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Vol M01 Page 43820

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:

Christy E. McGee
fka Christy E. Oakes
P.O. Box 195
Dairy, OR 97625

State of Oregon
Support Enforcement Department
1495 Edgewater Street Northwest #290
Salem, OR 97304

Richard E. Dahl, Jr.
3313 Boardman Avenue
Klamath Falls, OR 97603

William L. Sisemore
540 Main Street
Klamath Falls, OR 97601

Hardy Meyers
Attorney General, State of Oregon
1162 Court Street N.E.
Salem, OR 97310

Department of Justice
Child Support Accounting Unit
P.O. Box 14506
Salem, OR 97309

James C. Webber
10309 Boehm Street
Midland, OR 97634

Diana M. Dahl
10309 Boehm Street
Midland, OR 97634

Clifford F. Webber
10309 Boehm Street
Midland, OR 97634

Scott F. Webber
10309 Boehm Street
Midland, OR 97634

Diana M. Dahl
3313 Boardman Avenue
Klamath Falls, OR 97603

James C. Webber
P.O. Box 204
Midland, OR 97634

Clifford F. Webber
P.O. Box 204
Midland, OR 97634

Scott F. Webber
P.O. Box 204
Midland, OR 97634

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.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

**RE: Trust Deed from
Webber, James C.**

Grantor

to

DAVID E. FENNELL,

Trustee

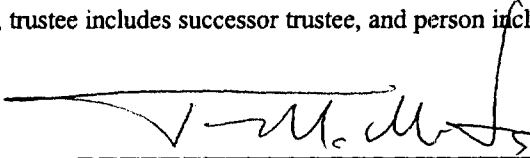
File No. 7037.23893

**After recording return to:
Northwest Trustee Services, LLC
Attn: Becky Baker
PO Box 4143
Bellevue, WA 98009-4143**


56A

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 5-9-01. 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 5-9, 2001, by Jim M. Murta.



Notary Public for Washington
Residing at Renton
My commission expires: 12/08/04

JENNIFER JOKELA
STATE OF WASHINGTON
NOTARY ---- PUBLIC
MY COMMISSION EXPIRES 12-08-04

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by James C. Webber, as grantor, to Amerititle, as trustee, in favor of U.S. National Bank of Oregon dba U.S. Bancorp Home Loans, as beneficiary, dated 01/23/97, recorded 01/28/97, in the mortgage records of Klamath County, Oregon, in Volume M 97, page 2537 and subsequently assigned to Chase Manhattan Mortgage Corporation by Assignment recorded as Volume M 98, Page 3940, covering the following described real property situated in said county and state, to wit:

See Exhibit A attached hereto and incorporated herien

PROPERTY ADDRESS: 10309 Boehm Street
Midland, OR 97634

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 \$447.77 beginning 02/01/01; plus late charges of \$20.30 each month beginning 10/16/00; plus prior accrued late charges of \$0.00; plus advances of \$152.00; 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: \$53,863.40 with interest thereon at the rate of 7.875 percent per annum beginning 01/01/01; plus late charges of \$20.30 each month beginning 10/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$152.00; 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 **September 14, 2001** 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.

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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 May 8, 2001

By 

Trustee

For further information, please contact:

Becky Baker
Northwest Trustee Services, LLC
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No.7037.23893/Webber, James C.

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.

DAVID E. FENNELL, 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**

**Exhibit A
Legal Description**

Parcel 1:

Lots 12, 13 and 14, Block 1, Midland, in the County of Klamath, State of Oregon. Together with that portion of vacated Maple Street (Niven Street) which inurred thereto as evidenced by Order of Vacation 94-169, recorded May 9, 1994 in Volume M94, Page 18167, Microfilm Records f Klamath County, Oregon.

Parcel 2:

Vacated Lots 7 thru 16, inclusive, Block 3, Town of Midland, together with the vacated portion of the alley adjacent thereto, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of said vacated Lot 7; thence West 260 feet along the North boundary of said Block 3 to the Northwest corner of said vacated Lot 11; thence South along the West boundary of said Block 3, 276.00 feet to the Southwest corner of vacated Lot 12; thence East along the South boundary of said Block 3, 260 feet to the Southeast corner of vacated Lot 16; thence North 276.00 feet to the point of beginning.

CODE 162 MAP 3908-36DA TL 900

PROOF OF SERVICE

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 a copy of Notice Under the Fair Debt Collection Practices Act, upon the **OCCUPANTS** at the following address:

10309 BOEHM STREET, MIDLAND, OREGON 97634, as follows:

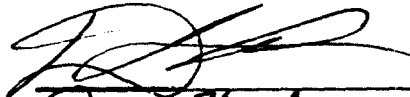
Personal service upon James Webber, by delivering said true copy, personally and in person, at the above address on May 9, 2001 at 3:05 p.m.

Personal service upon Shane O'Connor, by delivering said true copy, personally and in person, at the above address on May 9, 2001 at 3:05 p.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.



Dave Shuck

226005

SUBSCRIBED AND SWORN to before me this 9th day of May, 2001 by Dave Shuck




 Notary Public for Oregon

STATE OF OREGON,
COUNTY OF KLAMATH

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#4169

Trustee's Notice of Sale

James C. Webber

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 21, 28, 2001

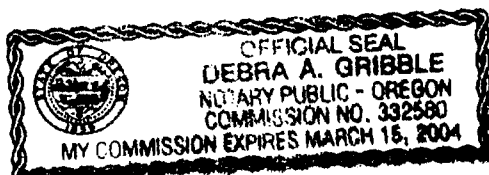
July 5, 12, 2001

Total Cost: \$945.00

Larry L. Wells
Subscribed and sworn before me this 12th
day of: July 2001

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S
NOTICE OF SALE

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feet to the Southeast corner of vacated Lot 16; thence North 276.00 feet to the point of beginning.

CODE 162 MAP
3908-36DA TL 900
PROPERTY ADDRESS:
10309 Boehm Street
Midland, OR 97634

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monthly payments of \$447.77 beginning 02/01/01; plus late charges of \$20.30 each month beginning 10/16/00; plus prior accrued late charges of \$0.00; plus advances of \$152.00 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.

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ther 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 September 14, 2001 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, 314 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 tender-

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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 FENNELL
Trustee
DATED: May 8, 2001
For further information, please contact:

Becky Baker
Northwest Trustee
Services, LLC
PO Box 443
Bellevue, WA 98009-4143
(425) 586-1900
File No.
7037.23893/Webber,
James C.
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 COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

#4169 June 21, 28, 2001
July 5, 12, 2001

Received
JUL 24 2001
Routh, Crabtree & Fennell

State of Oregon, County of Klamath
Recorded 08/28/01 at 2:28 p. m.
In Vol. M01 Page 43820
Linda Smith,
County Clerk Fee\$ 56⁰⁰