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Vol. M01 Page 43407

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Josephine, ss:

I, Sharon Deardorff, 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 Oregon, 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 addresses, to-wit:

NAME	ADDRESS
Maynard Herting	P.O. Box 336, Gilchrist, OR 97737
Luana Herting	P.O. Box 336, Gilchrist, OR 97737
Gilchrist Owners Association	P.O. Box 1151, Bend, OR 97709
Neil Bryant, Reg. Agent	
Ernst Brothers, LLC	40 NW Greenwood Avenue, Bend, OR 97701
Neil Bryant, Reg. Agent	

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 by Patrick J. Kelly

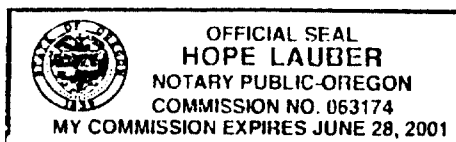
attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Grants Pass, Oregon, on April 11, 2001. With respect to each person listed above, one such notice was mailed 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 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.

SHARON DEARDORFF

Subscribed and sworn to before me on April 11, 2001

Notary Public for Oregon. My commission expires 6-28-01



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Herting

Grantor

Aspen Title & Escrow

Trustee

AFTER RECORDING RETURN TO

PATRICK J. KELLY
ATTORNEY AT LAW
717 NW 5th ST.
GRANTS PASS, OR 97526

(DON'T USE THIS
SPACE: RESERVED
FOR RECORDING
LABEL IN COUN-
TIES WHERE
USED.)

STATE OF OREGON, } ss.
County of

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By _____ Deputy

* 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.

RR. Richard Sainclo

ON

43408



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Maynard Herting and Luana Herting,
 husband and wife Aspen Title & Escrow, Inc., as grantor, to
Ruth Woolhiser, Trustee for the Woolhiser Family Trust, as trustee,
 dated April 26, 2000, ~~XXXXXX~~, recorded April 27, 2000*, ~~XXXXXX~~, in the mortgage records of
Klamath County, Oregon, in ~~BOOK/PAGE~~ volume No. M00 at page 14739, or
 as ~~fee file instrument~~ ~~interim~~ ~~reception~~ ~~NOXXXXXXXXXXXXXXX~~ (indicate which), covering the following described real
 property situated in said county and state, to-wit:

Lot 37, TRACT 1318, GILCHRIST TOWNSITE, in the County of Klamath, State of Oregon.
 Code 48, Map 2409-19DA, Tax lot 3200.

*Re-recorded 5-11-00 in Vol. M00, Pg. 17134, in the Official records of Klamath County,
 Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured
 by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the de-
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

The July 28, 2000 monthly installment of \$340.00 and each month thereafter plus, buyer's
 fees of \$40.00 plus, late charges of \$136.00.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust
 deed immediately due and payable, said sums being the following, to-wit:

The unpaid principal balance of \$34,000.00 with interest thereon at 12% per annum from
 June 28, 2000 until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 15, 2001, ~~XXXXXX~~
 at the hour of 10:30 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
Law Office of Richard Faircl, 280 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 said described real property which the grantor had or had
 power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the
 grantor or grantor's 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 per-
 formance 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.

DATED April 9, 2001, ~~XXXXXX~~


 PATRICK J. KELLY

Trustee

State of Oregon, County of Josephine 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.

 Attorney for said Trustee

If the foregoing is a copy to be served pursuant to
 ORS 86.740 or ORS 86.750(1), fill in opposite
 the name and address of party to be served.

SERVE: _____

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT
15 USC SECTION 1692**

We are attempting to collect a debt and any information we obtain will be used for that purpose. The debt described in the Notice of Sale is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification. If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor.

**WRITTEN REQUESTS SHOULD BE ADDRESSED TO: PATRICK J. KELLY,
ATTORNEY, 717 NW 5TH STREET, GRANTS PASS, OREGON 97526.**

43410



**INSTRUCTIONS FOR SERVICE OF TRUSTEE'S
NOTICE OF SALE UPON OCCUPANT PURSUANT
TO ORS 86.750 (1) AND PROOF OF SERVICE
(120-Day Notice)**

RE: Trust Deed from
Herting

To

Grantor

Aspen Title & Escrow

Trustee

After recording, return to (Name, Address, Zip):

PATRICK J. KELLY

ATTORNEY AT LAW

717 NW 5th ST.

GRANTS PASS, OR 97526

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument was
received for record 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 said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy.

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON,

County of Josephine

} ss.

