

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:

John Giaimo
2334 Vine Avenue
Klamath Falls, OR 97601

John Giaimo
2334 Vine Street
Klamath Falls, OR 97601

Gary L. Hedlund, Atty.
303 Pine Street
Klamath Falls, OR 97601

Belinda Marie Giaimo
c/o Richard L. Garbutt, Atty.
635 Main Street
Klamath Falls, OR 97601

Belinda Marie Giaimo
1859 Last Street
Klamath Falls, OR 97601

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 4-23-01. 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 4-23-2001, by: Benjamin V. Jak

Heather L. Smith
Notary Public for Washington
Residing at King County
My commission expires: 9-21-04

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Giaimo, John

Grantor

to

DAVID E. FENNELL,

Trustee

File No. 7069.22335

After recording return to:
Northwest Trustee Services, LLC
Attn: Kathy Taggart
PO Box 4143
Bellevue, WA 98009-4143

HEATHER L. SMITH
STATE OF WASHINGTON
NOTARY --- PUBLIC
MY COMMISSION EXPIRES 9-21-04

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by John Giaimo, as grantor, to Amertitle, as trustee, in favor of Long Beach Mortgage Company, as beneficiary, dated 07/07/98, recorded 08/12/98, in the mortgage records of Klamath County, Oregon, in Book M-98 Page 29697 and subsequently assigned to Bank One, National Association, as Trustee f/k/a The First National Bank of Chicago, as Trustee by Assignment recorded as Vol. M00 Page 21137, covering the following described real property situated in said county and state, to wit:

Lot 551, Block 120, Mills Addition, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 2334 Vine Avenue
Klamath Falls, OR 97601

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 \$517.87 beginning 06/01/00; plus late charges of \$20.87 each month beginning 06/16/00; plus prior accrued late charges of \$0.00; plus advances of \$1,613.15; 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: \$47,084.91 with interest thereon at the rate of 9.99 percent per annum beginning 05/01/00; plus late charges of \$20.87 each month beginning 06/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$1,613.15; 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 08/24/01 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.

40480

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.

DATED April 20, 2001

For further information, please contact:

Kathy Taggart
Northwest Trustee Services, LLC
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No.7069.22335/Gialmo, John

State of Washington, County of King) ss:

DAVID E. FENNELL

By

Authorized Signature

TRUSTEE

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

By Authorized Signer

**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 NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

I, Troy W. Garrison, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 1st day of May, 2001, after personal inspection, I found the following described real property to be unoccupied:

Lot 551, Block 120, Mills Addition, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

Commonly known as: 2334 Vine Avenue
Klamath Falls, OR 97601

I declare under the penalty of perjury that the above statements are true and correct.

Troy W. Garrison
Troy W. Garrison 225257

SUBSCRIBED AND SWORN to before me this 8th day of May, 2001, by Troy W. Garrison.

Margaret L. Nielsen
Notary Public for Oregon



Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH

40482

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#4084

Trustee's Notice of Sale

John Giaimo

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 31, 2001

June 7, 14, 21, 2001

Total Cost: \$796.50

Debra A. Gribble
Subscribed and sworn before me this 21st
day of: June 2001

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by John Giaimo, as grantor, to Ameritile, as trustee, in favor of Long Beach Mortgage Company, as beneficiary, dated 07/07/98 recorded 08/12/98, in mortgage records of Klamath County, Oregon, in book M-98 Page 29697 and subsequently assigned to Bank One, National Association, as Trustee f/k/a The First National Bank of Chicago, as Trustee by Assignment recorded as Vol. M00 Page 21137, covering the following described real property situated in said county and state, to wit:

Lot 551, Block 120 Mills Addition, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

PROPER-
TY ADDRESS: 2334
Vine Avenue
Klamath Falls, OR
97601

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

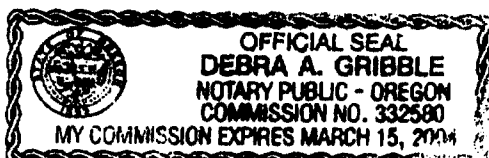
sums: monthly payments of \$517.87 beginning 06/01/00; plus late charges of \$20.87 each month beginning 06/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$1,613.15; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said 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: \$47,084.91 with interest thereon at the rate of 9.99 percent per annum beginning 05/01/00; plus late charges of \$20.87 each month beginning 06/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$1,613.15; 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.

WHERE-
FORE, notice hereby is given that the undersigned trustee will on 08/24/01 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 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



paid 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.

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: APRIL 20, 2001

For further information, please contact:
Kathy Taggart
Northwest Trustee Services, LLC
PO Box 4143
Bellevue, WA 98009-4143
(206) 586-1900

File No. 7069.22335/Gialmo, John
State of Washington,
County of King)ss:
THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

#084 May 31, 2001
June 7, 14, 21, 2001

Northwest Trustee Services, LLC

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

40484

July 25, 2001

7069.22335/Giaino, John
All Occupants
2334 Vine Avenue
Klamath Falls, OR 97601

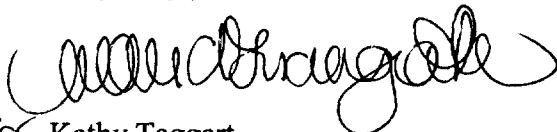
RE: Ocwen Federal Bank, FSB 30430979
RCF No.:7069.22335

Occupants:

Please be advised that the property in the above-referenced matter is scheduled to be sold at a Trustee's Sale on 08/24/01. According to ORS 86.755(5) the property must be vacated on or before the tenth day, 09/03/01, 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,


fr Kathy Taggart
Foreclosure Analyst

State of Oregon, County of Klamath
Recorded 08/13/01 at 10:46 a.m.
In Vol. M01 Page 40478
Linda Smith,
County Clerk Fee \$ 51⁰⁰