

After recording return to: ^{EX} William M. Ganong
Attorney at Law
514 Walnut Avenue
Klamath Falls, OR 97601

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

STATE OF OREGON, County of Klamath, ss:

I, William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601, being first duly sworn, depose, say and certify that:

I am the Trustee or Successor Trustee for the Trust Deed more particularly described in the Notice of Default and Election to Sell and Trustee's Notice of Sale recorded in Volume M01 at page 13309 of the records of the Clerk of Klamath County, Oregon.

On April 10, 2001, I deposited with the United States Postal Service at Klamath Falls, Oregon, sealed envelopes each containing a Trustee's Notice of Sale executed by me and containing the information shown on the Trustee's Notice of Sale attached hereto. I mailed one such envelope by First Class Mail and one such envelope by Certified Mail with Return Receipt Requested, postage prepaid, to each of the following named parties at the following addresses:

Allen D. Merck
1967 Lawrence Street
Klamath Falls OR 97601

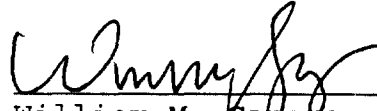
Klamath County Tax Collector
305 Main Street
Klamath Falls OR 97601

Associates Financial Services
Company of Oregon, Inc.
2047 Washburn Way
Klamath Falls OR 97603

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

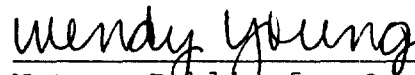
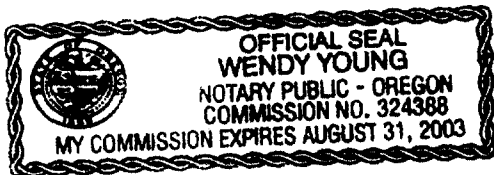
beneficiary has actual notice; (c) any person or agency having a lien or interest subsequent to the Trust Deed, which lien or interest appears of record or which the beneficiary has actual notice; and (d) any person requesting notice as provided in ORS 86.785.

The addresses shown above are the last known addresses of said parties.



William M. Ganong, OSB No. 78213
Successor Trustee

This instrument was acknowledged before me on the 7th day of August, 2001 by William M. Ganong as Successor Trustee.



Notary Public for Oregon

My commission expires: 8-31-2003

TRUSTEE'S NOTICE OF SALE

YOU ARE GIVEN NOTICE: THAT THE BENEFICIARY AND TRUSTEE HAVE ELECTED TO SELL THE PROPERTY DESCRIBED BELOW TO SATISFY THE FOLLOWING DESCRIBED OBLIGATION:

1. A. Grantor: Allen D. Merck
 B. Trustee: William M. Ganong
 C. Beneficiary: William R. Addington and Marlene T.
 Addington
2. The legal description of the property covered by the subject Trust Deed is:

The E ½ of Lot 21 and all of Lot 22, Block 8,
HILLSIDE ADDITION TO THE CITY OF KLAMATH FALLS,
in the County of Klamath, State of Oregon.

Klamath County Assessor's Account No.
3809-29AA-5100.

The book, page number, and the date the subject Trust Deed was recorded in the Mortgage Records of Klamath County, Oregon are:

Book: M99 Page: 28421 Date Recorded: July 16, 1999

3. The defaults for which the foreclosure is made are as follows:

(a) The Grantor's failure to make monthly installment payments in the sum of \$993.75 for the months of November and December 2000 and the months of January, and February, 2001, and to pay the monthly late payment charge of \$49.69 for November and December 2000, and January, and February 2001. Grantor did make payments on January 17, January 24, February 23, and March 6, 2001 of \$400, \$550.31, \$400.62, and \$350.31 which will be applied to the delinquent payments now owed.

(b) Grantor's failure to pay real property taxes and interest for the tax year 2000-2001, which were due and payable on November 15, 2000 and February 15, 2001.

