

01 JUL 5 PM 3:25

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

Vol M01 Page 32765

**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.**

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

**AFTER RECORDING RETURN TO**

T.D. Service Co.  
P.O. Box 11988  
Santa Ana, CA 92711-1988

*K56654*

**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**



**AFFIDAVIT OF PUBLICATION NOTICE OF SALE**



**PROOF OF SERVICE**

**Original Grantor on Trust Deed**

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**Beneficiary**

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#76K

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 01-00533

32766

Received for Service 02/22/01

I hereby certify that I received for service  
the within:

TRUSTEE'S NOTICE OF SALE

Further I certify that on 02/26/01, after personal inspection, I  
found the following described real property to be unoccupied:

3955 HOPE ST  
KLAMATH FALLS , Oregon.

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

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By Terri Alexander  
ALEXANDER, TERRI L

Copy to:

T D SERVICE COMPANY  
P.O. Box 11988  
SANTA ANNA

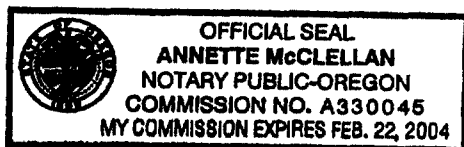
~~CA 92711~~  
CA 92711

KLAMATH COUNTY SHERIFF'S OFFICE  
TIMOTHY M. EVINGER, SHERIFF  
3300 VANDENBERG ROAD  
KLAMATH FALLS, OR 97603

State of Oregon  
County of Klamath

This instrument was acknowledged before me on March 1, 2001,  
by Terri Alexander, as a duly appointed and commissioned  
Deputy of Timothy M Evinger, Sheriff of Klamath County, Klamath Falls, Oregon.

Annette McClellan  
Notary for the State of Oregon



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

32767

I, Crystal Espinoza, 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 California a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under terms of that certain trust 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 addresses, attached hereto.

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 of 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 of 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 Kubat, OSBA No. 84265, 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 Santa Ana, CA on 3-22-01. With respect to each person listed on the attached, 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.

Crystal Espinoza  
CRYSTAL ESPINOZA

Subscribed and sworn before me this 22nd day of March, 2001

WITNESS my hand and official seal.

Cheryl L. Mondragon  
CHERYL L. MONDRAGON  
Notary Public for California  
My Commission Expires: 12-7-03



AFTER RECORDING RETURN TO:

T. D. SERVICE COMPANY  
1820 EAST FIRST STREET, SUITE 210  
SANTA ANA, CA 92705

TD # 0. 2011

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

32768

T.S.# 0 2011 F

Date: 03/22/01

JOHN J. GILL  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0006 2956  
RETURN RECEIPT REQUESTED

SPOUSE OF JOHN J. GILL  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0006 2963  
RETURN RECEIPT REQUESTED

SPOUSE OF JOHN J. GILL  
C/O WILLIAMS WILSON  
2016 CLUBHOUSE WAY #3  
BILLINGS, MT 59105

CERTIFIED 7105 2257 2920 0006 2970  
RETURN RECEIPT REQUESTED

JOHN J. GILL  
C/O WILLIAMS WILSON  
2016 CLUBHOUSE WAY #3  
BILLINGS, MT 59105

CERTIFIED 7105 2257 2920 0006 2987  
RETURN RECEIPT REQUESTED

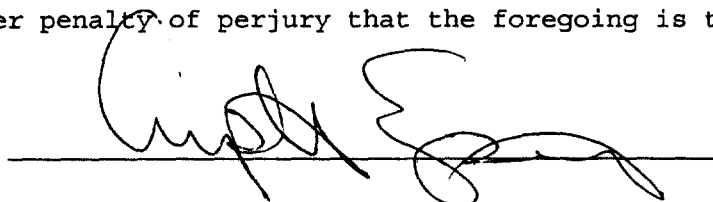
OCCUPANT  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0006 2994  
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA  
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.



AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

32769

T.S.# O 2011 F

Date: 03/22/01

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

JOHN J. GILL  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

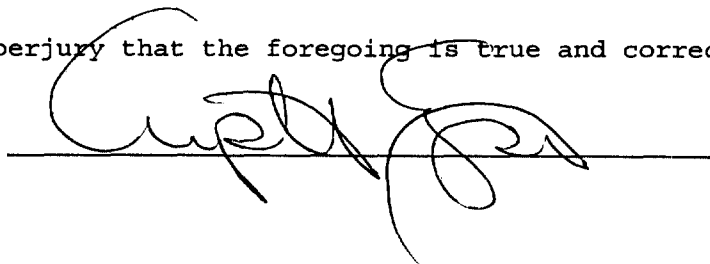
SPOUSE OF JOHN J. GILL  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

SPOUSE OF JOHN J. GILL  
C/O WILLIAMS WILSON  
2016 CLUBHOUSE WAY #3  
BILLINGS, MT 59105

JOHN J. GILL  
C/O WILLIAMS WILSON  
2016 CLUBHOUSE WAY #3  
BILLINGS, MT 59105

OCCUPANT  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

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



STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, SUSAN EARNEST 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 California a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under terms of that certain trust 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 addresses, attached hereto.

