

01 JUL 12 PM 3:08

K56697

Affidavit of Publication

708664

STATE OF OREGON,
COUNTY OF KLAMATH

Vol M01 Page 33941

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 #4111

NOTICE OF TRUSTEE'S SALE

JULY 27, 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:

JUNE 6, 13, 20, 27 2001

Total Cost: \$864.00

Larry L. Wells
Subscribed and sworn before me this 27TH day of: JUNE 2001

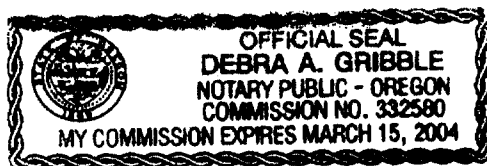
Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

RE: 20, ORIGINAL
Loan#: 1406990/14069 TOWN OF MER-
87 RILL, ACCORDING
Title#: 708664/(800) TO THE OFFICIAL
989-4240 PLAT THEREOF
UTC#: 0-2033 ON FILE IN THE
OFFICE OF THE
OREGON COUNTY CLERK
TRUSTEE'S OF KLAMATH
NOTICE OF SALE COUNTY, ORE-
TO: BRADLEY GON. MORE COM-
J. S. ROSS AND MONLY KNOWN
KIMBERLY R AS: 215 NORTH
ROSS MAIN ST., MER-
Reference is made RILL, OR 97633.
to that certain deed Both the beneficiary
of trust made by and the trustee have
BRADLEY J.S. elected to sell the
ROSS AND KIMBERLY said real property to
R. ROSS, as grantor, satisfy the obliga-
RECD, USDA, ACTING tions secured by
THROUGH OREGON said deed of trust
STATE, as trustee, in and a notice of de-
favor of RURAL fault has been re-
DEVELOPMENT, ACT corded pursuant to
ING ON BEHALF OF Oregon Revised
THE RURAL HOUSING Statutes 86.735; the
SERVICE, SUCCESSOR default for which the
IN INTEREST TO foreclosure is made
FmHA, ST. OF OREGON, is grantor's failure
USDA as beneficiary, to pay when due the
dated SEPTEMBER following sums:
01, 1993, recorded 2 Payments of
SEPTEMBER 03, \$328.75 from
1996, in the mortgage 02/01/01: \$657.50
records of KLAMATH, 1 Payment of \$561.46
County of Oregon, in from 01/01/01:
book/reel/volume No. \$561.46
M-93 at page 22626, 2 Payment of \$328.75
(fee/file/instrument from 11/01/00:
No. 67540*) covering \$657.50
the following 5 Payments of
described real \$329.39 from
property situated in 06/01/00: \$1,646.95
said county and SUB-TOTAL FOR
state, to wit: AMOUNTS IN AR-
*AND DEED OF REARS: \$3,523.41
TRUST DATED By reason of said
2/1/88 RECORDED default the benefi-
2/2/88 IN INSTRU ciary has declared
MENT NUMBER all sums owing on
33948 BOOK M88 the obligation se-
PAGE 1459 cured by said deed
GEORGE MARION of trust immediately
GRIEB AND GLA due and payable,
DYS ELVA GRIEB said sums being the
GRANTOR, AS following, to wit:
SUMPTION *Principal \$42,786.05*
AGREEMENT together with inter-
DATED 9/1/93. est as provided in
LOT 6 IN BLOCK the note or other in-
strument secured
from the 1ST day of

MAY, 2000 and su
other costs and fe
as are due under t
note or other instr
ment secured, a
as provided by sta
ute. *PLUS SUBS
DY RECAPTUR
IN THE AMOUN
OF \$3,348.00. PL
FEES DUE IN TH
AMOUNT C
\$232.71.
Wherefore, notice
hereby given th
the undersign
trustee will on J
LY 27, 2001 at 1
hour of 10:00 A
o'clock, Standa

Time, as establishe
by ORS 187.410, a
MAIN STREET EN
TRANCE, 316 MAIN
STREET, KLA-
MATH CO. COURT
HOUSE KLAMATH
FALLS, County of
KLAMATH, State of
Oregon, sell at pub
lic 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 in-
terest which the
grantor or his suc-
cessors in interest
acquired after the
execution of said
trust deed, to satisfy
the foregoing obliga-
tions thereby se-
cured and the costs
and expenses of
sale, including a
reasonable charge
by the trustee.
Notice is further
given that any per-
son 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 proceed-



K66

ing 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 that 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: 3-7-01
David A. Kubat
OSBA#84265
(Successor Trustee)
DIRECT INQUIRIES TO:
T.D. SERVICE
COMPANY
FORECLOSURE
DEPARTMENT
(800) 843-0260 EXT
5690
TAC
U6977SW
#4111 June 6, 13, 20,
27, 2001

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 01-00769

33943

Received for Service 03/14/01

I hereby certify that I received for service
the within:

02033

TRUSTEE'S NOTICE OF SALE

Further I certify that on 03/19/01, after personal inspection, I
found the following described real property to be unoccupied:

