

01 DEC 3 AM 11:19

**RECORDING COVER SHEET  
FOR NOTICE OF SALE PROOF  
OF COMPLIANCE, PER ORS 205.234**

Vol M01 Page 61563

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON  
PRESENTING THE ATTACHED INSTRUMENT FOR  
RECORDING. ANY ERRORS IN THIS COVER SHEET  
DO NOT AFFECT THE TRANSACTION(S) CONTAINED  
IN THE INSTRUMENT ITSELF.

mtc 54370

State of Oregon, County of Klamath  
Recorded 12/03/01 11:19 a. m.  
Vol M01, Pg 61563-69  
Linda Smith, County Clerk  
Fee \$ 51.00 # of Pgs 7

**AFTER RECORDING RETURN TO**

name and address of the person authorized to receive the  
instrument after recording, as required by ORS 205.180(4)  
and ORS 205.238.

Hooper, England & Weil LLP  
1100 SW Standard Plaza Ste 1501  
Portland, OR 97204-1016

**MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on  
Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of  
Sale or Proof of Service will be considered a transaction.**



**AFFIDAVIT OF MAILING NOTICE OF SALE** (must have trustee's notice of sale attached)



**AFFIDAVIT OF PUBLICATION NOTICE OF SALE**



**PROOF OF SERVICE**

**Original Grantor on Trust Deed**

David Bailey & Susan Day

**Beneficiary**

Slawm

David S. Bailey, a single person and  
Susan E. Dey, a single person, Grantors  
5811 Hilyard Avenue  
Klamath Falls, Oregon 97603

John W. Weil, Successor Trustee  
1100 S.W. Sixth, Suite 1507  
Portland, Oregon 97204

**After recording return to:**

John W. Weil  
1100 S.W. Sixth, Suite 1507  
Portland, Oregon 97204

**TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY**

STATE OF OREGON, County of Multnomah ) ss.

I, John W. Weil, being first duly sworn, depose, say and certify that:

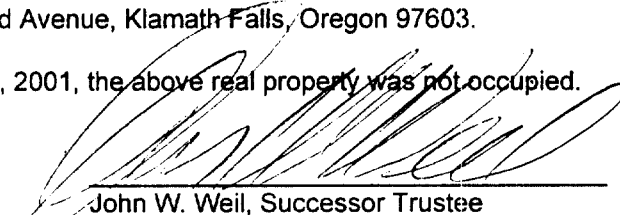
I am the successor trustee in that certain trust deed executed and delivered by David S. Bailey, a single person and Susan E. Dey, a single person, as grantors, to John W. Weil, as successor trustee, in favor of Associates Housing Finance, LLC, as beneficiary, dated June 3, 1998 recorded on June 19, 1998, in the Records of Klamath County, Oregon, in volume No. M98 at page 21402 covering the following described real property situated in the above-mentioned county and state, to-wit:

Lot 21 of POOLE HOMESITES, a resubdivision of the South 270 feet of Tracts 22, 23, and 24, and of Tracts 33, 34, 35, and 36, HOMELAND TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Together with the manufactured home located thereon described as a 1998 Redman, Serial No. 11825885.

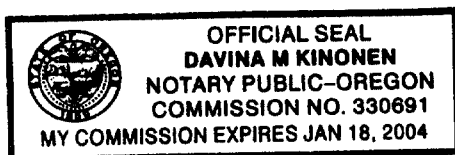
Commonly known as 5811 Hilyard Avenue, Klamath Falls, Oregon 97603.

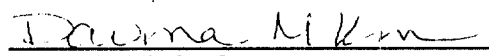
I hereby certify that on August 10, 2001, the above real property was not occupied.

  
John W. Weil, Successor Trustee

State of Oregon, County of Multnomah ) ss.

Subscribed and sworn to before me this November 29, 2001, by John W. Weil.



  
Notary Public for Oregon  
My Commission Expires: 1-18-2004

RE: Trust Deed from:

David S. Bailey, a single person and  
Susan E. Dey, a single person, Grantors

To

John W. Weil, Successor Trustee  
1100 S.W. Sixth, Suite 1507  
Portland, Oregon 97204

**After recording return to:**

John W. Weil  
1100 S.W. Sixth, Suite 1507  
Portland, Oregon 97204

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

STATE OF OREGON     )  
                                      ) ss.  
County of Multnomah    )

I, John W. Weil, 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 and recorded June 19, 1998, in the records of Klamath County, Oregon as volume no. M98, page no. 21402.

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	Address
David S. Bailey	5811 Hilyard Avenue Klamath Falls, Oregon 97603
Susan E. Dey	5811 Hilyard Avenue Klamath Falls, Oregon 97603
Susan E. Dey	625 N 8 <sup>th</sup> Street #C Klamath Falls, OR 97603
Occupants	5811 Hilyard Avenue Klamath Falls, Oregon 97603

CitiFinancial, Inc.

