

STATE OF Oregon

PROOF OF SERVICE

Klarath

57158



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 where in the service hereinafter set forth was made, and that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor a successor to either, nor an officer, director, employee of, or attorney for, the beneficiary or 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 named below by delivering true copies of the Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, as follows:

Personal Service Upon Individual(s)

Upon Mario Toledo, by delivering such true copy to him/her, personally and in person, at 27607 Hwy 97, on 7-11, at 2:00 o'clock P.M.

Upon _____, by delivering such true copy to him/her, personally and in person, at _____, on _____, at _____ o'clock _____.M.

Substituted Service Upon Individual(s)

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, to _____, who is a person 14 years of age or older and a member of the household of the person served on _____, at _____ o'clock _____.M.

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, to _____, who is a person 14 years of age or older and a member of the household of the person served on _____, at _____ o'clock _____.M.

Office Service Upon Individual(s)

Upon _____, at the office which he/she maintains for the conduct of business at _____, by leaving such true copy with _____, the person who is apparently in charge, on _____, during normal working hours, at _____ o'clock, _____.M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon _____, by _____ (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

- (a) delivering such true copy, personally and in person, to _____ who is a/the _____ (specify registered agent, officer (by title), director, general partner, managing agent, etc.) thereof; OR
- (b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ (specify registered agent, officer (by title), director, general partner, managing agent, etc.) thereof;

at _____, on _____, at _____ o'clock _____.M.

Service Upon State of Oregon

Upon the State of Oregon by leaving such true copy with _____, a deputy clerk (indicate which) at the office of the Attorney General on _____, at _____ o'clock _____.M.

Service Upon Public Bodies

Upon _____, by _____

- (a) serving such true copy, personally and in person on _____, who is the _____ (specify director, managing agent, clerk, secretary, etc.) thereof, OR
- (b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ (specify director, managing agent, clerk, secretary, etc.) thereof;

at _____, on _____, at _____ o'clock _____.M.

FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon _____, who is the district attorney for the county by _____

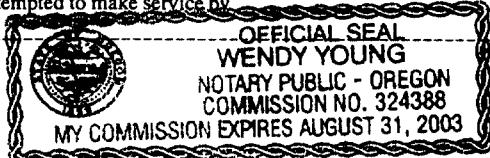
- (a) delivering such true copy, personally and in person, to that district attorney, OR (b) leaving such true copy with _____, the person who is apparently in charge of that district attorney's office,

at _____, on _____, at _____ o'clock _____.M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

Service cannot be made upon _____ Reasonable efforts to do so were made.

I attempted to make service by _____



W.L.
SIGNED AND SWORN TO before me on July 16, 2001

Wendy Young

Notary Public for Oregon My commission expires 8-31-2003

PUBLISHER'S NOTE: ORS 86.740 (1) allows the Notice of Sale to be served in the manner in which a summons is served pursuant to ORCP 7 D(2) and 7 D(3). The Proof of Service above contains most, but not all, of the permissible methods of service. For example, this form does not include proof of service upon a minor, an incapacitated person or tenant(s) of a mail agent. See ORCP 7 D(2) and 7 D(3) for permissible service methods with respect to particular parties. Also, an attorney who serves the Notice of Sale by mail, in accordance with law, should delete "or attorney for," from the first paragraph above before this document is recorded.

RETURN OF SERVICE

STATE OF OREGON)
) ss.
County of Klamath)

Court Case No. _____
Case No. _____

I hereby certify that I received on _____ the within:

Summons & Complaint Summons & Petition Summons Notice
 Order of Appearance Waiver of Fees Petition Motion
 Show Cause Order Affidavit Complaint Order
 Writ of Garnishment Restraining Order Citation Subpoena
 Small Claim

Trustees Notice of Sale

for service on the within named: Mario Tobaado

SERVED Mario Tobaado at 27027 Hwy. 97 personally and in person.

SUBSTITUTE SERVICE - By leaving a true copy with _____
a person over the age of fourteen years, who resides at the place of abode
of the within named, at said abode: _____.

OFFICE SERVICE - By leaving a true copy with _____
the person in charge of the office maintained for the conduct of business by
_____.

By leaving a true copy with _____ of said corporation.

OTHER METHOD _____

NOT FOUND. After due and diligent search and inquiry, I hereby return
that I have been unable to find the within named: _____

_____ within Klamath County.

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

DATE AND TIME OF SERVICE, OR NOT FOUND: 7-11-01 2:00 PM

SERVICE FEES FOR THIS SERVICE ARE: \$ 25.00 plus 0 miles
at \$.30/mile for a total amount due of \$ 25.00.

ARRITOLA INVESTIGATIONS

By



541/891-4336

Dale Arritola
635 Main Street
Klamath Falls OR 97601

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: J. Douglas Parker and Andrea Parker
- B. Trustee: AmeriTtitle
- C. Beneficiary: Al Fitts and June Fitts
2. The legal description of the property covered by the subject Trust Deed is:

Parcel 2 of Land Partition 36-92, situated in Government Lots 21 and 28 of Section 3, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Klamath County Assessor's Account No.
3607-A0300-01100

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

Book: M98 Page: 32158 Date Recorded: September 1, 1998

3. The defaults for which the foreclosure is made are as follows: (1) Grantors' failure to pay the real property taxes and assessments for the tax years 1999-2000 in the sum of \$1,324.95, plus interest, and 2000-2001 in the sum of \$1,094.75, plus interest, before they became delinquent; and (2) Grantors' failure to pay the sum of \$25,000 that was due and payable upon the sale of Grantors' home. Said home was sold at a foreclosure sale, but the \$25,000 payment was not paid.

4. The amount owing on the obligation secured by the subject Trust Deed as of July 2, 2001 is \$124,530.05, plus interest at the note rate of 7.0% per annum from July 2, 2001 until paid; and real property taxes, assessments, and interest for the tax years 1999-2000 and 2000-2001 in the total sum of \$2,904.37, plus interest thereon at the rate of 1 1/3% per month from July 15, 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 19th day of November, 2001, at the front entrance to the office of William M. Ganong, Attorney at Law, 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 5 day of July, 2001.



William M. Ganong, Successor 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.

State of Oregon, County of Klamath
Recorded 11/07/01 10:31 a. m.
In Vol. M01 Page 57162
Linda Smith,
County Clerk Fee\$ 46.00