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Vol 1001 Page 30969

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:

Charles E. Bates
35088 South Chiloquin Road
Chiloquin, OR 97624

Charles E. Bates
P.O. Box 767
Chiloquin, OR 97624

The Klamath Tribes Housing
905 Main Street, Suite 613
Klamath Falls, OR 97601

Department of Human Resources
Child Support Section
1495 Edgewater Northwest
Salem, OR 97304

Janet M. Bates
35088 South Chiloquin Road
Chiloquin, OR 97624

Janet M. Bates
P.O. Box 767
Chiloquin, OR 97624

Hardy Myers
Attorney General-State of Oregon
1162 Court Street Northeast
Salem, OR 97310

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

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 3-21-01. 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 3/21, 2001 by Benjamin V. Mark

Notary Public for Washington

Residing at Kent

My commission expires: 2-10-02

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

**RE: Trust Deed from
Bates, Charles E. and Janet M.
Grantor**

**to
DAVID E. FENNELL,
Trustee**

File No. 7136.20651

After recording return to:

**Northwest Trustee Services, LLC
Attn: Vonnice Nave
PO Box 4143
Bellevue, WA 98009-4143**

**DOLORES L. SAN NICOLAS
STATE OF WASHINGTON
NOTARY ---- PUBLIC
MY COMMISSION EXPIRES 2-16-05**

Agb

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Charles E. Bates and Janet M. Bates, as grantor, to Amerititle, as trustee, in favor of Carolina Mortgage Brokers, Inc. d/b/a CMB Mortgage, a North Carolina corporation, as beneficiary, dated 12/01/97, recorded 12/05/97, in the mortgage records of Klamath County, Oregon, as 49663 and re-recorded on 3/1/2001 under Volume M01, Page 8350 and subsequently assigned to Chase Bank of Texas, N.A. fka Texas Commerce Bank, National Association, as Custodian nka Chase Manhattan Bank by Assignment recorded as Book M-98, Page 29432, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED

PROPERTY ADDRESS: 35088 South Chiloquin Road
Chiloquin, OR 97624


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 \$435.44 beginning 07/01/00; plus late charges of \$21.77 each month beginning 07/16/00; plus prior accrued late charges of \$0.00; plus advances of \$199.25; 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: \$40,407.35 with interest thereon at the rate of 12.5 percent per annum beginning 06/01/00; plus late charges of \$21.77 each month beginning 07/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$199.25; 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 07/20/01 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 3/15, 2009



David E. Fennell -- Trustee

For further information, please contact:

Vonnie Nave
Northwest Trustee Services, LLC
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7136.20651/Bates, Charles E. and Janet M.

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

EXHIBIT "A"

PARCEL 1:

A parcel of land situated in the NE 1/4 Section 17, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the point of intersection of the Northerly line of Government Lot 7 of said Section 17 and the Northwesternly right of way line of the Williamson River-Chiloquin State Highway; thence South 35 degrees 29' 10" West along said Northwesternly right of way line of said State Highway, 150.00 feet to the point of beginning of this description; thence South 35 degrees 29' 10" West continuing along above mentioned right of way line 200.00 feet; thence South 89 degrees 23' 16" West leaving said Northwesternly right of way line of said State Highway, 269.56 feet; thence North 35 degrees 20' 10" East, 200.00 feet; thence North 89 degrees 23' 16" East 269.56 feet to the point of beginning.

PARCEL 2:

A parcel of land situated in Government Lot 7, Section 17, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Commencing at the point of intersection of the North line of said Government Lot 7 with the Northwesternly right of way line of the Williamson River-Chiloquin State Highway; thence South 35 degrees 29' 10" West on said right of way line, 150.00 feet; thence South 89 degrees 23' 14" West, 269.56 feet to the point of beginning of this description; thence South 35 degrees 29' 10" West 200.00 feet; thence South 89 degrees 23' 14" West, 100.00 feet; thence North 23 degrees 23' 19" East, 98.14 feet; thence North 46 degrees 40' 24" East 106.05 feet; thence North 89 degrees 23' 14" East, 100.00 feet to the point of beginning.

CODE 118 MAP 3507-17AO TL 1100
CODE 118 MAP 3507-17AO TL 1201

PROOF OF SERVICE

STATE OF OREGON)
) ss.
County of Klamath)

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:

35088 SOUTH CHILOQUIN ROAD, CHILOQUIN, OREGON 97624, as follows:

Personal service upon Charles Bates, by delivering said true copy, personally and in person, at the above address on March 21, 2001 at 7:20 p.m.

Substitute service upon Janet Bates, by delivering said true copy, at his/her usual place of abode as indicated above, to Charles Bates, who is a person over the age of 14 years and a member of the household on March 21, 2001 at 7:20 p.m.

I declare under the penalty of perjury that the above statement is true and correct.

Tray W. Garrison 3-29-01
198877

SUBSCRIBED AND SWORN to before me this 29th day of March, 2001 by Troy Garrison.



