

02 JUN 13 AM 11:44

Vol M02 Page 34570

**RECORDING COVER SHEET**  
Pursuant to ORS 205.234

State of Oregon, County of Klamath  
Recorded 06/13/2002 11:44 a. m.  
Vol M02, Pg 24570-79  
Linda Smith, County Clerk  
Fee \$ 66.00 # of Pgs 10

After recording return to:

Northwest Trustee Services, LLC  
Attention: Kathy Taggart  
P.O. Box 4143  
Bellevue, WA 98009-4143

K-58345

1. AFFIDAVIT OF MAILING
2. TRUSTEE'S NOTICE OF SALE
3. PROOF OF SERVICE
4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Virginia Lea Buccino and Giuseppe Buccino, tenants in the entirety

Beneficiary: Norwest Mortgage, Inc. dba Directors Acceptance dba Wells Fargo Home Mortgage, Inc.

**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS CONTAINED IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.**

\$166

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, 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 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 address, to-wit:

Giuseppe Buccino  
30103 Transformer Road  
Malin, OR 97632

Virginia Lea Buccino  
30103 Transformer Road  
Malin, OR 97632

Giuseppe Buccino  
P.O. Box 7763  
Klamath Falls, OR 97602

Virginia Lea Buccino  
P.O. Box 7763  
Klamath Falls, OR 97602

Western Credit Services  
81 East Stewart Avenue  
Medford, OR 97501

Carter Jones Collections, LLC  
1143 Pine Street  
Klamath Falls, OR 97601-0375

Carter Jones Collections, LLC  
P.O. Box 145  
Klamath Falls, OR 97601-0375

National Credit Acceptance  
assignee of MBNA American Bank  
1731 Howe Avenue, #254  
Sacramento, CA 95825

National Credit Acceptance  
assignee of MBNA American Bank  
c/o Derrick E. McGavic, Attorney  
P.O. Box 10163  
Eugene, OR 97440

National Credit Acceptance  
assignee of MBNA American Bank  
c/o Derrick E. McGavic, Attorney  
941 West Third Avenue  
Eugene, OR 97440

<b>AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE</b>	
<b>RE: Trust Deed from</b>	
<b>Buccino, Giuseppe and Virginia Lea</b>	
<b>Grantor</b>	
<b>to</b>	
<b>Northwest Trustee Services, LLC,</b>	<b>File No. 7023.24756</b>
<b>Trustee</b>	

**After recording return to:**  
**Northwest Trustee Services, LLC**  
**Attn: Kathy Taggart**  
**P.O. Box 4143**  
**Bellevue, WA 98009-4143**

Collen Lewis  
6628 Reeder Road  
Klamath Falls, OR 97603

Collen Lewis  
c/o Myron Gitnes, Attorney  
635 Main Street  
Klamath Falls, OR 97601

Giuseppe Buccino  
c/o Peter J. Richard, Attorney  
122 South 5th Street  
Klamath Falls, OR 97601

Hardy Myers  
Attorney General, State of Oregon  
1162 Court Street Northeast  
Salem, OR 97310

State of Oregon  
c/o Dennis Mayea, Revenue Agent  
P.O. Box 14725  
Salem, OR 97309-5018

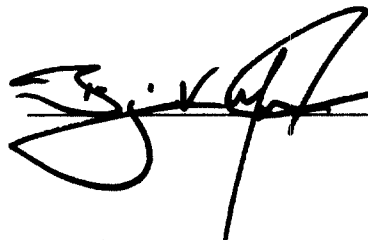
Shasta View Irrigation District  
P.O. Box 46  
Malin, OR 97632

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, 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 Bellevue, Washington, on 2-28-02. 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.