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP
7 D(2) and 7 D(3) upon the occupant of the property described in the Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in the trust deed are as follows:

Name of person to be served
(If unknown, so state)

Property Address

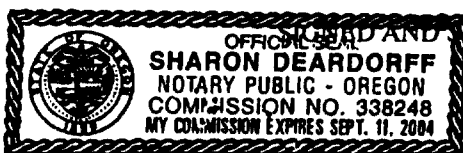
Occupants

138209 Manzanita
Gilchrist, OR 97737

If the occupant is indicated as "unknown," or if you find the property at this address to be occupied by someone other than the person named, then you are to serve the person or persons whom you find to be occupying the property.

Service should be made by April 17, 2001, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in attempting to make service until it has been accomplished.

As used herein, the singular includes the plural, "trustee" includes any successor trustee, and "person" includes a corporation or any other legal or commercial entity.



WORN TO before me on August 23, 2001

Notary Public for Oregon

My commission expires 9-11-04

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

43411

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 01-01192

Received for Service 04/20/01

I hereby certify that I received for service on
HERTING, LUANA
the within:

TRUSTEE'S NOTICE OF SALE

HERTING, LUANA
was served personally, and in person, at
138209 MANZANITA
GILCHRIST, OR , OR, on 04/28/01,
at 19:20 hours.

All search and service was made within Klamath County, State of
Oregon.

Timothy M. Evinger, Sheriff

Klamath County, Oregon

By


HOLMES, MATTHEW

Copy to:

ROGUE LEGAL PROCESS

GRANTS PASS

PO BO
OR 97528

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

43412

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 01-01192

Received for Service 04/20/01

I hereby certify that I received for service on
HERTING, MAYNARD
the within:

TRUSTEE'S NOTICE OF SALE

HERTING, MAYNARD
was served personally, and in person, at
138209 MANZANITA
GILCHRIST, OR , OR, on 04/28/01,
at 19:20 hours.

All search and service was made within Klamath County, State of
Oregon.

Timothy M. Evinger, Sheriff
Klamath County, Oregon

By


HOLMES, MATTHEW

Copy to:

ROGUE LEGAL PROCESS
P.O. Box 1681
GRANTS PASS

PO BO
OR 97528

ON

43413



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Maynard Herting and Luana Herting,
 husband and wife Aspen Title & Escrow, Inc., as grantor, to
Aspen Title & Escrow, Inc., as trustee,
 in favor of Ruth Woolhiser, Trustee for the Woolhiser Family Trust, as beneficiary,
 dated April 26, 2000, ~~XXXXXX~~, recorded April 27, 2000*, ~~XXXXXX~~, in the mortgage records of
Klamath County, Oregon, in ~~Book/Map~~ volume No. M00 at page 14739, or
 as ~~the instrument~~ ~~interest~~ ~~reception~~ ~~for~~ ~~XXXXXXXXXXXXXX~~ (indicate which), covering the following described real
 property situated in said county and state, to-wit:

Lot 37, TRACT 1318, GILCHRIST TOWNSITE, in the County of Klamath, State of Oregon.
 Code 48, Map 2409-19DA, Tax lot 3200.

*Re-recorded 5-11-00 in Vol. M00, Pg. 17134, in the Official records of Klamath County,
 Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured
 by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the de-
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

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 fees of \$40.00 plus, late charges of \$136.00.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust
 deed immediately due and payable, said sums being the following, to-wit:

The unpaid principal balance of \$34,000.00 with interest thereon at 12% per annum from
 June 28, 2000 until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 15, 2001, ~~XXXXXX~~
 at the hour of 10:30 o'clock, A M., in accord with the standard of time established by ORS 187.110, at
Law Office of Richard Fairclo, 280 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 said described real property which the grantor had or had
 power to convey at the time of the execution by grantor of the said trust deed, together with any interest which the
 grantor or grantor's 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 per-
 formance 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.

DATED April 9, 2001, ~~XXXXXX~~


 PATRICK J. KELLY

Trustee

State of Oregon, County of Josephine 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.


 Attorney for said Trustee

SERVE: _____

If the foregoing is a copy to be served pursuant to
 ORS 86.740 or ORS 86.750(1), fill in opposite
 the name and address of party to be served.

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WRITTEN REQUESTS SHOULD BE ADDRESSED TO: PATRICK J. KELLY,
ATTORNEY, 717 NW 5TH STREET, GRANTS PASS, OREGON 97526.

State of Oregon, County of Klamath
Recorded 08/27/01 at 9:22a m.
In Vol. M01 Page 43407
Linda Smith,
County Clerk Fee\$ 56⁰⁰