

Vol M01 Page 64401

RECORDING COVER SHEET
Pursuant to ORS 205.234

After recording return to:

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

State of Oregon, County of Klamath
Recorded 12/17/01 3:15 P. m.
Vol M01, Pg 64401-04
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

- 1. AFFIDAVIT OF AMENDED MAILING**
- 2. AMENDED TRUSTEE'S NOTICE OF SALE**

Original Grantor(s) on Trust Deed: John Giaimo

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.**

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

64402

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:

John Giaimo
2334 Vine Street
Klamath Falls, OR 97601

Gary L. Hedlund, Atty.
303 Pine Street
Klamath Falls, OR 97601

Belinda Marie Giaimo
c/o Richard L. Garbutt, Atty.
635 Main Street
Klamath Falls, OR 97601

Belinda Marie Giaimo
1859 Last Street
Klamath Falls, OR 97601

John Giaimo
2334 Vine Avenue
Klamath Falls, OR 97601

John Giaimo
1869 Leroy Street
Klamath Falls, OR 97601

Candace Amborn, Trustee
P.O. Box 580
Medford, OR 97501-0214

John Giaimo
c/o Michael Spencer, Atty.
419 Main Street
Klamath Falls, OR 97601

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 12/6/01. 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 Jessira K May 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: 12-6-01

Jessira K May

Heather L Smith
NOTARY PUBLIC in and for the State of
Washington, residing at Kingdom City
My commission expires 9-21-04

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE	
RE: Trust Deed from	
John Giaimo	
Grantor	
to	
DAVID E. FENNELL	
Trustee	File No. 7069.22335

HEATHER L. SMITH
STATE OF WASHINGTON
NOTARY ---- PUBLIC
MY COMMISSION EXPIRES 9-21-04

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

AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by John Giaimo, as grantor, to Amertitle, as trustee, in favor of Long Beach Mortgage Company, as beneficiary, dated 07/07/98, recorded 08/12/98, in the mortgage records of Klamath County, Oregon, in Book M-98 Page 29697, and subsequently assigned to Bank One, National Association, as Trustee f/k/a The First National Bank of Chicago, as Trustee by Assignment recorded as Vol. M00 Page 21137, covering the following described real property situated in said county and state, to wit:

Lot 551, Block 120, Mills Addition, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 2334 Vine Avenue Klamath Falls, OR 97601

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 \$517.87 beginning 06/01/00; plus late charges of \$20.87 each month beginning 06/16/00; plus prior accrued late charges of \$0.00; plus advances of \$3,704.99; 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: \$47,084.91 with interest thereon at the rate of 9.99 percent per annum beginning 05/01/00; plus late charges of \$20.87 each month beginning 06/16/00 until paid; plus prior accrued late charges of \$0.00; plus advances of \$3,704.99; 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.

The Notice of Default and original Notice of Sale given pursuant thereto stated the property would be sold on Friday, August 24, 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; However, subsequent to the recording of said Notice of Default the original proceedings were stayed by order of the court or by proceedings filed under the U.S. Bankruptcy Code or for other lawful reason. Said stay was terminated on 11/14/01.

WHEREFORE, notice hereby is given that the undersigned trustee will on **January 4, 2002** 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.

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: _____, 20____

By _____
Authorized Signature

For further information, please contact:

Kathy Taggart
Northwest Trustee Services, LLC
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900

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**AMENDED TRUSTEE'S NOTICE OF SALE**

RE: Trust Deed from
John Giaimo
Grantor
to
DAVID E. FENNELL
Trustee

File No. 7069.22335**After recording return to:**

Northwest Trustee Services, LLC
Attn: Kathy Taggart
P.O. Box 4143
Bellevue, WA 98009-4143

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE