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

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.

#### AFTER RECORDING RETURN TO

NORTHWEST TRUSTEE SERVICES, LLC ATTN: BECKY BAKER P.O. Box 4143 BELLEVUE, WA 98009-4143

#### K56578

MARK NAME(S) OF <u>ALL</u> 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

AFFIDAVIT OF PUBLICATION NOTICE OF SALE

\_\_\_\_ PROOF OF SERVICE

Original Grantor on Trust Deed

RICHARD E. RUSSELL

Beneficiary

SIERRA PACIFIC MORTGAGE

K76



This Space For County Recording Use Only as of 8-1-98

#### 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:

Forest Products Federal Credit Union P.O. Box 1179 Klamath Falls, OR 97601

Marvin E. Rimer 1416 Arthur Street, Apt F Klamath Falls, OR 97603

Credit Bureau of Klamath County 839 Main Street Klamath Falls, OR 97601

Carter Jones Collection, LLC P.O. Box 145 Klamath Falls, OR 97601

Marvin E. Rimer 701 Roseway Drive Klamath Falls, OR 97601

Richard E. Russell 1737 Menlo Way Klamath Falls, OR 97601

Richard E. Russell 3725 Mangin Street Manitowoc, WI 54220 Carter Jones Collection, LLC 1143 Pine Street Klamath Falls, OR 97601

Klamath County District Attorney Family Support Unit 305 Main Street Klamath Falls, OR 97601 James R. Uerlings Boivin, Jones, Uerlings, Dilaconi & Oden, P.C. 110 North Sixth Street Klamath Falls, OR 97601

Klamath County District Attorney Family Support Unit 403 Pine Street, 2nd Floor Klamath Falls, OR 97601

Klamath County Tax Collector 305 Main Street, 1st Floor Klamath Falls, OR 97601-6332

Annette Gerlinde Rimer 1737 Menlo Way Klamath Falls, OR 97601

Annette Gerlinde Rimer 701 Roseway Drive Klamath Falls, OR 97601

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from Russell, Richard E. Grantor to DAVID E. FENNELL, Trustee File No. 7037.24084

After recording return to:

Northwest Trustee Services, LLC Attn: Becky Baker PO Box 4143 Bellevue, WA 98009-4143

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 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, 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 3 - 5 - 0. 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.

2001. by

Subscribed and sworn to before me on 3-5

Notary Public for Washington

Notary Public for Washington Residing at <u>/ entry</u> My commission expires: <u>(2/08/04</u>

JENNIFER JOKELA STATE OF WASHINGTON NOTARY ----- PUBLIC NY COMMISSION EXPIRES 12-08-04

#### AFFIDAVIT OF SUPPLEMENTAL 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:

James R. Uerlings Boivin, Jones, Uerlings, Dilaconi & Oden 110 North Sixth 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 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, 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  $3 \cdot 13 \cdot 01$ . 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 \_\_\_\_\_

3-13, 2001 by Benjamen Vinfork.

Residing at Renton My commission expires: 12/08/04

#### AFFIDAVIT OF SUPPLEMENTAL MAILING TRUSTEE'S NOTICE OF SALE

File No. 7037.24084

RE: Trust Deed from Russell, Richard E.

Grantor

to DAVID E. FENNELL,

Trustee

After recording return to:

Northwest Trustee Services, LLC Attn: Becky Baker PO Box 4143 Bellevue, WA 98009-4143 JENNIFER JOKELA STATE OF WASHINGTON NOTARY ----- PUBLIC MY COMMISSION EXPIRES 12-08-04

#### AFFIDAVIT OF SUPPLEMENTAL 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:

Annette Gerlinde Rimer 1416 Arthur Street, Apt F Klamath Falls, OR 97603

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 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.

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 3-2%

Notary Public for Washington Residing at Renton My commission expires: 12/08/04

AFFIDAVIT OF SUPPLEMENTAL MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from Russell, Richard E. Grantor

to

DAVID E. FENNELL,

Trustee

File No. 7037.24084

After recording return to:

Northwest Trustee Services, LLC Attn: Becky Baker PO Box 4143 Bellevue, WA 98009-4143 JENNIFER JOKELA STATE OF WASHINGTON NOTARY ----- PUBLIC MY COMMISSION EXPIRES 12-08-04

#### AFFIDAVIT OF SUPPLEMENTAL 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:

Annette Gerlinde Rimer P.O. Box 697 Merrill, OR 97633-0697

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 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, 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  $4 \cdot 7 \cdot 0$ . 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 <u>4-7-</u>2001, by <u>Ben Kervin V. Math</u>.

Notary Public for Washington Residing at Renton My commission expires: 12/08/04

#### AFFIDAVIT OF SUPPLEMENTAL MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from

Russell, Richard E. Grantor

to DAVID E. FENNELL,

Trustee

File No. 7037.24084

After recording return to:

Northwest Trustee Services, LLC Attn: Becky Baker PO Box 4143 Bellevue, WA 98009-4143 JENNIFER JOKELA STATE OF WASHINGTON NOTARY ---- PUBLIC NY COMMISSION EXPIRES 12-08-04

#### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Richard E. Russell, an umarried man, as grantor, to First American Title Insurance Company of Oregon, as trustee, in favor of Sierra Pacific Mortgage Company, Inc., as beneficiary, dated 05/11/98, recorded 05/19/98, in the mortgage records of Klamath County, Oregon, in Volume M98, Page 17046 and subsequently assigned to Chase Manhattan Mortgage Corporation by Assignment recorded as Volume M98, Page 23837, covering the following described real property situated in said county and state, to wit:

Lot 10, Block 53, Second Hot Springs Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 1737 Menlo Way 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 \$442.39 beginning 09/01/00; plus late charges of \$17.65 each month beginning 09/16/00; plus prior accrued late charges of \$0.00; plus advances of \$47.00; 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: \$50,617.04 with interest thereon at the rate of 7.25 percent per annum beginning 08/01/00; plus late charges of \$17.65 each month beginning 09/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$47.00; 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 July 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 March / , 2001

David E. Fennell -- Trustee

For further information, please contact:

Becky Baker Northwest Trustee Services, LLC PO Box 4143 Bellevue, WA 98009-4143 (425) 586-1900 File No.7037.24084/Russell, Richard E.

