

'01 DEC 12 PM 3:09

K57419

Vol M01 Page 63586

RECORDING COVER SHEET

Pursuant to ORS 205.234

After recording return to:

Northwest Trustee Services, LLC
Attention: Winston Khan
P.O. Box 4143
Bellevue, WA 98009-4143

State of Oregon, County of Klamath
Recorded 12/12/01 3:09 p m.
Vol M01, Pg 63586-95
Linda Smith, County Clerk
Fee \$ 66⁰⁰ # of Pgs 10

1. AFFIDAVIT OF MAILING
- / 2. TRUSTEE'S NOTICE OF SALE
- / 3. PROOF OF SERVICE
- / 4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Royce Newcomb, an unmarried man

Beneficiary: Long Beach Mortgage Company

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

K66
15
812

AFFIDAVIT OF COURTESY MAILING TRUSTEE'S NOTICE OF SALE

63587

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:

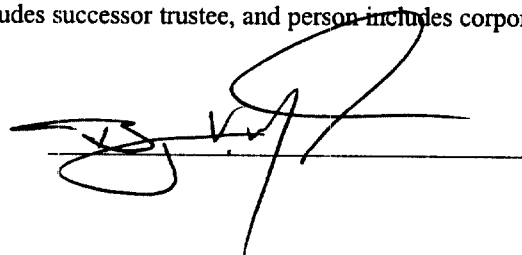
Royce Newcomb
Box 115
Vina, CA 96092

Robert Dilworth
Box 115
Vina, CA 96092

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, 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 9-25-01. 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.

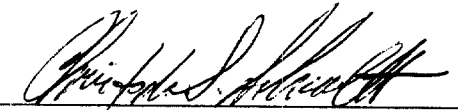
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.



STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that **Ben Mork** is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 9/25/01


NOTARY PUBLIC in and for the State of
Washington, residing at Seattle
My commission expires 3-9-02

AFFIDAVIT OF COURTESY MAILING TRUSTEE'S NOTICE OF SALE

**RE: Trust Deed from
Newcomb, Royce**

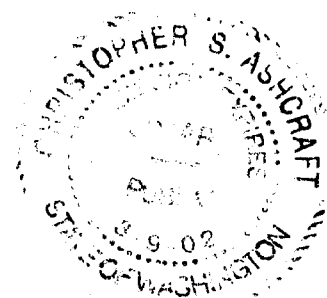
Grantor

to

**Northwest Trustee Services, LLC,
Trustee**

File No. 7258.20211

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



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:

Royce Newcomb
8333 Highway 140
Klamath Falls, OR 97603

Royce Newcomb
975 Keith Drive
Roseville, CA 95661

Robert Dilworth
8333 Highway 140
Klamath Falls, OR 97603

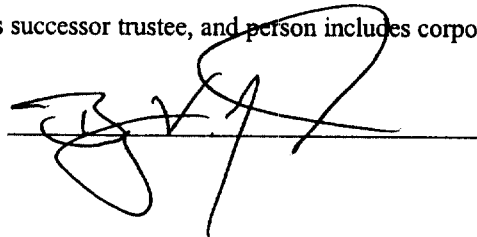
Robert Dilworth
2375 Templeton Drive
Redding, CA 96802

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, 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 8-13-01. 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.

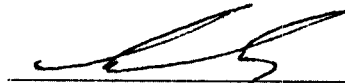
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)



I certify that I know or have satisfactory evidence that Ben V. Work is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 8/13/01


NOTARY PUBLIC in and for the State of
Washington, residing at Repton
My commission expires 12/08/04

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Newcomb, Royce

Grantor

to

Northwest Trustee Services, LLC,
Trustee

File No. 7258.20211

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

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 Royce Newcomb, an unmarried man, as grantor, to Amerititle, as trustee, in favor of Long Beach Mortgage Company, as beneficiary, dated 12/15/00, recorded 12/28/00, in the mortgage records of Klamath County, Oregon, in Volume M00, Page 46714 and subsequently assigned to First Union National Bank by Assignment recorded as , covering the following described real property situated in said county and state, to wit:

See exhibit "A" attached hereto and incorporated herein.

