

Vol M01 Page 65087

**H&L Services, Inc., Trustee**  
**1111 Third Avenue, #3400**  
**Seattle, WA 98101**

State of Oregon, County of Klamath  
Recorded 12/20/01 1:27 p.m.  
Vol M01, Pg 65087-94  
Linda Smith, County Clerk  
Fee \$ 56.00 # of Pgs 8

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF KING )

I, Terr Klounsbath, 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 made by PAUL T. MAKINSON, AS HIS SOLE AND SEPARATE as grantor, to AMERITITLE, a Oregon corporation as Trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated April 24, 1998, and recorded May 1, 1998, in the mortgage records of Klamath County, Oregon, as Fee No. Volume M98 Page 14593, and covers the real property described in the attached 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 addresses, to-wit:

NAME	ADDRESS
OCCUPANTS	137017 BITTERBRUSH LANE
PAUL T. MAKINSON	CRESENT, OR 97733
MRS. PAUL T. MAKINSON	
PAUL T. MAKINSON	148 AGAPE CT
MRS. PAUL T. MAKINSON	ROSEBURG, OR 97470

The above 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 by Steven G. Jones, attorney for the trustee named in the notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in a United States post office at Seattle, Washington, on Aug. 14th, 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 and postage thereon in the amount sufficient to accomplish the same. Each of the notices was/were 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.

K56

*Leif R*  
(Affiant)

Subscribed and sworn to before me this 14th day of August, 2001.



*Christopher S. Ashcraft*  
Christopher S. Ashcraft  
Notary Public in and for the State of  
Washington, residing at: Seattle  
My Commission Expires: 3/9/02

RECORDED AT THE REQUEST OF  
AND AFTER RECORDING RETURN TO:

65089

H&L Services, Inc., Trustee  
1111 Third Avenue, #3400  
Seattle, WA 98101

MAKINSON  
91850-900896

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

If within thirty (30) days you give notice to the undersigned, in writing, that the debt referred to, or any portion of it, is disputed, a verification of such debt will be mailed to you. Also, if request is made within said thirty (30) days and in writing, you will be provided with the name and address of the original creditor, if other than the present creditor shown. Unless within thirty (30) days, notice is received that the debt, or some portion of it is disputed, it will be assumed by the undersigned to be valid. The purpose of this notice is to collect the indebtedness due, or in the alternative, to repossess the property which is the security of said debt.

As of the date of this Trustee's Notice of Sale, you owe \$1872.24 (the amount due), as stated below. Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater, and you may owe the amount of any monthly or other payments and late charges which may fall due after the date of this Trustee's Notice of Sale. For further information, or for an updated figure, write the undersigned or call us at (206) 386-5470.

The creditor to whom this amount is owed is Washington Mutual Bank

**THE INFORMATION ABOVE IS PROVIDED IN COMPLIANCE WITH THE FEDERAL FAIR DEBT COLLECTION PRACTICES ACT.**

#### **TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by PAUL T. MAKINSON, AS HIS SOLE AND SEPARATE, as grantor, to AMERITITLE, a Oregon corporation, as trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated April 24, 1998, recorded May 1, 1998, in the mortgage records of Klamath County, Oregon, as Fee No. Volume M98 Page 14593, covering the following described real property situated in Klamath County, Oregon, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

commonly known as: 137017 BITTERBRUSH LANE, CRESENT, OR 97733

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 86.753(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Failure to pay the following past due amounts, which are in arrears:

#### **MONTHLY PAYMENTS:**

4 monthly payments at \$446.27 each; (April 1, 2001  
through July 31, 2001.)

\$1,785.08

#### **LATE CHARGES:**

4 late charges of \$21.79 for each monthly payment  
not made within 15 days of its due date.

