

K56304

**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:

Jerry A. Rajnus  
32942 Rajnus Road  
Malin, OR 97632

Dixie Rajnus  
32942 Rajnus Road  
Malin, OR 97632

Cascade Automotive, Inc.  
2128 Washburn Way  
Klamath Falls, OR 97603

Merrilees Oil Company, Inc.  
22801 South Merrill Road  
Merrill, OR 97633

Merrilees Oil Company, Inc.  
P.O. Box 296  
Merrill, OR 97633

Merrilees Oil Company, Inc.  
c/o Neal G. Buchanan, Atty.  
435 Oak Avenue  
Klamath Falls, OR 97601

Carter-Jones Collections, LLC  
1143 Pine Street  
Klamath Falls, OR 97601

Cascade Automotive, Inc.  
c/o Randall Nunes, Reg. Agent  
2128 Washburn Way  
Klamath Falls, OR 97632

Merrilees Oil Company  
c/o James R. Merrilees, Reg. Agent  
22801 South Merrill Road  
Merrill, OR 97633

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 4-18-01. 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 4/10, 2001, by

*[Signature]*  
*[Signature]*

Notary Public for Washington

Residing at Kent

My commission expires: 2-16-05

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

RE: Trust Deed from  
Rajnus, Jerry A. and Dixie  
Grantor

to  
DAVID E. FENNELL,  
Trustee

File No. 7090.20138

After recording return to:

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

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

K51-

## PROOF OF SERVICE

35878

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:

**32942 RAJNUS ROAD, MALIN, OREGON 97632**, as follows:

Personal service upon Jerry Rajnus Jr., by delivering said true copy, personally and in person, at the above address on Apr. 17, 2001 at 8:18 p.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2001 at \_\_\_\_\_:\_\_\_\_\_.m.

Substitute service upon \_\_\_\_\_, by delivering said true copy, at his/her usual place of abode as indicated above, to \_\_\_\_\_ who is a person over the age of 14 years and a member of the household on \_\_\_\_\_, 2001 at \_\_\_\_\_:\_\_\_\_\_.m.

Substitute service upon \_\_\_\_\_, by delivering said true copy, at his/her usual place of abode as indicated above, to \_\_\_\_\_ who is a person over the age of 14 years and a member of the household on \_\_\_\_\_, 2001 at \_\_\_\_\_:\_\_\_\_\_.m.

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

Troy W. Garrison 4-18-01  
225044

SUBSCRIBED AND SWORN to before me this 18<sup>th</sup> day of April, 2001 by Troy W. Garrison



Margaret A. Nielsen  
Notary Public for Oregon

# Northwest Trustee Services, LLC

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

35879

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July 18, 2001

7090.20138/Rajnus, Jerry A. and Dixie  
All Occupants  
32942 Rajnus Road  
Malin, OR 97632

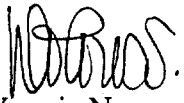
RE: Option One 2800118  
RCF No.:7090.20138

Occupants:

Please be advised that the property in the above-referenced matter is scheduled to be sold at a Trustee's Sale on 08/17/01. According to ORS 86.755(5) the property must be vacated on or before the tenth day, 08/27/01, 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,

  
Vonnice Nave  
for Foreclosure Analyst

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Jerry A. Rajnus and Dixie Rajnus, an estate in fee simple as tenants by the entirety, as grantor, to Mark H. Peterman, as trustee, in favor of BNC Mortgage, Inc., a Delaware corporation, as beneficiary, dated 03/16/00, recorded 03/24/00, in the mortgage records of Klamath County, Oregon, as Volume M00 Page 9689 and subsequently assigned to First Union National Bank, as trustee of the Amortizing Residential Collateral Trust, Series 2000-BC3, without recourse by Assignment, covering the following described real property situated in said county and state, to wit:

The following described real property situate in Klamath County, Oregon: All in Township 41 South, Range 12 East of the Willamette Meridian: Section 15: Southeast 1/4 Northeast 1/4 and That part of the Northeast 1/4 Southeast 1/4 lying North of the "D" Canal, as follows: a Tract of Land comprising 10 acres, more or less, located in the Northeast 1/4 Southeast 1/4, Section 15, Township 41 South, Range 12 East of the Willamette Meridian and more particularly describes as follows: Beginning at the Northwest corner of said Northeast 1/4 Southeast 1/4 of said Section 15, Township 41 South, Range 12, East of the Willamette Meridian: thence South on the 40 line of the North right of way line of the "D" Canal of the U.S. Reclamation Service as now located and constructed; thence following said North right of way line of said "D" Canal in a Southeasterly direction to its intersection with the East line of said Northeast 1/4 Southeast 1/4 of said Section 15; thence North on the Section line to the Northeast corner of said Northeast 1/4 Southeast 1/4 of said Section 15; thence West on the East and West 1/2 Section line to the Point of Beginning.

PROPERTY ADDRESS: 32942 Rajnus Road  
Malin, OR 97632

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 \$828.80 beginning 09/01/00; plus late charges of \$41.44 each month beginning 09/16/00; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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: \$84,884.86 with interest thereon at the rate of 11.3 percent per annum beginning 08/01/00; plus late charges of \$41.44 each month beginning 09/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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 08/17/01 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.

35881

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.

DAVID E. FENNELL

DATED 4/11, 2001

By

  
Authorized Signature

TRUSTEE

For further information, please contact:

Vonnie Nave  
Northwest Trustee Services, LLC  
PO Box 4143  
Bellevue, WA 98009-4143  
(425) 586-1900  
File No. 7090.20138/Rajnus, Jerry A. and Dixie

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.

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By Authorized Signer

TRUSTEE

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**

# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

35882

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#4072

Trustee's Notice of Sale

Jerry Rajnus

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 24, 31, 2001

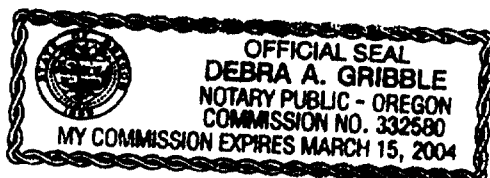
June 7, 14, 2001

Total Cost: \$972.00

Subscribed and sworn before me this 14th day of: June 2001

Notary Public of Oregon

My commission expires March 15, 2004



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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.

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ing 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.

DAVID E. FENNEL

By Trustee

DATED 04/11/01

For further information, please contact:

Vonnie Nave

Northwest Trustee

Services, LLC

PO Box 4143

Bellevue, WA 98009

4143

(425) 586-1900

File No.

7090.20138/Rajhus,

Jerry A. and Dixie

State of Washington,

County of King)ss

I, the

under-

signed, certify that

the foregoing is a

complete and accurate

copy of the

original trustee's notice

of sale.

David E. Fennell

Trustee

THIS COMMUNICA-

TION IS FROM A

DEBT COLLECTOR

AND IS AN AT-

TEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED OR THAT PURPOSE. #4072 May 24 31, 2001 June 7, 14, 2001

35883

Received  
JUL 9 - 2001  
Routh Crabtree & Fennell

State of Oregon, County of Klamath  
Recorded 07/20/01 at 2:41 p. m.  
In Vol. M01 Page 35877  
Linda Smith,  
County Clerk Fee \$ 5/00