

02 MAY 15 PM 2:51

ASPEN 54235

Vol M02 Page 29057

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE	
RE: Trust Deed from Patrick J. Moss, et al. 17210 Riveredge Rd., Klamath Falls, OR 97601	Grantor
to	
Richard L. Biggs, Esq.	Trustee
AFTER RECORDING RETURN TO Richard L. Biggs, Esq. 6327-C SW Capitol Highway, PMB 267 Portland, OR 97201-1937	

State of Oregon, County of Klamath
Recorded 05/15/2002 2:51 P m.
Vol M02, Pg 29057-61
Linda Smith, County Clerk
Fee \$ 41.00 # of Pgs 5

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah) ss:

I, Molly M. Luoto, 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 Oregon, 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 addresses, to-wit:

NAME

ADDRESS

See attached Exhibit A.

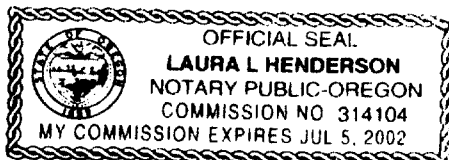
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 by Molly M. Luoto, for the trustee named in said notice; 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 Wilsonville, Oregon, on January 24, 2002. 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.

Molly M. Luoto

State of Oregon, County of Multnomah)

Subscribed and sworn to before me on January 25, 2002, by Molly M. Luoto.



Laura L. Henderson
Notary Public for Oregon.
My commission expires _____

Exhibit A – Affidavit of Mailing Trustee's Notice of Sale

Occupants

17210 Riveredge Road
Klamath Falls, OR 97601

Patrick J. Moss
17210 Riveredge Road
Klamath Falls, OR 97601

Pamela L. Moss
17210 Riveredge Road
Klamath Falls, OR 97601

A. Martin
13968 Keno Terrace
Klamath Falls, OR 97601

Mary N. Martin
13968 Keno Terrace
Klamath Falls, OR 97601

Carter-Jones Collection LLC
c/o Kent Pederson, Reg. Agent
1143 Pine Street
Klamath Falls, OR 97601

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Patrick J. Moss and Pamela L. Moss, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Associates Financial Services Company of Oregon, Inc. (a division of CitiFinancial, Inc.), as beneficiary, dated June 21, 2000, recorded June 29, 2000, in the mortgage records of Klamath County, Oregon, in Book M-00, Page 23766, covering the following described real property situated in the above-mentioned county and state, to-wit: Lot 8, Block 16, FIRST ADDITION TO KLAMATH RIVER ACRES, in the County of Klamath, State of Oregon. (The title company advises the property address is 17210 Riveredge, Klamath Falls, OR).

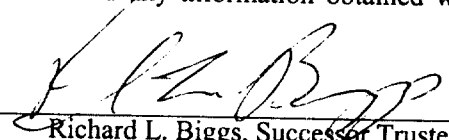
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Partial monthly payment for March 2001, and full monthly payments for April 2001 through January 2002, plus expenses, for a total of \$14,176.52, plus real property taxes for 2001-02 that are now due.

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 sums being the following, to-wit: As of December 14, 2001, the principal sum of \$118,195.56 plus interest; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above described property, plus attorney and trustee's fees incurred by reason of said default.

WHEREFORE, notice hereby is given that the undersigned trustee will on **May 28, 2002, at the hour of 11:00 a.m.**, in accord with the standard of time established by ORS 187.110, at **2nd floor 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 said trust deed, together with any interest which the grantor or grantor's 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 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. The Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED January 11, 2002.


Richard L. Biggs, Successor Trustee
FOR ADDITIONAL INFORMATION CALL (503) 227-6922

State of Oregon, County of Multnomah) ss:
I, the undersigned, certify that the foregoing is a complete and exact copy of the original trustee's notice of sale.

For said Trustee

29060

Re: Moss

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

I, Dave Shuck, being first duly sworn, depose and say:


That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 23rd day of January, 2002, after personal inspection, I found the following described real property to be unoccupied:

**Lot 8, Block 16, FIRST ADDITION TO KLAMATH RIVER ACRES, in the County of
Klamath, State of Oregon.**

Commonly known as: 17210 Riveredge
Klamath Falls, OR 97601

I declare under the penalty of perjury that the above statements are true and correct.


Dave Shuck 239276

SUBSCRIBED AND SWORN to before me this 25th day of January, 2002, by Dave Shuck.



Margaret C. Nielsen
Notary Public for Oregon

Affidavit of Publication

29061

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 # 4699

Notice of Sale/Moss

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:
March 27, April 3, 10, 17, 2002

Total Cost: \$634.50

Larry L. Wells
Subscribed and sworn

before me on: April 17, 2002

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Patrick J. Moss and Pamela L. Moss, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Associates Financial Services Company of Oregon, Inc. (a division of CitiFinancial, Inc.), as beneficiary, dated June 21, 2000, recorded June 29, 2000, in the mortgage records of Klamath County, Oregon, in Book M-00, Page 23766, covering the following described real property situated in the above-mentioned county and state, to-wit: Lot 8, Block 16, FIRST ADDITION TO KLAMATH RIVER ACRES, in the County of Klamath, State of Oregon. (The title company advises the property address is 17210 Riveredge, Klamath Falls, OR).

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: Partial monthly payment for March 2001, and full monthly payments for April 2001 through January 2002, plus expenses, for a total of \$14,176.52, plus real property taxes for 2001-02 that are now due.

By reason of said default the beneficiary has declared all sums owing on the obligation se-

cured by said trust deed immediately due and payable, said sums being the following, to-wit: As of December 14, 2001, the principal sum of \$118,195.56 plus interest; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above described property, plus attorney and trustee's fees incurred by reason of said default.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 28, 2002, at the hour of 11:00 AM, in accord with the standard of time established by ORS 187.110, at 2nd floor 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 said trust deed, together with any interest which the grantor or grantor's 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 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. The Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect a debt and any information obtained will be used for that purpose.

Dated: January 11, 2002. Richard L. Biggs, Successor Trustee. For additional information call (503) 227-6922. #4699 March 27, April 3, 10, 17, 2002.