87.16

TOTAL MONTHLY PAYMENTS AND LATE  
CHARGES:

\$1,872.24


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:

\$53,606.94 Principal Balance; plus interest thereon at the rate of 9.625% from March 1, 2001 until paid; plus late charges of \$87.16 through July 31, 2001; plus \$21.79 for every month thereafter the regular payment is more than 15 days late; plus property inspection(s); plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds; plus all sums expended by beneficiary to protect its interest during the pendency of this proceeding.

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 accordance with the standard of time established by ORS 187.110, at the front entrance 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 said 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 the grantor's successors in interest acquired after the execution of grantor 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 the 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.

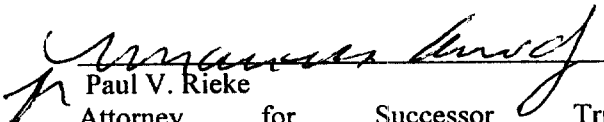
DATED: July 31, 2001.

  
Steven G. Jones, Successor Trustee  
C/O H&L SERVICES, INC.  
1111 THIRD AVENUE, #3400  
Seattle, Washington 98104-7006  
(206) 386-5470

STATE OF WASHINGTON    )  
                                  ) ss  
COUNTY OF KING        )

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named successor trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

FOSTER PEPPER & SHEFELMAN PLLC

  
Paul V. Rieke  
Attorney           for           Successor           Trustee

A parcel of land lying in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 25, Township 24 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 220 feet West and 440 feet North of the SE corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 25, Township 24 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence North parallel with the East line of said SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  a distance of 250 feet; thence West parallel with the North line of said SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  a distance of 220 feet; thence South parallel with the East line of said SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  a distance of 250 feet; thence East parallel with the South line of said SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  a distance of 220 feet to the point of beginning.

PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS

65092

STATE OF OREGON  
COUNTY OF Klamath

COURT CASE NO. \_\_\_\_\_

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- |                                      |                                            |                                   |                                                              |
|--------------------------------------|--------------------------------------------|-----------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Small Claim | <input type="checkbox"/> Order             | <input type="checkbox"/> Subpoena | <input type="checkbox"/> Order to Show Cause                 |
| <input type="checkbox"/> Summons     | <input type="checkbox"/> Motion            | <input type="checkbox"/> Notice   | <input checked="" type="checkbox"/> Trustee's Notice of Sale |
| <input type="checkbox"/> Complaint   | <input type="checkbox"/> Affidavit         | <input type="checkbox"/> Petition | <input type="checkbox"/> Writ of Garnishment                 |
| <input type="checkbox"/> Answer      | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Letter   | <input type="checkbox"/> Writ of Continuing Garnishment      |
| <input type="checkbox"/> _____       | <input type="checkbox"/> _____             | <input type="checkbox"/> _____    | <input type="checkbox"/> _____                               |

For the within named: Occupants of 137017 Bitterbrush Lane

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Terry Makinson at the address below.

☐ SUBSTITUTE SERVICE: By delivering an Original or True Copy to \_\_\_\_\_, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: \_\_\_\_\_

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with \_\_\_\_\_, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.  
Upon \_\_\_\_\_, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.

to: \_\_\_\_\_ who is a/the \_\_\_\_\_ thereof, or  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the office of \_\_\_\_\_, who is a/the \_\_\_\_\_ thereof.

☐ OTHER METHOD: \_\_\_\_\_

☐ NOT FOUND: I certify that I received the within document for service on \_\_\_\_\_ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, \_\_\_\_\_ within \_\_\_\_\_ County.

137017 Bitterbrush Lane  
ADDRESS OF SERVICE STREET  
Crescent  
CITY  
Oregon  
STATE  
UNIT / APT. / SPC# 97733  
ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

Oct. 15 2001 DATE OF SERVICE  
1:10 a.m. ☐ p.m. ☒ TIME OF SERVICE  
Dave Shuck SIGNATURE  
or not found  
PRINTED IN OREGON

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 # 4456

Notice of Sale/Makinson

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 31, November 7, 14, 21, 2001

Total Cost: \$1,053.00

Subscribed and sworn

before me on: November 21, 2001

Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S  
NOTICE OF SALE

MAKINSON: 91850-900696

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

If within thirty (30) days you give notice to the undersigned, in writing, that the debt referred to, or any portion of it, is disputed, a verification of such debt will be mailed to you. Also, if request is made within said thirty (30) days and in writing, you will be provided with the name and address of the original creditor, if other than the present creditor shown. Unless within thirty (30) days, notice is received that the debt, or some portion of it is disputed, it will be assumed by the undersigned to be valid. The purpose of this notice is to collect the indebtedness due, or in the alternative, to repossess the property which is the security of said debt.