Margaret C. Nielsen
Notary Public for Oregon

Northwest Trustee Services, LLC

30974

PO Box 4143
Bellevue, Washington 98009-4143
Telephone (425) 586-1900 Facsimile (425) 586-1997

June 21, 2001

7136.20651/Bates, Charles E. and Janet M.
All Occupants
35088 South Chiloquin Road
Chiloquin, OR 97624

RE: Meritech Mortgage Services, Inc. 10013426
RCF No.:7136.20651

Occupants:

Please be advised that the property in the above-referenced matter is scheduled to be sold at a Trustee's Sale on 07/20/01. According to ORS 86.755(5) the property must be vacated on or before the tenth day, 07/30/01, following the date of sale. Please vacate the property on or before that date.

If you have any questions, please contact an attorney.

Very truly yours,



Vonnie Nave
Foreclosure Analyst

for

Affidavit of Publication

30975

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#3971

Trustee's Notice of Sale

Charles E. Bates

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:

April 26, 2001

May 3, 10, 17, 2001

Total Cost: \$1093.50

Larry L. Wells
Subscribed and sworn before me this 17th day of: May 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 Charles E. Bates and Janet M. Bates, as grantor, to AmeriTitle, as trustee, in favor of Carolina Mortgage Brokers, Inc. d/b/a CMB Mortgage, a North Carolina corporation, as beneficiary, dated 12/01/97, recorded 12/05/97, in the mortgage records of Klamath County, Oregon, as 49663 and re-recorded on 3/1/2001 under Volume M01, Page 8350 and subsequently assigned to Chase Bank of Texas, N.A. fka Texas Commerce Bank, National Association, as Custodian nka Chase Manhattan Bank by Assignment recorded as Book M-98, Page 29432, covering the following described real property situated in said county and state, to wit:

PARCEL 1:
A parcel of land situated in the NE 1/4 Section 17, Township 35, South, Range 7 East of the Willamette Meridian, being more particularly described as follows: Commencing at the point of intersection of the Northerly line of Government Lot 7 of said Section 17 and the Northwest-erly right-of-way line of the William-son River-Chiloquin State Highway; thence South 35 de-grees 19'10" West long said Northwest-erly right-of-way

line of said State Highway, 150.00 feet to the point of be-ginning of this de-scription: thence South 35 degrees 29' 10" West continuing along above-men-tioned right-of-way line 200.00 feet: thence South 89 de-grees 23'16" West leaving said North-westerly right-of-way line of said State Highway, 269.56 feet: thence North 35 degrees 20'10" East, 200.00 feet: thence North 89. degrees 23'16" East 269.56 feet to the point of begin-nig.

PARCEL 2:
A parcel of land sit-uated in Govern-ment Lot 7, Section 17, Township 35 South, Range 7, East of the Willam-ette Meridian, Klamath County, Ore-gon, being more particularly descri-bed as follows: Commencing at the point of intersection of the North line of said Government Lot 7 with the North-westerly right of way line of the Wil-lamson River-Chilo-quin State Highway; thence South 35 de-grees 29' 10" West on said right of way line, 150.00 feet; thence South 89 de-grees 23'14' West, 269.56 feet to the POINT OF BEGIN-NING of this de-scription: thence South 35 degrees 29'10" West 200.00 feet; thence South 89 degrees 23'14" West 100.00 feet; thence

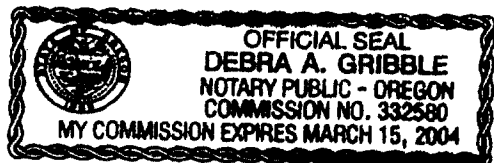
North 23 degrees 23'19" East 98.14 feet; thence North 46 degrees 40'24" East, 106.05 feet; thence North 89 de-grees 23'14" East, 100.00 feet to the point of beginning.

PROPERTY AD-DRESS: 35088 South Chiloquin Road, Chiloquin, OR 97624

Both the beneficiary and the trustee have elected to sell the real prop-erty to satisfy the obligations secured by the trust deed and a notice of de-fault has been re-corded 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 pay-ments of \$435.44 be-ginning 07/01/00; plus late charges of \$21.77 each month beginning 07/16/00; plus prior accruec late charges of \$0.00; plus advances of \$199.25; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said de-fault; and any fur-ther 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 de-clared all sums ow-ing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$40,407.35 with inter-



est thereon at the rate of 12.5 percent per annum beginning 06/01/00; plus late charges of \$21.77 each month beginning 07/16/00 until paid; plus prior accrued late charges of \$0.0; plus advances of \$199.25; 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 07/20/01 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 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 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 construe-

ing 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 15, 2001

David E. Fennell
Trustee

For further information, please contact:

Vonnie Nave
Northwest Trustee
Services, LLC
PO Box 4143
Bellevue, WA 98009-4143

(425) 586-1900
File No. 7136-20651/Bates, Charles E. and Janet M.

State of Washington,
County of King)ss:

I, the undersigned, certify that the foregoing is 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.

#3971 April 26, 2001
May 3, 10, 17, 2001