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 of 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 of 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 Kubat, OSBA No. 84265, 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 Santa Ana, CA on 3-8-01. With respect to each person listed on the attached, 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.

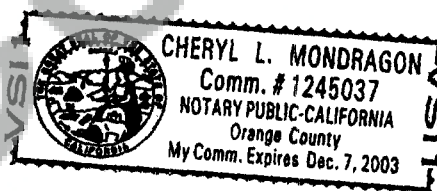
Susan Earnest  
SUSAN EARNEST

Subscribed and sworn before me this 8<sup>th</sup> day of March, 01

WITNESS my hand and official seal.

Cheryl L. Mondragon

Notary Public for California  
My Commission Expires: 12-7-2003



AFTER RECORDING RETURN TO:

T. D. SERVICE COMPANY  
1820 EAST FIRST STREET, SUITE 210  
SANTA ANA, CA 92705

TD # 0-2001

## DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

32771

T.S.# O 2011 F

Date: 03/08/01

/JOHN J. GILL  
3555 HOPE ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0004 6864  
RETURN RECEIPT REQUESTED

/SPOUSE OF JOHN J. GILL  
3555 HOPE ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0004 6871  
RETURN RECEIPT REQUESTED

/OCCUPANT  
3555 HOPE ST  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0004 6888  
RETURN RECEIPT REQUESTED

/JOHN J. GILL  
C/O WILLIAMS WILSON  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0004 6895  
RETURN RECEIPT REQUESTED

/SPOUSE OF JOHN J. GILL  
C/O WILLIAMS WILSON  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0004 6901  
RETURN RECEIPT REQUESTED

/SPOUSE OF JOHN J. GILL  
2016 CLUBHOUSE WAY #3  
BILLINGS, MT 95105

CERTIFIED 7105 2257 2920 0004 6918  
RETURN RECEIPT REQUESTED

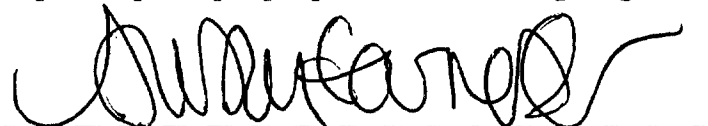
JOHN J. GILL  
2016 CLUBHOUSE WAY #3  
BILLINGS, MT 95105

CERTIFIED 7105 2257 2920 0004 6925  
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA  
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.





AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

32772

T.S.# 0 2011 F

Date: 03/08/01

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

JOHN J. GILL  
3555 HOPE ST  
KLAMATH FALLS, OR 97603

SPOUSE OF JOHN J. GILL  
3555 HOPE ST  
KLAMATH FALLS, OR 97603

OCCUPANT  
3555 HOPE ST  
KLAMATH FALLS, OR 97603

JOHN J. GILL  
C/O WILLIAMS WILSON  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

SPOUSE OF JOHN J. GILL  
C/O WILLIAMS WILSON  
3955 HOPE STREET  
KLAMATH FALLS, OR 97603

SPOUSE OF JOHN J. GILL  
2016 CLUBHOUSE WAY #3  
BILLINGS, MT 95105

JOHN J. GILL  
2016 CLUBHOUSE WAY #3  
BILLINGS, MT 95105

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

  
\_\_\_\_\_



RE: Loan #: FC50198/100768042  
Title #: 689686/ (800) 989-4240  
UTC #: 0-2011

**OREGON  
TRUSTEE'S NOTICE OF SALE**

TO: JOHN J. GILL

Reference is made to that certain deed of trust made by JOHN J. GILL AN ESTATE IN FEE SIMPLE  
in favor of ASPEN TITLE INDYMAC MORTGAGE HOLDINGS, INC. as grantor,  
as trustee,  
as beneficiary,  
dated APRIL 05, 2000, recorded APRIL 11, 2000, in the  
mortgage records of KLAMATH County, Oregon, in book/reel/  
volume No. M00 at page 11842, (fee/file/instrument No. -- )  
covering the following described real property situated in said county and state, to wit:

LOT 6, BLOCK 7, SECOND ADDITION TO BUREKER PLACE, IN THE COUNTY OF KLAMATH, STATE OF  
OREGON.  
MORE COMMONLY KNOWN AS: 3955 HOPE STREET, KLAMATH FALLS, OR 97603

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations  
secured by said deed of trust and a notice of default has been recorded pursuant to Oregon Revised Statutes  
86.735; the default for which the foreclosure is made is grantor's failure to pay when due the following  
sums:

3 Late Charge(s) of \$39.14 from 11/16/00	117.42
4 Payments of \$941.19 from 11/01/00	3,764.76
	-----
SUB-TOTAL OF AMOUNTS IN ARREARS:	3,882.18

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said deed  
of trust immediately due and payable, said sums being the following, to wit: Principal \$ 92,858.33 ,  
together with interest as provided in the note or other instrument secured from the 1ST day of  
OCTOBER , 2000 and such other costs and fees as are due under the note or other instrument  
secured, and as are provided by statute.