215 MAIN ST
MERRILL, 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

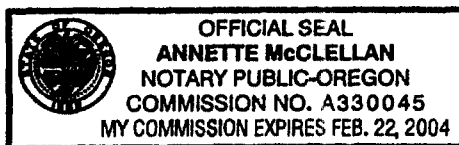
Copy to:

T D SERVICE COMPANY
SANTA ANNA

PO BOX 11988
CA 92711

State of Oregon
County of Klamath

This instrument was acknowledged before me on April 2, 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
My Commission Expires: 2-22-04

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

33944

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

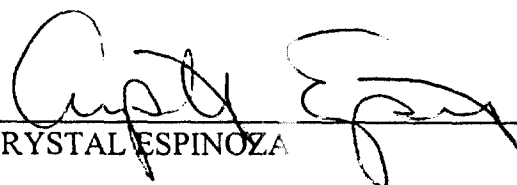
I, Crystal Espinoza, being first duly sworn, depose, and say and certify that: At all times hereinafter mentioned I was and now am a resident of the State of California a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original 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.

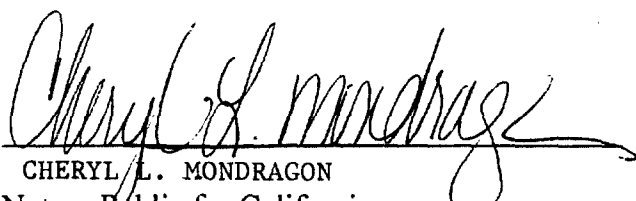
Each of the notices so mailed was certified to be a true copy of the original notice of sale by David Kubat, OSBA No. 84265, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Santa Ana, CA on 3-28-01. 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

Subscribed and sworn before me this 28th day of March, 2001

WITNESS my hand and official seal.


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 #

0-2033

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

33945

T.S.# O 2033 F

Date: 03/28/01

BRADLEY J. S. ROSS
215 MAIN ST
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0067
RETURN RECEIPT REQUESTED

SPOUSE OF BRADLEY J. S. ROSS
215 MAIN ST
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0074
RETURN RECEIPT REQUESTED

BRADLEY J. S. ROSS
4315 HWY. 39
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0007 0081
RETURN RECEIPT REQUESTED

SPOUSE OF BRADLEY J. S. ROSS
4315 HWY. 39
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0007 0098
RETURN RECEIPT REQUESTED

BRADLEY J. S. ROSS
P.O. BOX 1074
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0007 0104
RETURN RECEIPT REQUESTED

SPOUSE OF BRADLEY J. S. ROSS
P.O. BOX 1074
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0007 0111
RETURN RECEIPT REQUESTED

BRADLEY J. S. ROSS
P.O. BOX 435
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0128
RETURN RECEIPT REQUESTED

SPOUSE OF BRADLEY J. S. ROSS
P.O. BOX 435
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0135
RETURN RECEIPT REQUESTED

KIMBERLY R. ROSS
215 N. MAIN ST
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0142
RETURN RECEIPT REQUESTED

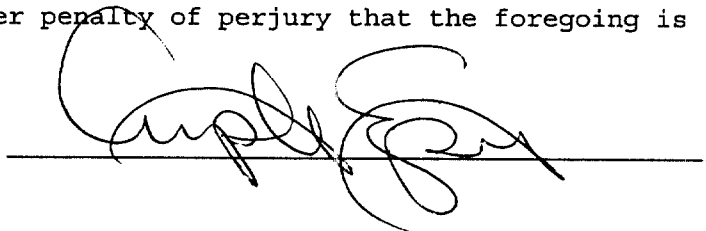
OCCUPANT
215 N. MAIN ST
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0159
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.



T.S.# O 2033 F
BRADLEY J.S. ROSS
3850 CREST
KLAMATH FALLS, OR 97603

Date: 03/28/01
CERTIFIED 7105 2257 2920 0007 0166
RETURN RECEIPT REQUESTED

KIMBERLY R. ROSS
3850 CREST
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0007 0173
RETURN RECEIPT REQUESTED

GEORGE MARION GRIEB
215 N. MAIN ST
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0180
RETURN RECEIPT REQUESTED

GLADYS ELVA GRIEB
215 N. MAIN ST
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0197
RETURN RECEIPT REQUESTED

GLADYS ELVA GRIEB
P.O. BOX 506
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0203
RETURN RECEIPT REQUESTED

GEORGE MARION GRIEB
P.O. BOX 506
MERRILL, OR 97633

CERTIFIED 7105 2257 2920 0007 0210
RETURN RECEIPT REQUESTED

BRADLEY J.S. ROSS
P.O. BOX 484
MERRILL, OR 97601

CERTIFIED 7105 2257 2920 0007 0227
RETURN RECEIPT REQUESTED

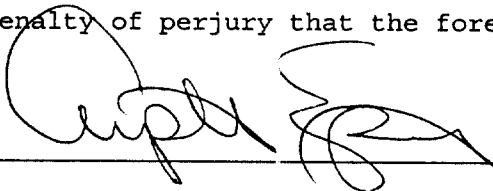
KIMBERLY R. ROSS
P.O. BOX 484
MERRILL, OR 97601

