

01 JUL 10 PM 3:08

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from Rebecca Klise

To

Grantor

Glenn H. Prohaska

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

T 30380

KS6571

STATE OF OREGON )  
 ) 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.

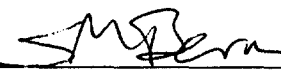
I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME	ADDRESS
Rebecca Klise	527 Nosler, Klamath Falls, OR 97601

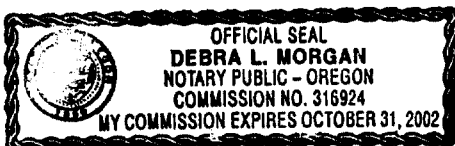
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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.\*

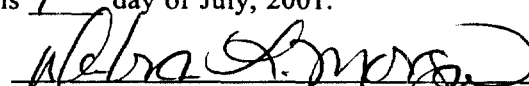
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Steven M. Berne, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Portland, Oregon, on February 6, 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 7<sup>th</sup> day of July, 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.

K411

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Rebecca Klise, as grantor, to Glenn H. Prohaska, as trustee, in favor of Green Tree Financial Servicing Corporation nka Conseco Finance Servicing Corp., as beneficiary, dated October 28, 1999, recorded on November 5, 1999, in the Records of Klamath County, Oregon, in ~~book/reel~~ volume No. M99 at page 44336, ~~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:

Lots 9 and 10, Block 14, KLAMATH LAKE ADDITION to the City of Klamath Falls, and more commonly known as 527 Nosler, Klamath Falls, Oregon 97601; and, a 1998 Silvercrest 24x60 manufactured home, serial number 17710694A

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>
9/1/00	\$678.99		
10/1/00	\$678.99		
11/1/00	\$678.99		
12/1/00	\$678.99		
1/1/01	\$678.99		
Plus late charges of \$20.00			

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 November 8, 2000, \$84,712.69, plus thereafter interest, cost and charges.

WHEREFORE, notice is hereby given that the undersigned trustee will on June 11, 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 front steps, 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 6 day of February, 2001

  
\_\_\_\_\_  
Steven M. Berne, Trustee

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:

RETURN OF SERVICE

STATE OF OREGON )  
 ) ss.  
County of Klamath )

Court Case No. \_\_\_\_\_

Case No. \_\_\_\_\_

I hereby certify that I received on \_\_\_\_\_ the within:

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

Trustees Notice of Sale

for service on the within named: Rebecca Klise

SERVED Rebecca Klise at 527 Nosler 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.

OTHER METHOD \_\_\_\_\_

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: 7-8-1 11:47 AM

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

ARRITOLA INVESTIGATIONS

By Cale Arritola

# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager, being first duly sworn, despose 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#3916

Trustee's Notice of Sale

Rebecca Klise

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

( 4 ) insertion(s) in the following issues:

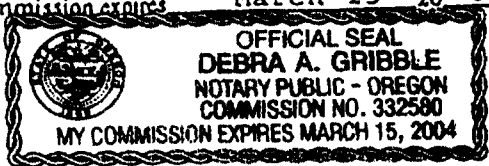
April 2, 9, 16, 23, 2001

Total Cost: \$648.00

Subscribed and sworn before me this 23rd day of April 20 01

Debra A. Subble  
Notary Public of Oregon

My commission expires March 15 20 04



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**DUE DATE**  
9/7/00  
10/1/00  
11/1/00  
12/1/00  
1/1/01

**PRINCIPAL & INTEREST**  
\$678.99  
\$678.99  
\$678.99  
\$678.99  
\$678.99

**INSURANCE ESCROW AMOUNT**  
Plus late charges of \$20.00

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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.

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DATED this 6th day of February, 2001  
Steven M. Berne  
Trustee  
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  
#3916 April 2, 9, 16, 23, 2001

State of Oregon, County of Klamath  
Recorded 07/10/01 at 3:08 p. m.  
In Vol M01 Page 33458  
Linda Smith,  
County Clerk Fee\$ 41.00