Wherefore, notice is hereby given that the undersigned trustee will on JULY 06, 2001 ,  
at the hour of 10 : 00 AM , o'clock, Standard Time, as established by ORS 187.110, at MAIN  
STREET ENTRANCE, 316 MAIN STREET, KLAMATH CO. COURTHOUSE KLAMATH FALLS

State of Oregon, sell at public auction to the highest bidder for cash the interest  
in the said described real property which the grantor had or had power to convey at the time of the execution  
by him of the said trust deed, together with any interest which which the grantor or his successors in  
interest acquired after the execution of said 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.

It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check.

The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

In construing this notice, the masculine gender includes the feminine and the neuter, 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: FEBRUARY 15, 2001

David A. Kubat, OSBA# 84265  
(Successor Trustee)

BY: 

DIRECT INQUIRIES TO:  
T.D. SERVICE COMPANY  
FORECLOSURE DEPARTMENT  
(800) 843-0260 EXT 5690

# Affidavit of Publication

32775

## 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 #4038

TRUSTEE'S NOTICE OF SALE

JULY 11, 2001

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:

MAY 16, 23, 30, 2001

JUNE 6, 2001

Total Cost: \$688.50

Subscribed and sworn before me this 6th day of: June 2001

Notary Public of Oregon

My commission expires March 15, 2004

Re: Loan #:  
FC50198/100768042  
Title#  
689686/(800)989-4240  
UTC #: 0-2011

### OREGON TRUSTEE'S NOTICE OF SALE

TO: JOHN GILL  
Reference is made to that certain deed of trust made by JOHN J. GILL AN ESTATE IN FEE SIMPLE, as grantor, ASPEN TITLE, as trustee, in favor of INDYMAC MORTGAGE HOLDINGS INC. as beneficiary, dated APRIL 05, 2000, re-

corded APRIL 11, 2000, in the mortgage records of KLAMATH, County, Oregon, in book/reel/ volume No. MOO at page 11842, (fee/file/instrument No.) covering the following described real property situated in said county and state, to wit:  
LOT 6, BLOCK 7, SECOND ADDITION TO BUREKER PLACE, IN THE COUNTY OF KLAMATH, STATE OF OREGON, MORE COMMONLY KNOWN AS: 3955 HOPE STREET, KLAMATH FALLS, OR 97603  
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said deed of trust and a notice of default has been recorded pursuant to Oregon revised Statutes 86.735; the default for which the foreclosure is made is grantor's failure

to pay when due the following sums:  
3 Late Charge(s) of \$39.14 from 11/16/00 \$117.42  
4 Payments of \$941.19 from 11/01/00 \$3,764.76

SUB-TOTAL OF AMOUNTS IN ARREARS: \$3,882.18

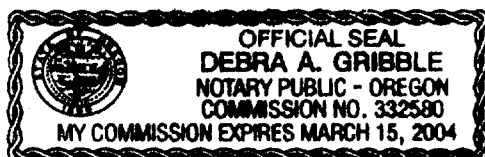
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said deed of trust immediately due and payable, said sums being the following, to wit: Principal \$92,858.33 together with interest as provided in the note or other instrument secured from the 1st day of OCTOBER, 2000 and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

Wherefore, notice is hereby given, that the undersigned trustee will on JULY 06, 2001 at the hour of 10:00 AM, o'clock, Standard Time, as established by ORS 187.110 at MAIN STREET ENTRANCE, 316 MAIN STREET, KLAMATH CO. COURT-HOUSE KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby se-

cured 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 ex-

penses 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. It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff, so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check.



32776

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the work "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: FEBRUARY 15, 2001  
David A. Kubat  
OSBA#84265  
(Successor Trustee)  
Direct Inquiries to  
T.D. Service Company  
Foreclosure Department  
(800) 843-0260  
Ext 5690  
Tac 469420W  
#4038, May 16, 23, 30,  
2001  
June 2, 2001

5025

State of Oregon, County of Klamath  
Recorded 07/05/01 at 3:25 p.m.  
In Vol. M01 Page 3 2765  
*Linda Smith,*  
County Clerk Fee \$ 76.00