CERTIFIED 7105 2257 2920 0007 0234
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

33947

T.S.# O 2033 F

Date: 03/28/01

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:

BRADLEY J. S. ROSS
215 MAIN ST
MERRILL, OR 97633

SPOUSE OF BRADLEY J. S. ROSS
215 MAIN ST
MERRILL, OR 97633

BRADLEY J. S. ROSS
4315 HWY. 39
KLAMATH FALLS, OR 97603

SPOUSE OF BRADLEY J. S. ROSS
4315 HWY. 39
KLAMATH FALLS, OR 97603

BRADLEY J. S. ROSS
P.O. BOX 1074
KLAMATH FALLS, OR 97601

SPOUSE OF BRADLEY J. S. ROSS
P.O. BOX 1074
KLAMATH FALLS, OR 97601

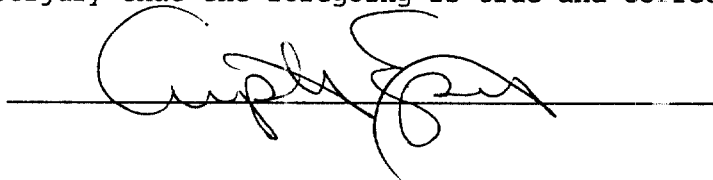
BRADLEY J. S. ROSS
P.O. BOX 435
MERRILL, OR 97633

SPOUSE OF BRADLEY J. S. ROSS
P.O. BOX 435
MERRILL, OR 97633

KIMBERLY R. ROSS
215 N. MAIN ST
MERRILL, OR 97633

OCCUPANT
215 N. MAIN ST

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



AFFIDAVIT OF MAILING
BY FIRST CLASS MAIL

33948

T.S.# O 2033 F

Date: 03/28/01

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:

MERRILL, OR 97633

BRADLEY J.S. ROSS
3850 CREST
KLAMATH FALLS, OR 97603

KIMBERLY R. ROSS
3850 CREST
KLAMATH FALLS, OR 97603

GEORGE MARION GRIEB
215 N. MAIN ST
MERRILL, OR 97633

GLADYS ELVA GRIEB
215 N. MAIN ST
MERRILL, OR 97633


GLADYS ELVA GRIEB
P.O. BOX 506
MERRILL, OR 97633

GEORGE MARION GRIEB
P.O. BOX 506
MERRILL, OR 97633

BRADLEY J.S. ROSS
P.O. BOX 484
MERRILL, OR 97601

KIMBERLY R. ROSS
P.O. BOX 484
MERRILL, OR 97601

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



OREGON
TRUSTEE'S NOTICE OF SALE

33949

TO: BRADLEY J.S. ROSS AND KIMBERLY R. ROSS

Reference is made to that certain deed of trust made by BRADLEY J.S. ROSS AND KIMBERLY R. ROSS, as grantor, RECD, USDA, ACTING THROUGH OREGON STATE, as trustee, in favor of RURAL DEVELOPMENT, ACTING ON BEHALF OF THE RURAL HOUSING SERVICE, SUCCESSOR IN INTEREST TO FmHA, ST. OF OREGON, USDA, as beneficiary, dated SEPTEMBER 01, 1993, recorded SEPTEMBER 03, 1996, in the mortgage records of KLAMATH County, Oregon, in book/reel/ volume No. M-93 at page 22626, (fee/file/instrument No. 67540*) covering the following described real property situated in said county and state, to wit:

*AND DEED OF TRUST DATED 2/1/88 RECORDED 2/2/88 IN INSTRUMENT NUMBER 83948 BOOK M88 PAGE 1459 GEORGE MARION GRIEB AND GLADYS ELVA GRIEB GRANTOR, ASSUMPTION AGREEMENT DATED 9/1/93.
LOT 6 IN BLOCK 20, ORIGINAL TOWN OF MERRILL, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.
MORE COMMONLY KNOWN AS: 215 NORTH MAIN ST., MERRILL, OR 97633

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:

2 Payments of \$328.75 from 02/01/01	657.50
1 Payments of \$561.46 from 01/01/01	561.46
2 Payments of \$328.75 from 11/01/00	657.50
5 Payments of \$329.39 from 06/01/00	1,646.95

SUB-TOTAL OF AMOUNTS IN ARREARS:	3,523.41

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 \$ 42,786.05*, together with interest as provided in the note or other instrument secured from the 1ST day of MAY, 2000 and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute. *PLUS SUBSIDY RECAPTURE IN THE AMOUNT OF \$3,348.00. PLUS FEES DUE IN THE AMOUNT OF \$232.71.

Wherefore, notice is hereby given that the undersigned trustee will on JULY 27, 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

, County of KLAMATH 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 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: 3-7-01

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

BY: 

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

State of Oregon, County of Klamath
Recorded 07/12/01 at 2:08 p.m.
In Vol. M01 Page 33941
Linda Smith,
County Clerk Fee \$ 66⁰⁰