

**After Recording Return To:**

Glenn H. Prohaska  
4425 SW Corbett Avenue  
Portland, Oregon 97201

Vol M01 Page 47310

01 SEP 18 AM 11:06

This Space Reserved For Recorder's Use

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

STATE OF OREGON, County of Multnomah ) ss:

Glenn H. Prohaska, being first duly sworn, depose, and say 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 the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale.

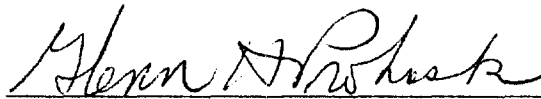
I gave notice of the sale of the real property described in the attached Trustee's Notice of Sale by mailing copies thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME: Richard and/or Yvonne O'Neil ADDRESS: 2307 Van Camp Street, Klamath Falls, Oregon 97601


These 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 set forth in ORS 86.785.\*

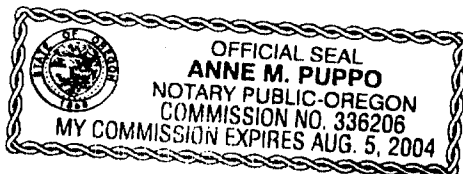
Each of the notices so mailed was certified to be a true copy of the original notice of sale by Glenn H. Prohaska, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Portland, Oregon on April 30, 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, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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

  
Glenn H. Prohaska, OSB #69140

Personally appeared before me the above named Glenn H. Prohaska on September 18, 2001 and acknowledged the foregoing to be his voluntary act and deed.

  
NOTARY PUBLIC FOR OREGON  
My Commission expires August 5, 2004



KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE **47311**

State of Oregon     )  
County of Klamath    )

Court Case No. 5700-1033 TNS  
Sheriff's Case No. 01-01377

Received for Service 05/07/01

I hereby certify that I received for service on  
O'NEIL, RICHARD JOHN  
the within:

TRUSTEE'S NOTICE OF SALE

O'NEIL, RICHARD JOHN  
was served by leaving a true copy with  
GRABOWSKI, ELIZABETH  
a person over the age of fourteen years who resides  
at the place of abode of the within named located at  
2307 VAN CAMP  
KLAMATH FALLS  
at 13:40 hours. , OR, on 05/07/01,

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

Timothy M. Evinger, Sheriff

Klamath County, Oregon

By   
ALEXANDER, TERRI L

Copy to:

PROHASKA, GLENN H  
4425 SW CORBETT AVE  
PORTLAND

OR 97201

1031

**47312**

Court Case No. 5700-1033 TNS  
Sheriff's Case No. 01-01377

I hereby certify that I received for service on  
ONEIL, YVONNE L  
the within:

ONEIL, YVONNE L  
was served by leaving a true copy with  
GRABOWSKI, ELIZABETH  
a person over the age of fourteen years who resides  
at the place of abode of the within named located at  
2307 VAN CAMP  
KLAMATH FALLS , OR, on 05/07/01,  
at 13:40 hours.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By Terri Alexander  
ALEXANDER, TERRI L

PROHASKA, GLENN H  
4425 SW CORBETT AVE  
PORTLAND

OR 97201

## TRUSTEE'S NOTICE OF SALE

47313

Reference is made to that certain trust deed made by **Richard O'Neil and Yvonne O'Neil**, as grantor(s), to H & L Services, Inc., as trustee, in favor of Conseco Finance Servicing Corp. (fka Green Tree Financial Services Corporation), as beneficiary, dated August 1, 1997, recorded August 12, 1997, in the mortgage records of Klamath County, Oregon, as Volume M97, Page 26393, covering the following described real property situated in said county and state, to wit:

Lot 1 of Block 13, BUENA VISTA ADDITION to the City of Klamath Falls according to the official plat thereof on file in the office of the County Clerk 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 default for which the foreclosure is made is grantor's failure to pay when due the following sums:

\$ 4,800.10 Total delinquent monthly payments and late chgs. due as of 1/16/01  
\$ 4,800.10 **TOTAL AMOUNT REQUIRED TO REINSTATE AS OF 1/16/01**

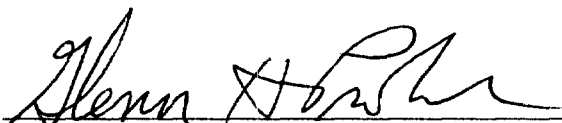
By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

\$ 106,786.16 Principal balance of loan  
\$ 106,786.16 **TOTAL AMOUNT DUE AS OF 1/16/01**

WHEREFORE, notice hereby is given that the undersigned trustee will on **August 13, 2001**, at the hour of **1:00 o'clock P.M.**, in accord with the standard of time established by ORS 187.110, at front steps of Klamath County Courthouse 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 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.

