in that county and state, to-wit:

Lot 10, Block 3, Tract # 1085, COUNTRY GREEN, more commonly known as 6916 Hilyard Court, Klamath Falls, Klamath County, Oregon 97603; and a 1996 Palm Harbor 28x44 manufactured home, plate number X240993, serial number 0347

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 in grantor's failure to pay when due the following sums:

<u>DUE DATE</u>	<u>PRINCIPAL &amp; INTEREST</u>	<u>INSURANCE</u>	<u>ESCROW AMOUNT</u>
11/15/00	\$483.73	\$22.40	
10/15/00	\$483.73	\$22.40	
09/15/00	\$483.73	\$22.40	
08/15/00	\$483.73	\$22.40	
07/15/00&Prior	\$1,187.31	\$67.20	
Plus late charges of \$10.00			

By reason of the default just described, 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:

As of October 22, 2000, \$60,232.33, plus per diem interest thereafter of \$14.33.

WHEREFORE, notice is hereby given that the undersigned trustee will on May 14, 2001, at the hour of 12:30 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at 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 real and personal property described above 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 the sale, including a reasonable charge by the trustee. Notice is further give 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 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 those 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 and attorney 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 successor in interest, if any.

DATED this 11 day of January, 2001

  
Steven M. Berne, Trustee

**28494**

State of Oregon, County of Washington ) 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.

---

Steven M. Berne

---

SERVE:

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

## ARRITOLA INVESTIGATIONS

## RETURN OF SERVICE

28495

STATE OF OREGON       )  
                              ) ss.  
County of Klamath    )

~~Court Case No.~~ Foreclosure  
Case No. \_\_\_\_\_

I hereby certify that I received on 1-13-01 the within:

- ( ) Summons & Complaint   ( ) Summons & Petition   ( ) Summons   ( ) Notice  
( ) Order of Appearance   ( ) Waiver of Fees       ( ) Petition   ( ) Motion  
( ) Show Cause Order       ( ) Affidavit               ( ) Complaint   ( ) Order  
( ) Writ of Garnishment   ( ) Restraining Order   ( ) Citation   ( ) Subpoena  
( ) Small Claim

as Trustee's Notice of Sale

for service on the within named: Scott D. and Regina M. Murphy

( ) SERVED \_\_\_\_\_ personally and in person.

( ) SUBSTITUTE SERVICE - By leaving a true copy with \_\_\_\_\_

a person over the age of fourteen years, who resides at the place of abode of the within named, at said abode: \_\_\_\_\_

( ) OFFICE SERVICE - By leaving a true copy with \_\_\_\_\_

the person in charge of the office maintained for the conduct of business by \_\_\_\_\_

( ) By leaving a true copy with \_\_\_\_\_ of said corporation.

as OTHER METHOD Partial on the door at 6916 Hilyard Ct. (Vacant)

( ) NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find the within named: \_\_\_\_\_

\_\_\_\_\_ within Klamath County.

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

DATE AND TIME OF SERVICE, OR NOT FOUND: 1-13-01 6:45 PM

SERVICE FEES FOR THIS SERVICE ARE: \$ 25.00 plus \_\_\_\_\_ miles at \$.30/mile for a total amount due of \$ 25.00.

ARRITOLA INVESTIGATIONS

By 

# Affidavit of Publication

28496

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#3770

Trustee's Notice of Sale

Scott D. Murphy

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )

Four

Insertion(s) in the following issues:

January 24, 31, 2001

February 7, 14, 2001

Total Cost: \$526.50

*Larry L. Wells*  
Subscribed and sworn before me this 14th day of: February 2001

*Debra A. Gribble*

Notary Public of Oregon

My commission expires March 15, 2004

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Scott D. Murphy and Regina M. Murphy, as grantor, to Bonnie P. Serkin, as trustee, in favor of Green Tree Financial Servicing Corporation nka Conesco Finance Servicing Corp., as beneficiary, dated March 4, 1996, recorded on March 8, 1996, in the Records of Klamath County, Oregon, in volume No. M96 at page 6322 covering the following described real property situated in that county and state, to-wit:

Lot 10, Block 3, Tract #1085, COUNTRY GREEN, more commonly known as 6916 Hilyard Court, Klamath Falls, Klamath County, Oregon 97603; and 1996 Palm Harbor 28x44 manufactured home, plate number X240993, serial number 0347

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 in grantor's failure to pay when due the following sums:

DUE DATE  
PRINCIPAL & INTEREST  
INSURANCE  
ESCROW AMOUNT  
11/15/00 \$483.73 \$22.40  
10/15/00 \$483.73 \$22.40  
09/15/00 \$483.73 \$22.40  
08/15/00 \$483.73 \$22.40  
07/15/00 \$483.73 \$22.40  
07/15/00 & Prior \$1,187.31  
Plus late charges of \$10.00

By reason of the default just described, 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:

As of October 22, 2000, \$60,232.33, plus per diem interest thereafter of \$14.33.

WHEREFORE, notice is hereby given that the undersigned

trustee will on May 14, 2001, at the hour of 12:30 o'clock, P.M., in accordance with the standard of time established by ORS 187.110, at 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 real and personal property described above 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 the 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 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 those 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 and attorney 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 successor in interest, if any.

DATED this 11th day of January, 2001  
Steven M. Berne,  
Trustee  
#3770 January 24, 31, 2001  
February 7, 14, 2001