P.O. Box 17170  
Baltimore, MD 21203

District Attorney/Family Support

3300 Vandenberg Rd  
Klamath Falls, Oregon 97603

Carter-Jones Collections LLC

1143 Pine Street  
Klamath Falls, OR 97601-5853

Santa Clara County/Family Support

2645 Zanker Rd  
San Jose, CA 95134Carmen Patrice Hawkins  
c/o Child Support EnforcementP.O. Box 4282  
Everett, WA 98203

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. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited in the United States post office at Portland, Oregon, on August 6, 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.

  
 John W. Weil, Successor Trustee

STATE OF OREGON     )  
 County of Multnomah     ) ss.

Subscribed and sworn to before me on November 29, 2001 by John W. Weil.


  
 Notary Public for Oregon

 My Commission Expires: 1-18-2004

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by David S. Bailey, a single person and Susan E. Dey, a single person, as grantors, to John W. Weil, as successor trustee, in favor of Associates Housing Finance, LLC, as beneficiary, dated June 3, 1998 recorded on June 19, 1998, in the mortgage records of Klamath County, Oregon, in volume No. M98 at page 21402, covering the following described real property situated in said county and state, to-wit:

Lot 21 of POOLE HOMESITES, a resubdivision of the South 270 feet of Tracts 22, 23, and 24, and of Tracts 33, 34, 35, and 36, HOMELAND TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Together with the manufactured home located thereon described as a 1998 Redman, Serial No. 11825885.

Commonly known as 5811 Hilyard Avenue, Klamath Falls, Oregon 97603.

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:

Failure to make monthly payments of \$407.53 each due on the 5th day of March, 2001 through June, 2001; plus late charges of \$14.98.

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:

\$60,106.41, plus \$1,491.01 interest and late charges through June 12, 2001; plus 7% interest thereon; plus attorney and trustee's fees and costs; plus \$336 foreclosure guarantee; plus unpaid property taxes of \$229.47 for 1999/2000 plus interest and \$607.60 for 2000/2001 plus interest (account no. 3909-001CC-05701-000).

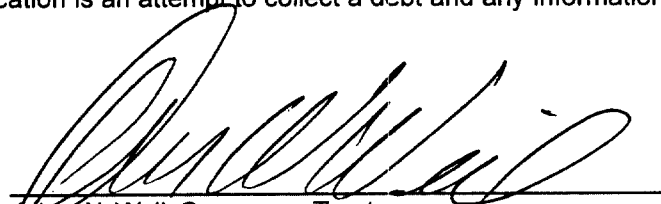
WHEREFORE, notice hereby is given that the undersigned trustee will on December 14, 2001, at the hour of 10:00 A.M., in accord with the standard of time established by ORS 187.110, at the main lobby of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, sell at public auction 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.

We are a debt collector. This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED: August 6, 2001

  
\_\_\_\_\_  
John W. Weil, Successor Trustee  
1100 SW Sixth Avenue, Suite 1507  
Portland, Oregon 97204  
Telephone No. (503) 226-0500

STATE OF OREGON    )  
                              ) ss.  
County of Multnomah    )

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 Successor 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:

--

## Affidavit of Publication

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 # 4425

Notice of Sale/Bailey-Dey

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:  
October 15, 22, 29, November 5, 2001

Total Cost: \$661.50

*Larry L. Wells*  
Subscribed and sworn

before me on: November 5, 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 David S. Bailey, a single person and Susan E. Dey, a single person, as grantors, to John W. Weil, as successor trustee, in favor of Associates Housing Finance, LLC, as beneficiary, dated June 3, 1998 recorded on June 12, 1998, in the mortgage records of Klamath County, Oregon, in volume No. M98 at page 21402, covering the following described real property situated in said county and state, to-wit: Lot 21 of POOLE HOMESITES, a subdivision of the South 270 feet of Tracts 22, 23, and 24, and of Tracts 33, 34, 35, and 36, HOME- LAND TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Together with the manufactured home located thereon described as a 1998 Redman, Serial No. 11825885. Commonly known as 5811 Hillyard Avenue, Klamath Falls, Oregon 97603.

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: Failure to make monthly payments of \$407.53 each due

on the 5th day of March, 2001 through June, 2001; plus late charges of \$14.98.

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: \$60,106.41, plus \$1,491.01 interest and late charges through June 12, 2001; plus 7% interest thereon; plus attorney and trustee's fees and costs; plus \$336 foreclosure guarantee; plus unpaid property taxes of \$229.47 for 1999/2000 plus interest and \$607.60 for 2000/2001 plus interest (account no. 3909-001CC-05701-000).

WHEREFORE, notice hereby is given that the undersigned trustee will on December 14, 2001, at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, at the main lobby of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601, 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. No-

tice 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.

We are a debt collector. This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

Dated: August 6, 2001. John W. Weil, Successor Trustee, 1100 SW Sixth Ave., Suite 1507, Portland, OR 97204, Telephone No. (503) 226-0500. #4425 October 15, 22, 29, November 5, 2001