As of the date of this Trustee's Notice of Sale, you owe \$1,872.24 (the amount due), as stated below. Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater, and you may owe the amount of any monthly or other payments and late charges which may fall due after the date of this Trustee's Notice of Sale. For further informa-

tion, or for an updated figure, write the undersigned or call us at (206) 386-5470.

The creditor to whom this amount is owed is Washington Mutual Bank.

THE INFORMATION ABOVE IS PROVIDED IN COMPLIANCE WITH THE FEDERAL FAIR DEBT COLLECTION PRACTICES ACT.

Reference is made to that certain trust deed made by PAUL T. MAKINSON, AS HIS SOLE AND SEPARATE, as grantor, to AMERITITLE, an Oregon corporation, as trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated April 24, 1998, recorded May 1, 1998, in the mortgage records of Klamath County, Oregon, as Fee No. Volume M98 Page 14593, covering the following described real property situated in Klamath County, Oregon, to-wit: A parcel of land lying in the SE 1/4 of the NE 1/4, Section 25, Township 24 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a point 220 feet West and 440 feet North of the SE corner of the SE 1/4 of the NE 1/4 of Section 25, Township 24 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence North parallel with the East line of said SE 1/4 of the NE 1/4 a distance of 250 feet; thence West parallel with the North line of said SE 1/4 of the NE 1/4 a distance of 220 feet; thence

South parallel with the East line of said SE 1/4 of the NE 1/4 a distance of 250 feet; thence East parallel with the South line of said SE 1/4 of the NE 1/4 a distance of 220 feet to the point of beginning.

Commonly known as: 137017 BITTER-BRUSH LANE, CRESCENT, OR 97733.

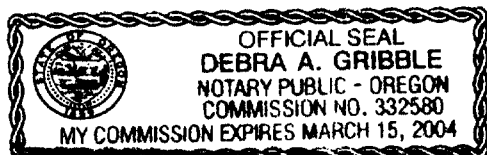
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.753(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Failure to pay the following past due amounts, which are in arrears: MONTHLY PAYMENTS: 4 monthly payments at \$446.27 each; (April 1, 2001 through July 31, 2001.) - \$1,785.08. LATE CHARGES:

4 late charges of \$21.79 for each monthly payment not made within 15 days of its due date. - \$87.16.

TOTAL MONTHLY PAYMENTS AND LATE CHARGES: - \$1,872.24.

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: \$53,606.94 Principal Balance; plus interest thereon at the rate of 9.625% from March 1, 2001 until paid; plus late charges of \$87.16



through July 31, 2001; plus \$21.79 for every month thereafter the regular payment is more than 15 days late; plus property inspection(s); plus unpaid real property taxes; plus any reserve account shortage; less any unapplied funds; plus all sums expended by beneficiary to protect its interest during the pendency of this proceeding.

WHEREFORE, notice is hereby given that the undersigned trustee will on December 14, 2001, at the hour of 10:00 o'clock, AM, in accordance with the standard of time established by ORS 187.110, at the front entrance 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 said 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 the grantor's successors in interest acquired after the execution of grantor 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 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 the 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: July 31, 2001.  
By: Steven G. Jones, Successor Trustee; C/O H&L Services, Inc., 111 Third Ave., #3400, Seattle, WA 98104-7006, (206) 386-5470.  
#4456 October 31, November 7, 14, 21, 2001.