PROPERTY ADDRESS: 8333 Highway 140
Klamath Falls, OR 97603

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 \$4,336.54 beginning 02/01/01; plus late charges of \$216.83 each month beginning 02/16/01; plus prior accrued late charges of \$0.00; plus advances of \$73.75; 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: \$450,000.00 with interest thereon at the rate of 11.15 percent per annum beginning 01/01/01; plus late charges of \$216.83 each month beginning 02/16/01 until paid; plus prior accrued late charges of \$0.00; plus advances of \$73.75; 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.

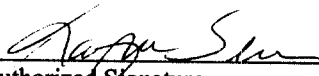
WHEREFORE, notice hereby is given that the undersigned trustee will on **December 14, 2001** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the 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.

63590

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.

Northwest Trustee Services, LLC

DATED 7/30, 20 01

By 
Authorized Signature

For further information, please contact:

Becky Baker
Northwest Trustee Services, LLC
PO Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No.7258.20211/Newcomb, Royce

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.

By Authorized Signer

**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"

PARCEL 1:

Parcel 3 of Major Land Partition No. 36-89, situated in Lot 4, JUNCTION ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

A tract of land situated in lot 4, JUNCTION ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. more particularly described as follows:

Beginning at the Southwesterly corner of Parcel 1 of Major Land Partition No. 36-89 on the Southerly line of said Lot 4, being North 71 degrees 16' 48" West 484.74 feet from the Southeasterly corner of said Lot 4; thence following along the boundaries of Parcels 1 and 2 of said Land Partition No. 36-89, North 10 degrees 00' 00" East 347.80 feet, South 82 degrees 39' 00" East 112.57 feet and North 07 degrees 21' 00" East, 301.05 feet to the North line of said Lot 4; thence South 89 degrees 54' 00" West 378.42 feet to the Northwest corner of said Lot 4; thence South 00 degrees 01' 00" East 569.20 feet to the Southwesterly corner of said Lot 4; thence South 71 degrees 16' 48" East 177.06 feet, more or less, to the point of beginning.

PARCEL 2:

Parcel 2 of Major Land Partition No. 6-89 situated in Lot 3, Plat of JUNCTION ACRES, situated in the NW ¼ of the NE ¼ of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Westerly right of way line of Vale Road, from which the E 1/16 corner of the North line of said Section 7 bears North 02 degrees 11' 51" East 853.25 feet; thence North 57 degrees 00' 00" West 198.86 feet; thence along the arc of a curve to the right (radius equals 700.00 feet and central angle equals 13 degrees 49' 00") 168.80 feet; thence South 89 degrees 54' 00" West 610.96 feet to a point on the West line of said Lot 3; thence South 00 degrees 01' 00" East 263.00 feet to the Southwest corner of said Lot 3; thence North 89 degrees 54' 00" East along the South line of said Lot 3, 906.69 feet to the Westerly right of way line of said Vale Road; thence North 00 degrees 10' 47" East 46.13 feet to the point of beginning.

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

I, Dave Shuck, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 6th day of August, 2001, after personal inspection, I found the following described real property to be unoccupied:

SEE LEGAL DESCRIPTION ATTACHED

Commonly known as: 8333 Highway 140
 Klamath Falls, OR 97603

I declare under the penalty of perjury that the above statements are true and correct.



Dave Shuck

230231

SUBSCRIBED AND SWORN to before me this 15th day of August, 2001, by Dave Shuck.


Notary Public for Oregon



PARCEL 1:

Parcel 3 of Major Land Partition No. 36-89, situated in Lot 4, JUNCTION ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

A tract of land situated in lot 4, JUNCTION ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwesterly corner of Parcel 1 of Major Land Partition No. 36-89 on the Southerly line of said Lot 4, being North 71 degrees 16' 48" West 484.74 feet from the Southeasterly corner of said Lot 4; thence following along the boundaries of Parcels 1 and 2 of said Land Partition No. 36-89, North 10 degrees 00' 00" East 347.80 feet, South 82 degrees 39' 00" East 112.57 feet and North 07 degrees 21' 00" East, 301.05 feet to the North line of said Lot 4; thence South 89 degrees 54' 00" West 378.42 feet to the Northwest corner of said Lot 4; thence South 00 degrees 01' 00" East 569.20 feet to the Southwesterly corner of said Lot 4; thence South 71 degrees 16' 48" East 177.06 feet, more or less, to the point of beginning.

