

Vol. M01 Page 65527

AFTER RECORDING RETURN TO:

Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
01-14926

State of Oregon, County of Klamath
Recorded 12/21/01 2:06 p. m.
Vol M01, Pg 65527-36
Linda Smith, County Clerk
Fee \$ 66.00 # of Pgs 10

**OREGON
AFFIDAVIT OF MAILING OF NOTICE OF SALE**

I, Kelly D. Sutherland, say and certify that:

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 successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons at their last known addresses, to-wit:

Keith R. Schwartz
6216 Katie Lane
Klamath Falls, OR 97603

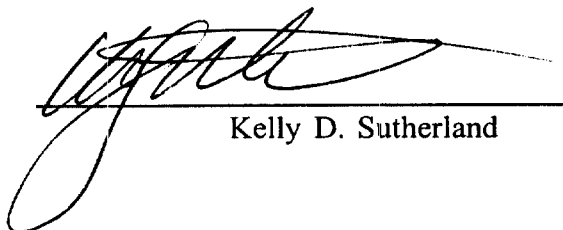
Deborah B. Schwartz
6216 Katie Lane
Klamath Falls, OR 97603

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Kreisman, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Vancouver, Washington, on September 26, 2001. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

66A

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



Kelly D. Sutherland

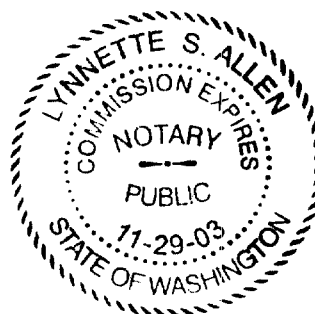
State of Washington)

County of Clark)

On this 26th day of September, in the year 2001, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal


Notary Public
My Commission Expires 11/24/03



Lender Loan #: 60632283

01-14926

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Keith R. Schwartz and Deborah B. Schwartz, husband and wife, as grantor, to Aspen Title & Escrow, Inc., as Trustee, in favor of National Funding Service, Inc., as Beneficiary, dated December 22, 1998, recorded December 31, 1998, in the mortgage records of Klamath County, Oregon, in Book No. M98, at Page 47948, Instrument No. 72356, beneficial interest having been assigned to Federal National Mortgage Association, covering the following described real property:

Lot 8, Tract 1304, PLEASANT VISTA, in the County of Klamath, State of Oregon.

INCLUDES a 1998 Marlette Manufactured Home, 28'x60', VIN H-016345A/B; title elimination recorded August 10, 1999, in M99, Page 32127

COMMONLY KNOWN AS: 6216 Katie Lane, Klamath Falls, OR 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:

Monthly payments in the sum of \$885.07 from June 1, 2001, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit:

\$111,150.14, together with interest thereon at the rate of 7.000000% per annum from May 1, 2001, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 23, 2002, at the hour of 11:00 AM, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 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 has or had power to convey at the time of the execution of said trust deed, together with any interest which the grantor or his 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 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 obligations 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 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 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.

Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

KELLY D. SUTHERLAND
Successor Trustee

Dated

9/18/01

By:



State of Washington, County of Clark, ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

SHAPIRO & KREISMAN
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
(360) 260-2253

Lender Loan #: 60632283

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

65531

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 6216 Katie Lane

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

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

☐ 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.

6216 Katie Lane _____
ADDRESS OF SERVICE STREET UNIT / APT. / SPC#
Klamath Falls _____
CITY STATE 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.

Sept. 20, 2001 1:35 a.m. ☐ p.m. ☒
DATE OF SERVICE TIME OF SERVICE SIGNATURE
Dave Shuck

IN THE COURT STATE OF OREGON, COUNTY OF

National Funding Service, Inc.)	
)	
Plaintiff,)	NO.
V.)	NOTICE OF
)	SUBSTITUTE SERVICE
Keith R. Schwartz)	
Etal)	
Defendant(s).)	

TO DEFENDANT(S): Keith Schwartz & All occupant

YOU ARE HEREBY NOTIFIED that service of TRUSTEE'S NOTICE OF SALE in the above cause was made upon you by SUBSTITUTE service at the address below, your usual place of abode.

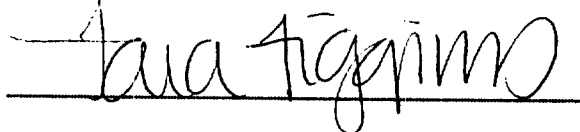
DATE AND TIME OF SERVICE:	September 20th, 2001	1:35PM
TO WHOM THE DOCUMENTS	Debbie Schwartz, Co occupant	
WERE DELIVERED:	6216 Katie Lane	
	Klamath Falls, OR 97603	

Capitol Investigation Co., LTD.
P.O. Box 3225
Portland, OR 97208

AFFIDAVIT OF MAILING

STATE OF OREGON)	
)ss	DATE: 09/24/2001
County of Multnomah)	

