

02 FEB 22 PM 1:35

PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS

State of Oregon, County of Klamath  
Recorded 02/22/2002 1:35 p.m.  
Vol M02, Pg 10774 - 10778  
Linda Smith, County Clerk  
Fee \$ 41.00 # of Pgs 5

STATE OF OREGON  
COUNTY OF KLAMATH

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: TRUSTEE'S NOTICE OF SALE

(X) **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to ERWIN MILLER JR. at the address below.

(X) **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to ERWIN MILLER JR., a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: DEBRA ROSE & CRYSTAL AGARD

☐ **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 of 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:** By leaving an Original or True Copy with

☐ **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.

1100 CARLYLE ST.

KLAMATH FALLS

OREGON

97601

**ADDRESS OF SERVICE**

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of 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.

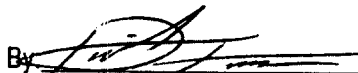
NOVEMBER 20, 2001

8:10 PM

**DATE OF SERVICE**

**TIME OF SERVICE**

☐ or not found

By 

DAVID FOREMAN

Dated this 21<sup>ST</sup> day of NOVEMBER, 2001.

Subscribed and sworn before me, 11-21-01  
date



Notary Public for Oregon

**ENTER RECORDING RETURN TO:**  
Hunter, et al  
Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440



K41

NOTICE OF SUBSTITUTE SERVICE

TO:

Crystal Agard  
1100 Carlyle Street  
Klamath Falls OR 97601

You are hereby notified that you were served with a Trustee's Notice of Sale, a true copy of which is attached hereto, by delivery of an original copy of the Notice of Sale at your dwelling house or usual place of abode indicated above, as follows:

Date and Time of Service:

November 20, 2001, 8:10 p.m.

Person to Whom the Notice  
Was Delivered:

Erwin Miller, Jr.

/s/ Michael C. Arola

MICHAEL C. AROLA,  
Successor Trustee

AFFIDAVIT OF MAILING

STATE OF OREGON       )  
                                  ) ss.  
COUNTY OF LANE       )

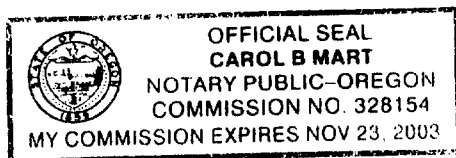
I, MICHAEL C. AROLA, being first duly sworn, depose and say that:

I mailed an original Notice of Substitute Service, a true copy of which appears above, together with a true copy of the Notice of Sale referred to therein, by placing them in a sealed envelope, addressed as shown above and mailed by certified mail, return receipt requested, with postage prepaid in the United States Mail at Eugene, Oregon, on November 27, 2001.

Michael C. Arola

MICHAEL C. AROLA

Signed and sworn to before me on November 27, 2001, by MICHAEL C. AROLA.

Carol B. Mart

Notary Public for Oregon

My Commission Expires: 11-23-03

NOTICE OF SUBSTITUTE SERVICE

AFTER RECORDING RETURN TO:  
Hershner, Hunter, et al  
Attn: Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440

10776

NOTICE OF SUBSTITUTE SERVICE

TO:

Debra Rose  
1100 Carlyle Street  
Klamath Falls OR 97601

You are hereby notified that you were served with a Trustee's Notice of Sale, a true copy of which is attached hereto, by delivery of an original copy of the Notice of Sale at your dwelling house or usual place of abode indicated above, as follows:

Date and Time of Service: November 20, 2001, 8:10 p.m.

Person to Whom the Notice  
Was Delivered: Erwin Millier, Jr.

/s/ Michael C. Arola  
MICHAEL C. AROLA,  
Successor Trustee

AFFIDAVIT OF MAILING

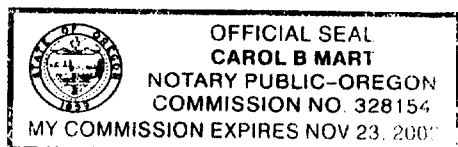
STATE OF OREGON       )  
                                      ) ss.  
COUNTY OF LANE       )

I, MICHAEL C. AROLA, being first duly sworn, depose and say that:

I mailed an original Notice of Substitute Service, a true copy of which appears above, together with a true copy of the Notice of Sale referred to therein, by placing them in a sealed envelope, addressed as shown above and mailed by certified mail, return receipt requested, with postage prepaid in the United States Mail at Eugene, Oregon, on November 27, 2001.

