

'02 JAN 18 PM2:52

Vol M02 Page 3662

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
01-14919

State of Oregon, County of Klamath
Recorded 01/18/2002 2:52 p m.
Vol M02, Pg 3662-71
Linda Smith, County Clerk
Fee \$ 66⁰⁰ # 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:

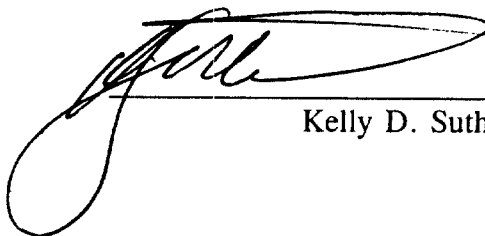
Susan Wesley
893 Lakeshore Drive
Klamath Falls, OR 97601

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 October 22, 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.



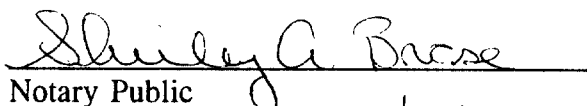
Kelly D. Sutherland

State of Washington)

County of Clark)

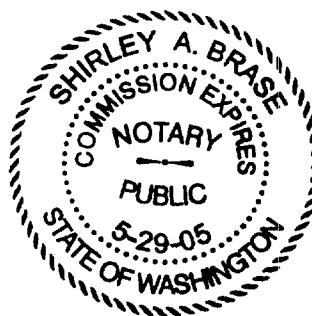
On this 22nd day of October, in the year 2001, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal


Notary Public

My Commission Expires 5/29/05

Lender Loan #: 217810476



01-14919

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Susan Wesley, as grantor, to First American Title Insurance Company of Oregon, as Trustee, in favor of Fleet National Bank, as Beneficiary, dated January 30, 2001, recorded February 2, 2001, in the mortgage records of Klamath County, Oregon, in Book No. M01, at Page 4338, beneficial interest having been assigned to Mortgage Electronic Registration Systems, Inc., covering the following described real property:

The North 125 feet of Lot 12, LAKESHORE GARDENS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

COMMONLY KNOWN AS: 893 Lakeshore Drive, Klamath Falls, OR 97601

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 \$725.83 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:

\$83,678.31, together with interest thereon at the rate of 7.62500% 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 February 20, 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 10/15/01

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 #: 217810476

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

3666

STATE OF OREGON
COUNTY OF

Klamath

COURT CASE NO.

0

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"/> | |

For the within named: Occupants of 893 Lakeshore DR. Klamath Falls, OR

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

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

☐ 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.

<u>893</u>	<u>Lakeshore DR.</u>		
ADDRESS OF SERVICE	STREET	UNIT / APT. / SPC#	
<u>Klamath Falls</u>		<u>OR</u>	<u>97601</u>
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.

<u>Oct. 16, 2001</u>	<u>6:27</u> a.m. <input type="checkbox"/> p.m. <input checked="" type="checkbox"/>	<u>Ed Foreman</u>
DATE OF SERVICE	TIME OF SERVICE	SIGNATURE

or not found

PRINTED IN OREGON

TEK 212

TRUSTEE'S NOTICE OF SALE

FLEET NATIONAL BANK

vs

SUSAN WESLEY

STATE OF OREGON)
COUNTY OF MULTNOMAH) SS.ORIGINAL
AFFIDAVIT/PROOF OF SERVICE
Client # 01-14919

I hereby certify that on the 16th day of October, 2001, at the hour of 6:27PM, a copy of a TRUSTEE'S NOTICE OF SALE was served to all occupant(s) located at 893 Lakeshore Dr., Klamath Falls, OR 97601.

THE OCCUPANTS WERE SERVED IN THE FOLLOWING MANNER:

I served Occupant(s), Anna Wesley by PERSONAL SERVICE

I served Occupant(s), Lyle DeFord by SUBSTITUTE SERVICE TO Anna Wesley, Co occupant, , a person over the age of 14 and who is an occupant of the described residence.