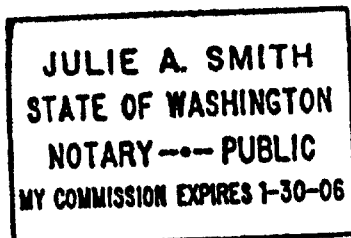
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )



I certify that I know or have satisfactory evidence that Benjamin V Mork is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 2/28/02



Julie A Smith  
NOTARY PUBLIC in and for the State of  
Washington, residing at King County  
My commission expires 1/30/06

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Virginia Lea Buccino and Giuseppe Buccino, tenants in the entirety, as grantor, to Forrest N.A. Bacci, Esq., as trustee, in favor of Norwest Mortgage, Inc. dba Directors Acceptance dba Wells Fargo Home Mortgage, Inc., as beneficiary, dated 11/03/99, recorded 11/10/99, in the mortgage records of Klamath County, Oregon, as Vol. M99, Page 44852, covering the following described real property situated in said county and state, to wit:

**SEE ATTACHED**

PROPERTY ADDRESS: 30103 Transformer Road  
Malin, OR 97632

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 of \$1,107.15 beginning 11/01/01; plus late charges of \$55.36 each month beginning 11/16/01; plus prior accrued late charges of \$0.00; plus advances of \$296.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

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: \$126,109.11 with interest thereon at the rate of 9.875 percent per annum beginning 10/01/01; plus late charges of \$55.36 each month beginning 11/16/01 until paid; plus prior accrued late charges of \$0.00; plus advances of \$296.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on **July 5, 2002** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby 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 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 grantor's successors in interest acquired after the execution 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 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.

Northwest Trustee Services, LLC

Dated: 2/28, 2002

By

Authorized Signature

For further information, please contact:

**Kathy Taggart**  
**Northwest Trustee Services, LLC**  
**P.O. Box 4143**  
**Bellevue, WA 98009-4143**  
**(425) 586-1900**  
**File No.7023.24756/Buccino, Giuseppe and Virginia Lea**

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

\_\_\_\_\_  
By Authorized Signer

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

## EXHIBIT "A"

## DESCRIPTION OF PROPERTY

## PARCEL 1:

The East 136 feet of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM that portion lying North of the Shasta View Irrigation Ditch, Klamath County, Oregon.

## PARCEL 2:

A tract of land in the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence East along the South line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  to the West boundary of the Shasta View Irrigation Ditch running Northwesterly and Southeasterly through said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence Northwesterly along the Westerly boundary of said Ditch to its intersection with the West line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence South along the West line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  to the point of beginning.

EXCEPTING THEREFROM that portion lying within the County Road.

ALSO EXCEPTING THEREFROM a tract of land in the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point in the South line of SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, which point is East 450 feet and four inches from the Southwest corner of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; and running thence North parallel with the West line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  a distance of 268 feet to the Westerly line of the Shasta View Irrigation District Ditch; thence Southeasterly along the Westerly line of said Ditch to the South line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence West along said South line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  to the point of beginning.

EXCEPTING THEREFROM that portion lying within the County Road.

7023. 24756 / Buccino

34576

7023.24756/Buccino

**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 4<sup>th</sup> day of March, 2002, after personal inspection, I found the following described real property to be unoccupied:

See Attached

Commonly known as:       30103 Transformer Road  
                                  Malin, OR 97632

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

  
\_\_\_\_\_  
Dave Shuck                               241818

SUBSCRIBED AND SWORN to before me this 8<sup>th</sup> day of March, 2002, by Dave Shuck



  
\_\_\_\_\_  
Notary Public for Oregon

34577

## EXHIBIT "A"

## DESCRIPTION OF PROPERTY

## PARCEL 1:

The East 136 feet of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4; Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM that portion lying North of the Shasta View Irrigation Ditch, Klamath County, Oregon.

## PARCEL 2:

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EXCEPTING THEREFROM that portion lying within the County Road.

ALSO EXCEPTING THEREFROM a tract of land in the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

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EXCEPTING THEREFROM that portion lying within the County Road.

703. 24756 / Buccino