DATED: April 30, 2001

  
Trustee

STATE OF OREGON, County of Multnomah ) 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.

Glenn H. Prohaska, OSB #69140

SERVE: Richard O'Neil and/or  
Yvonne O'Neil  
2307 Van Camp Street  
Klamath Falls, Oregon 97601

**(OR CURRENT OCCUPANT)**

# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

47315

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#4167

Trustee's Notice of Sale  
Richard O'Neil

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: \$607.50

*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

Reference is made to that certain trust deed made by Richard O'Neil and Yvonne O'Neil, as grantor(s), to H & L Services, Inc. as trustee, in favor of Conesco Finance Servicing Corp. (fka Green Tree Financial Services Corporation), as beneficiary, dated August 1, 1997, recorded August 12, 1997, in the mortgage records of Klamath County, Oregon, as Volume M97, Page 26393, covering the following described real property situated in said county and state, to-wit:

Lot 1 of Block 13, BUENA VISTA ADDITION to the City of Klamath Falls according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon which has the address commonly known as 2307 Van Camp Street, Klamath Falls, Oregon 97601.

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 default for which the foreclosure is made is grantor's failure to pay when due the following

sums:

\$4,800.10: total delinquent monthly payments and late chgs. as of 1/16/01

\$4,800.10 TOTAL AMOUNT REQUIRED TO REINSTATE AS OF 1/16/01

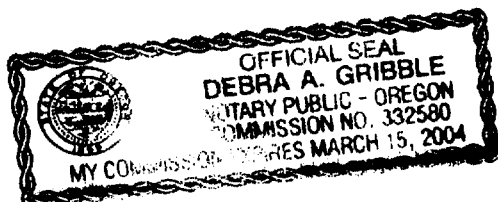
By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit: \$106,786.16 Principal balance of loan

\$106,786.16 TOTAL AMOUNT DUE AS OF 1/16/01

WHEREFORE, notice hereby is given that the undersigned trustee will on August 13, 2001, at the hour of 1:00 o'clock P.M. in accord with the standard of time established by ORS 187.110, at front steps of Klamath County Courthouse 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 that 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.

DATED: April 30, 2001

Glenn H. Prohaska,  
Trustee

4425 SW Corbett  
Ave.

Portland, OR 97201

(503) 241-0020

Fax, (503) 223-6212

#4167, One, 21, 28,  
2001

July 5, 12, 2001

47316

**After Recording Return To:**

Glenn H. Prohaska  
4425 SW Corbett Avenue  
Portland, Oregon 97201

47317

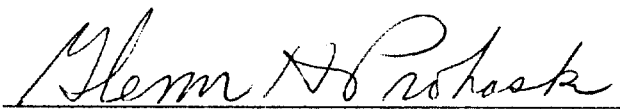
This Space Reserved For Recorder's Use

**CERTIFICATE OF NON-MILITARY SERVICE**


STATE OF OREGON, County of Multnomah ) ss.

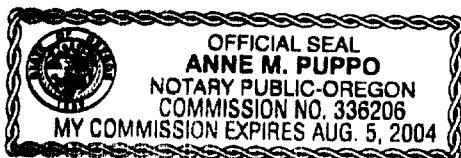
THIS IS TO CERTIFY that I am the beneficiary in that certain trust deed in which Richard O'Neil and Yvonne O'Neil as grantor, conveyed to H & L Services, Inc. as trustee, certain real property in Klamath County, Oregon. The trust deed was dated August 1, 1997 and recorded August 12, 1997 in the Records of that county, Recording No./Fee No./ Vol. M97, Page 26393. Thereafter, a Notice of Default with respect to the trust deed was recorded December 6, 2000 as Fee No. Vol. M00, Page 43896. Thereafter, the trust deed was duly foreclosed by advertisement and sale, and the real property covered by the trust deed was sold at the trustee's sale on September 18, 2001. I reasonably believe that, at no time during the period of three months and one day immediately preceding the day of the sale, and including the day thereof, was the real property described in and covered by the trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

In construing this certificate the singular includes the plural, "grantor" includes any successor in interest to the grantor, "trustee" includes any successor trustee, and "beneficiary" includes any successor in interest to the beneficiary named in the trust deed.

  
Glenn H. Prohaska, OSB #69140

Personally appeared before me the above named Glenn H. Prohaska on September 18, 2001 and acknowledged the foregoing to be his voluntary act and deed.

  
NOTARY PUBLIC FOR OREGON  
My Commission expires August 5, 2004



State of Oregon, County of Klamath  
Recorded 09/18/01 at 11:06 a m.  
In Vol. M01 Page 47310  
Linda Smith,  
County Clerk Fee \$ 56<sup>00</sup>