(c) Grantor's failure to meet the terms of the Agreement that is a part of the Trust Deed, by repairing the roof and deck of the house by July 16, 2000. Pursuant to the terms of the Agreement, the sum of \$9,000, plus interest at the rate of 9.0% from July 16, 1999 is due and owing to the Beneficiaries.

(d) Grantor's failure to maintain insurance against the loss of the property as required by the Trust Deed.

4. The amount owing on the obligation secured by the subject Trust Deed as of March 6, 2001 is \$139,817.00, plus interest at the note rate of 9.0% per annum from December 20, 2000 until paid; and real property taxes and assessments for the tax year 2000-2001 in the total sum of \$2,044.24, plus interest thereon from March 16, 2001, which are due and payable by the Grantor as provided in said Trust Deed.

5. The Beneficiary and the Trustee have elected to foreclose the above referenced Trust Deed pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.

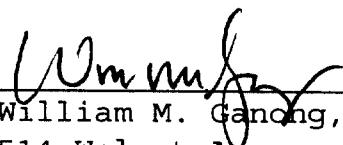
6. The Trustee will conduct a sale of the above described property at 10:00 a.m. on the 20th day of August, 2001, at the front entrance to the office of William M. Ganong at 514 Walnut Avenue, Klamath Falls, Oregon.

7. Pursuant to ORS 86.753, the Grantor, the Grantor's successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property, may cure the default or defaults at any time prior to five days before the above said date of sale by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. In addition, the person affecting the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and attorney's fees specified in the said statute.

In construing this instrument, 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 persons owing an obligation, the performance of which is secured by said Trust Deed, the words "trustee" and

"beneficiary" include their respective successors in interest, if any.

Dated this 29th day of March, 2001.



William M. Ganong, Trustee
514 Walnut Avenue
Klamath Falls OR 97601
Tel: (541) 882-7228

STATE OF OREGON, County of Klamath) ss.

I, the undersigned, certify that I am the attorney for the above named trustee; that I have carefully compared the foregoing copy of the Trustee's Notice of Sale with the original thereof and that the foregoing is a true, correct and exact copy of the original Trustee's Notice of Sale and of the whole thereof.

Dated at Klamath Falls, Oregon this _____ day of _____, 2001.

William M. Ganong
Attorney for Trustee

NOTICE REQUIRED BY THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U. S. C. § 1692

This is an attempt to collect a debt and any information obtained will be used for that purpose.

1. The amount of the debt is stated in the Trustee's Notice of Sale attached hereto.
2. The beneficiary named in the attached Trustee's Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the trustee unless the debtor, within 30 days after the receipt of this notice, disputes the validity of the debt or some portion of it.
4. If the debtor notifies the trustee in writing within 30 days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within 30 days from receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to: William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601.

40027

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Received by (Please Print Clearly) _____ B. Date of Delivery <u>4-11</u>	
1. Article Addressed to: <u>Klamath County</u> <u>Tax Collector</u> <u>305 main street</u> <u>Klamath Falls OR</u> <u>97601</u>		C. Signature <u>X Shirley Walker</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Copy from service label) <u>7000 0520 0012 5822 0798</u>			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Received by (Please Print Clearly) _____ B. Date of Delivery _____	
1. Article Addressed to: <u>Allen D. Merck</u> <u>1967 Lawrence St.</u> <u>Klamath Falls</u> <u>OR 97601</u>		C. Signature <u>X Allen Merck</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Copy from service label) <u>7000 0520 0012 5822 0781</u>			

PS Form 3811, July 1999

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Received by (Please Print Clearly) _____ B. Date of Delivery _____	
1. Article Addressed to: <u>Associates Financial</u> <u>Services Company of</u> <u>Oregon, Inc.</u> <u>2047 Washburn Way.</u> <u>Klamath Falls OR 97603</u>		C. Signature <u>X [Signature]</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Copy from service label) <u>7000 0520 0012 5822 0804</u>			

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

State of Oregon, County of Klamath
Recorded 08/09/01 at 8:30 a.m.
In Vol. M01 Page 40021
Linda Smith,
County Clerk Fees \$1.00