PARCEL 2:

Parcel 2 of Major Land Partition No. 6-89 situated in Lot 3, Plat of JUNCTION ACRES, situated in the NW ¼ of the NE ¼ of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

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Affidavit of Publication

63594

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 # 4362 *in*
Notice of Sale/Newcomb

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:
September 20, 27, October 4, 11, 2001

Total Cost: \$1,066.50

Larry L Wells
Subscribed and sworn
before me on: October 11, 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 Royce Newcomb, an unmarried man, as grantor, to Ameritile, as trustee, in favor of Long Beach Mortgage Company, as beneficiary, dated 12/15/00, recorded 12/28/00, in the mortgage records of Klamath County, Oregon, in volume MOO, Page 46714 and subsequently assigned to First Union National Bank by Assignment recorded as, covering the following described real property situated in said county and state, to wit:

See exhibit "A" attached hereto and incorporated herein.
PROPERTY ADDRESS: 8333 Hwy 140, Klamath Falls, OR 97603.

EXHIBIT "A"
PARCEL 1:
Parcel 3 of Major Land Partition No. 36-89, situated in Lot 4, JUNCTION ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

A tract of land situated in lot 4, JUNCTION ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:
Beginning at the Southwesterly corner of Parcel 1 of

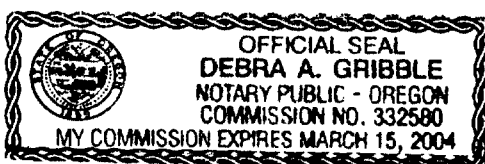
Major Land Partition No. 36-89 on the southerly line of said Lot 4, being North 71 degrees 16' 48" West 484.74 feet from the Southeast corner of said Lot 4; thence following along the boundaries of Parcels 1 and 2 of said Land Partition No. 36-89, North 10 degrees 00' 00" East 347.80 feet, South 82 degrees 39' 00" East 112.57 feet and North 07 degrees 21' 00" East, 301.05 feet to the North line of said Lot 4; thence South 89 degrees 54' 00" West 378.42 feet to the Northwest corner of said Lot 4; thence South 00 degrees 01' 00" East 569.20 feet to the Southwesterly corner of said Lot 4; thence South 71 degrees 16' 48" East 177.06 feet, more or less, to the point of beginning.

PARCEL 2:
Parcel 2 of Major Land Partition No. 6-89 situated in Lot 3, Plat of JUNCTION ACRES, situated in the NW1/4 of the NE1/4 of section 7, Township 39 South, Range 10 East of the Williamette Meridian, Klamath County, Oregon, more particularly described as follows:
Beginning at a point on the Westerly right of way line of Vale Road, from which the E 1/16 corner of the North line of said Section 7 bears North 02 degrees 11' 51" East 853.25 feet; thence North 57 degrees 00' 00" West 198.86 feet; thence along the arc of a curve to the right (radius equals 700.00 feet and cen-

tral angle equals 13 degrees 49' 00") 168.80 feet; thence South 89 degrees 54' 00" West 610.96 feet to a point on the West line of said Lot 3; thence South 00 degrees 01' 00" East 263.00 feet to the Southwest corner of said Lot 3; thence North 89 degrees 54' 00" East along the South line of said Lot 3, 906.69 feet to the Westerly right of way line of said Vale Road; thence North 00 degrees 10' 47" East 46.13 feet to the point of beginning.

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 Re-

vised 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 \$4,336.54 beginning 02/01/01; plus late charges of \$216.83 each month beginning 02/16/01; plus prior accrued late charges of \$0.00; plus advances of \$73.75; 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: \$450,000.00 with interest thereon at the rate of 11.15 percent per annum beginning 01/01/01; plus late charges of \$216.83 each month beginning 02/16/01 until paid; plus prior accrued late charges of \$0.00; plus advances of \$73.75; 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.

WHEREFORE, notice hereby is given that the undersigned trustee will on **December 14, 2001** at the hour of 10:00 o'clock, AM 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.

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 7/30/2001. For further information, please contact: Becky Baker, Northwest Trustee Services, LLC, PO Box 4143, Bellevue, WA 98009-4143, (425) 586-1900, File No. 7258.20211/Newcomb, Royce. #4362 September 20, 27, October 4, 11, 2001.

Received

OCT 15 2001

Routh, Crabtree & Fennell