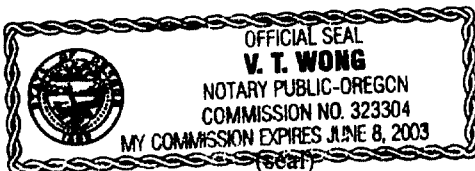
I served All Occupants over 18 years old by SUBSTITUTE SERVICE TO Anna Wesley, Co occupant, , a person over the age of 14 and who is an occupant of the described residence.,

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm, or corporation served is the identical one named in the action.

Jefferson State Adjusters, Server
Capitol Investigation Company

I HEREBY CERTIFY that I completed substitute service, as required by law, by depositing with the United States Post Office by regular mail a properly addressed, postage prepaid envelope containing a copy of the TRUSTEE'S NOTICE OF SALE to Lyle DeFord and all other occupants 18 years or older at 893 Lakeshore Dr., Klamath Falls, OR 97601 on OCT 25 2001. Signed: [Signature]



Subscribed to and sworn to before me this
25th day of October, 2001 by Jefferson State

[Signature]
Notary for the State of Oregon

My commission expires 6-8-03

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
(360) 260-2253
01-14919


CERTIFICATE OF NON-MILITARY SERVICE

STATE OF WASHINGTON)
) SS.
County of CLARK)

THIS IS TO CERTIFY THAT I, Lynnette S. Allen, am the Assistant Secretary and Assistant Vice President of Mortgage Electronic Registration Systems, Inc., the current beneficiary in that certain trust deed in which Susan Wesley, as grantor, conveyed to First American Title Insurance Company of Oregon, as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated January 30, 2001, and recorded February 2, 2001, in the mortgage records of said county, in Book No. M01, at Page 4338, Document/Instrument/Recorder's Fee No. None; thereafter a Notice of Default with respect to said trust deed was recorded October 11, 2001, Book No. None, Page No. None, Document/Instrument/Recorder's Fee No. M01-51896, 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 February 20, 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.

Mortgage Electronic Registration Systems, Inc.
Beneficiary

By: 
Lynnette S. Allen, Assistant Secretary and Assistant Vice President

STATE OF WASHINGTON)
) SS.
COUNTY OF CLARK)

On this 16th day of January, 2002, 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 Assistant Secretary and Assistant 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 #: 217810476

**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 # 4507

Sale/Wesley

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)
Four

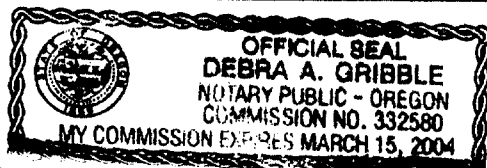
Insertion(s) in the following issues:
December 5, 12, 19, 26, 2001

Total Cost: \$742.50

Larry L. Wells
Subscribed and sworn
before me on: December 26, 2001

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004



**TRUSTEE'S
NOTICE OF SALE**

A default has occurred under the terms of a trust deed made by Susan Wesley, as grantor, to First American Title Insurance Company of Oregon, as Trustee, in favor of Fleet National Bank, as Beneficiary, dated January 30, 2001, recorded February 2, 2001, in the mortgage records of Klamath County, Oregon, in Book No. M01, at Page 4338, beneficial interest having been assigned to Mortgage Electronic Registration Systems, Inc., covering the following described real property: The North 125 feet of Lot 12, LAKE-SHORE GARDENS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. **COMMONLY KNOWN AS:** 893 Lakeshore Drive, Klamath Falls, OR 97601.

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 \$725.83 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: \$83,678.31, together with interest thereon at the rate of 7.62500% 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 February 20, 2002, at the hour of 11:00 AM, in accord with the standard of 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 foreclo-

sure 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 ex-

penses 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.

Dated: 10/15/01.

By: Kelly D. Sutherland, Successor Trustee. Shapiro & Kreisman, 201 NE Park Plaza Drive, #150, Vancouver, WA 98684. (360) 260-2253.

#4507 December 5, 12, 19, 26, 2001.