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

7037.24084/Russell

29937

## **AFFIDAVIT OF NON-OCCUPANCY**

STATE OF OREGON	)
	) ss.
County of Klamath	)

I, Troy W. Garrison, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 2nd day of March, 2001, after personal inspection, I found the following described real property to be unoccupied:

Lot 10, Block 53, Second Hot Springs Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Commonly known as:

1737 Menlo Way Klamath Falls, OR 97601

I declare under the penalty of perjury that the above statements are true and correct.

Troy W. Garrison

SUBSCRIBED AND SWORN to before me this \_2<sup>th</sup> day of March, 2001, by Troy W. Garrison.



ret a. nuelsen Notary Public for Oregon

NATIONWIDE PROCESS SERVICE, INC. + 222 Century Tower + 1201 S.W. 12th Avenue + Portland, Oregon 97205 + (503) 241-0636

# Affidavit of Publication

## 29938

### 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

Lega1#3944

Trustee's		of	Sale	
Richard E	. Russe	11		

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

Four

Insertion(s) in the following issues: April 12, 19, 26, 2001

May 3, 2001

Total Cost: \$810.00

3rd Subscribed and sworn before me this

day of: May 2001

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 Richard E. Rus-sell, an unmarried man, as grantor; to First American Title Insurance Company of Oregon, as trust-ee, in favor of Sierra Pacific Mortgage Company, Inc., as beneficiary, dated 05/11/98, recorded 05/19/98, in the mortgage records of Klamath County, Oregon, in Volume M98, Page 17046 and subsequently as-Chase signed to Manhattan Mortgage Corporation by Assignment recoded Volume M98, Page 23837, covering the following described real property situated in said said county and state, to wit:

Lot 10, Block 53, Second Hot Springs Addition to est thereon at the the City of Klamath rate of 7.25 percent Falls, according to per the official plat ning thereof on file in the late office of the County of Klamath Clerk County, Oregon.

PROPER-TY ADDRESS: 1737 Menlo Way Klamath Falls, OR 97601

Both beneficiary and the attorneys fees incurtrustee have elected to sell he real property to satisfy the any further obligations secured by the trust deed beneficiary for the and a notice of de- protection fault has been re- above described real corded pursuant to property and its in-Oregon Revised terest therein. 86.735(3); Statutes the default for which

The foreclosure is WHERE-made is grantor's FORE, notice herefailure to pay when due the following sums: monthly pay-ments of \$442.39 beainnina 09/01/00; plus late charges of \$17.65 each month \$0.00; plus advances \$47.00; together of 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 erty which the granreal property and its interest therein.

By of said default the beneficiary has declared all sums owing on the obligation secured by the trust (grantor or grantor's immediately deed due and payable, est acquired said sums being the the execution following due following, \$50,617.04 with interannum . beginning 08/01/00; plus late charges of \$17.65 each month 09/16/00 beginning until paid; pl or accrued plus pri-ed late \$0.00; charges of advances plus of \$47.00; together with title expense, costs, the trustee's fees and red herein by reason of said default; and sums advanced by the. of the

WHERE-

by is given that the undersigned trustee will on July 6, 2001 at the hour of 10:00 o'clock, A.M. in accord with the standard time established 517.65 each month and finite stabilished beginning - 09/16/00; by ORS 187,110, at plus prior accrued the following place: late charges of inside the 1st floor \$0.00; plus advances lobby of he 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 proptor had or had powin. time of the execution by grantor of the trust deed, together with any interest which , the successors in interafter the execution of the trust deed, to satisfy the foregoing obligations thereby cured and the costs and expenses of sale. including а reasonable charge by the trustee. No-tice is further given that 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 occurred) default and by curing any

Page 1

other default com- DATED: March 1, plained of herein 2001 that is capable of David E. Fennell-being cured by ten- Trustee dering the perform. For further informa-ance required under tion, please contact: the obligation or Becky Baker 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 ex-penses actually in-curred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provide by said ORS 86.753. provided

ing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other as well as any other person owing an ob-ligation, the per-formance of which is secured by said trust deed, and the words "trustee" and "beneficiary", in-clude their, respec-five successors in interest, if any

Becky Baker Northwest T Services, LLC Trustee PO Box 4143 Bellevue, WA 98009-4143 4143 (425) 586-1900 File N 7037.24084/Russell, No. Richard E. State of Washington, State or washing County of King)ss: the undersigned, certify that the foregoing is a complete and accu-rate copy of the original trustee's notice of sale. David E. Fennell-Trustee Trustee THIS IS AN AT-TEMPT TO COL-LECT A DEBT AND ANY INFORMA-TION OBTAINED WILL BE USED FOR THAT PUR-POSE. #3944 April 12, 19, 26, 20001 20001 May 3, 2001 .

## 29939

### State of Oregon, County of Klamath

Recorded 06/21/01, at <u>3:37p.</u>m. In Vol. M01 Page 24924 Linda Smith. Fee\$ 76 ° County Clerk