I, THE UNDERSIGNED, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I CAUSED TO BE MAILED TO THE DEFENDANT(S) WHOSE NAME AND ADDRESS APPEARS BELOW, TRUE, EXACT AND COMPLETE COPIES OF THE FOREGOING NOTICE, AND OF THE TRUSTEE'S NOTICE OF SALE HEREIN REFERRED TO, BY CAUSING SAME TO BE DEPOSITED IN THE UNITED STATES MAILS AT Portland, OREGON, ON SAID DATE, ADDRESSED AS SHOWN, WHICH IS THE USUAL PLACE OF ABODE OF SAID DEFENDANT(S) BEING THE ADDRESS AT WHICH SUBSTITUTE SERVICE OF TRUSTEE'S NOTICE OF SALE THEREIN WAS HERETOFORE MADE UPON SAID DEFENDANT(S).



SUBSCRIBED AND SWORN TO BEFORE ME
THE DAY AND YEAR LAST ABOVE WRITTEN:

Keith Schwartz & All occupant
6216 Katie Lane
Klamath Falls, OR 97603

AFTER RECORDING RETURN TO:

Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
(360) 260-2253
01-14926

65533

CERTIFICATE OF NON-MILITARY SERVICE

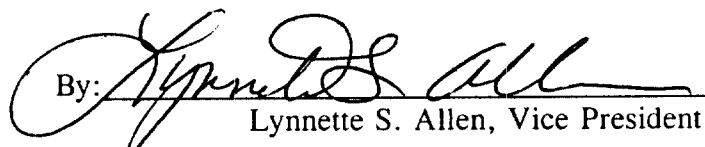
STATE OF WASHINGTON)
) SS.
County of CLARK)

THIS IS TO CERTIFY THAT I, Lynnette S. Allen, am the Vice President of Washington Mutual Home Loans, Inc., successor in interest by merger to Fleet Mortgage Corp., attorney-in-fact for Federal National Mortgage Association, the current beneficiary in that certain trust deed in which Keith R. Schwartz and Deborah B. Schwartz, husband and wife, as grantor, conveyed to Aspen Title & Escrow, Inc., as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated December 22, 1998, and recorded December 31, 1998, in the mortgage records of said county, in Book No. M98, at Page 47948, Document/Instrument/Recorder's Fee No. 72356; thereafter a Notice of Default with respect to said trust deed was recorded September 17, 2001, Book No. None, Page No. None, Document/Instrument/Recorder's Fee No. M01-47131, of said mortgage records; thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed is scheduled to be sold at the trustee's sale on January 23, 2002; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailor's Civil Relief Act of 1940," as amended, or legally incompetent under the laws of the State of Oregon.

In construing this certificate, the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.



Federal National Mortgage Association, by Washington
Mutual Home Loans, Inc., successor in interest by merger
to Fleet Mortgage Corp., it's attorney-in-fact
Beneficiary

By: 
Lynnette S. Allen, Vice President

65534

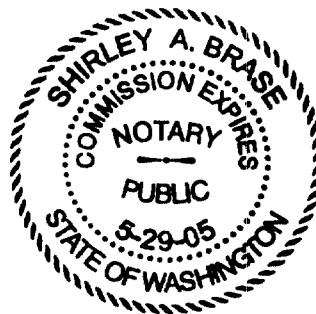
STATE OF WASHINGTON)
) SS.
COUNTY OF CLARK)

On this 19th day of December, 2001, before me the undersigned a Notary Public appeared Lynnette S. Allen, personally known to me or proved to me on the basis of satisfactory evidence to be the Vice President of the corporation that executed the within instrument, also known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the date first hereinabove written.

Shirley A. Brase
Notary Public for State indicated above
My commission expires: 5/29/05

Loan #: 60632283



Affidavit of Publication

65535

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 # 4473

Notice of Sale/Schwartz

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:

November 7, 14, 21, 28, 2001

Total Cost: \$756.00

Subscribed and sworn

before me on: November 28, 2001

Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S NOTICE OF SALE

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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: Monthly payments in the sum of \$885.07 from June 1, 2001, together with all costs, disburse-

ments, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

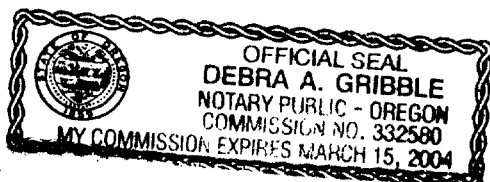
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sum being the following, to-wit: \$111,150.14, together with interest thereon at the rate of 7.00000% per annum from May 1, 2001, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 23, 2002, at the hour of 11:00 AM, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 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 has or had power to convey at the time of the execution of said trust deed, together with any interest which the grantor or his 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 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 obligations 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.

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serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following:

This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

Dated: 9/18/01. By:
Kelly D. Sutherland,
Successor Trustee.
Shapiro & Kreisman, 201 NE Park
Plaza Drive, #150,
Vancouver, WA
98684, (360) 260-2253..
#4473 November 7,
14, 21, 28, 2001.