Michael C. Arola  
MICHAEL C. AROLA

Signed and sworn to before me on November 27, 2001, by MICHAEL C. AROLA.



Carol B. Mart  
Notary Public for Oregon  
My Commission Expires: 11-23-03

NOTICE OF SUBSTITUTE SERVICE

**AFTER RECORDING RETURN TO:**  
Hershner, Hunter, et al  
Attn: Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440

TRUSTEE'S NOTICE OF SALE

10777

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES:  
Grantor: WILLIAM T. ROSE and DEBRA D. ROSE  
Trustee: WILLIAM L. SISEMORE  
Successor Trustee: MICHAEL C. AROLA  
Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION
2. DESCRIPTION OF PROPERTY: The real property is described as follows:  
  
Lots 1 and 2, Block 38, SECOND ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.
3. RECORDING. The Trust Deed was recorded as follows:  
Date Recorded: April 10, 1998  
Volume M98, Page 11874  
Official Records of Klamath County, Oregon
4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments in the amount of \$777.00 each, due the first of each month, for the months of August through November 2001; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.
5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$85,184.19 plus interest at the rate of 7.125% per annum from July 1, 2001; plus late charges of \$90.15.
6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.
7. TIME OF SALE.  
Date: March 28, 2002  
Time: 11:00 a.m. as established by ORS 187.110  
Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon
8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511.

DATED: November 15, 2001.

*/s/ Michael C. Arola*

MICHAEL C. AROLA, Successor Trustee  
HERSHNER, HUNTER, ANDREWS, NEILL & SMITH, LLP  
P.O. Box 1475  
Eugene, OR 97440

**AFTER RECORDING RETURN TO:**  
Hershner, Hunter, et al  
Attn: Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440

# Affidavit of Publication

10778

## 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 # 4557

Notice of Sale/Rose

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

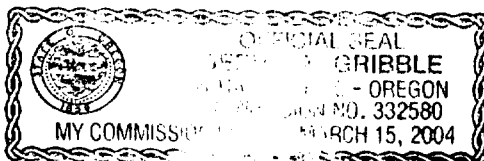
Insertion(s) in the following issues:  
January 17, 24, 31, February 7, 2002

Total Cost: \$513.00

*Larry L. Wells*  
Subscribed and sworn  
before me on: February 7, 2002

*Debra A. Snibbe*  
Notary Public of Oregon

My commission expires March 15, 2004



### TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745 the following information is provided:

1. PARTIES: Grantor: WILLIAM T. ROSE and DEBRA D. ROSE; Trustee: WILLIAM L. SISEMORE; Successor Trustee: MICHAEL C. AROLA; Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION.

2. DESCRIPTION OF PROPERTY: The real property is described as follows: Lots 1 and 2, Block 38, SECOND ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

3. RECORDING: The Trust Deed was recorded as follows: Date Recorded: April 10, 1998; Volume M98, Page 11874, Official Records of Klamath County, Oregon.

4. DEFAULT: The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay:

Monthly payments in the amount of \$777.00 each, due the first of each month, for the months of

August through November 2001; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE: The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$85,184.19 plus interest at the rate of 7.125% per annum from July 1, 2001; plus late charges of \$90.15.

6. ELECTION TO SELL: The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.

7. TIME OF SALE: Date: March 28, 2002; Time: 11:00 AM as established by ORS 187.110; Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon.

8. RIGHT TO REINSTATE: Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying

all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with

the Trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511. Dated: November 15, 2001. Michael C. Arola, Successor Trustee, Hershner, Hunter, Andrews, Neill & Smith, LLP, PO Box 1475, Eugene, OR 97440. #4557 January 17, 24, 31, February 7, 2002.