

02 JUL 19 AM 11:00

Vol M02 Page 40952

RECORDING COVER SHEET
FOR NOTICE OF SALE PROOF
OF COMPLIANCE, PER ORS 205.234
THIS COVER SHEET HAS BEEN PREPARED BY THE
PERSON PRESENTING THE ATTACHED INSTRUMENT FOR
RECORDING. ANY ERRORS IN THIS COVER SHEET
DO NOT AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.

State of Oregon, County of Klamath
Recorded 07/19/2002 11:00 a m.
Vol M02, Pg 40952-58
Linda Smith, County Clerk
Fee \$ 61⁰⁰ # of Pgs 7

AFTER RECORDING RETURN TO:

**Northwest Trustee Services, LLC
Attn: Winston Khan
P.O. Box 4143
Bellevue, WA 98009-4143**

ORDER # 7066.20024 / K58743

MARK NAME(S) OF ALL THE TRANSACTIONS described in the attached instrument. Fill in the Original Grantor on the Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or affidavit of Publication Notice of Sale or Proof of Service will be considered a transaction.

☒ **AFFIDAVIT OF MAILING NOTICE OF SALE** (must have
Trustee's Notice of Sale attached)

☒ **AFFIDAVIT OF PUBLICATION OF NOTICE OF SALE**

☒ **PROOF OF SERVICE**

Original Grantor on Trust Deed: Vivian N. Kimbol

Beneficiary: Washington Mutual Bank

K51.
+10
61-

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

40953

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:

Vivian N. Kimbol
118 North Lalo Avenue
Chiloquin, OR 97624

Vivian N. Kimbol
894 Homedale Road, Apt. D
Klamath Falls, OR 97603

Discover Bank
c/o Daniel N. Gordon, Attorney
Case No. 0100534CV
260 Country Club Road, Suite 210
Eugene, OR 97401

Beneficial Oregon, Inc.
Case No. 0101351CV
931 Corporate Center Drive
Ponoma, CA 91768

Beneficial Oregon, Inc.
Case No. 0101351CV
c/o Krista L. White, Attorney
Bishop, Lynch & White, P.S.
720 Olive Way, Suite 1301
Seattle, WA 98101

Vivian N. Kimbol
P.O. Box 1942
Klamath Falls, OR 97601

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 4/1/02. 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)

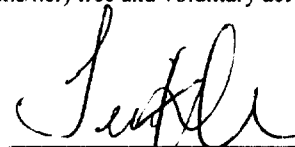
) ss.

COUNTY OF KING)



I certify that I know or have satisfactory evidence that Jessica K. May 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: 4-1-02



NOTARY PUBLIC in and for the State of
Washington, residing at Renfrew
My commission expires 12-20-03

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Kimbol, Vivian N.

Grantor

to

Northwest Trustee Services, LLC,

Trustee

File No. 7066.20024

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

TERRI KHOUNSOMBATH
STATE OF WASHINGTON
NOTARY ---- PUBLIC
MY COMMISSION EXPIRES 12-20-03

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Vivian N. Kimbol, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Washington Mutual Bank, as beneficiary, dated 11/22/96, recorded 12/02/96, in the mortgage records of Klamath County, Oregon, as Vol. M96 Page 37554, covering the following described real property situated in said county and state, to wit:

Lots 1, 2 and 3, Block 10, West Chiloquin Addition to the City of Chiloquin, in the County of Klamath, State of Oregon.

PROPERTY ADDRESS: 118 North Lalo Avenue
Chiloquin, OR 97624

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 \$103.43 beginning 09/27/01; plus late charges of \$5.17 each month beginning 10/12/01; plus prior accrued late charges of \$0.00; plus advances of \$140.00; 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: \$9,904.71 with interest thereon at the rate of 9.625 percent per annum beginning 08/27/01; plus late charges of \$5.17 each month beginning 10/12/01 until paid; plus prior accrued late charges of \$0.00; plus advances of \$140.00; 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 **August 2, 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.

40955

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: 3/27, 2002

By Winston Khan

Authorized Signature

For further information, please contact:

Winston Khan
Northwest Trustee Services, LLC
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7066.20024/Kimbol, Vivian N.

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.**

7066.20024/kimbol

PROOF OF SERVICE

40956

STATE OF OREGON)
) ss.
County of Klamath)

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, along with the Notice Under the Federal Fair Debt Collection Practices Act, upon an **OCCUPANT** at the following address:

118 NORTH LALO AVENUE, CHILOQUIN, OREGON 97624, as follows:

Personal service upon Victor Jackson Jr., by delivering said true copy, personally and in person, at the above address on April 3rd, 2002 at 4:30 P.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at _____:_____ .m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at _____:_____ .m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at _____:_____ .m.

I declare under the penalty of perjury that the above statement is true and correct.



Dave Shuck

243706

SUBSCRIBED AND SWORN to before me this 4th day of April, 2002 by DAVE Shuck.




Notary Public for Oregon

**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 # 4826

Notice of Sale/Kimbol

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:

May 9, 16, 23, 30, 2002

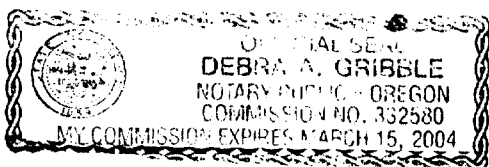
Total Cost: \$688.50

Subscribed and sworn

before me on: May 30, 2002

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 Vivian N. Kimbol, as grantor, to Aspen Title & Escrow, Inc., as trustee, in favor of Washington Mutual Bank, as beneficiary, dated 11/22/96, recorded 12/02/96, in the mortgage records of Klamath County, Oregon, as Vol. M96 Page 37554, covering the following described real property situated in said county and state, to wit:

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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 \$103.43 beginning 09/27/01; plus late charges of \$55.17 each month beginning 10/12/01; plus prior accrued late charges of \$0.00; plus advances of \$140.00; 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: \$9,904.71 with interest thereon at the rate of 9.625 percent per annum beginning 08/27/01; plus late charges of \$5.17 each month beginning 10/12/01 until paid; plus prior accrued late charges of \$0.00; plus advances of \$140.00; 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.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 2, 2002 at the hour of 10:00 o'clock AM 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. Dated 3/27/2002. By Winston Khan, Authorized Signature. For further information, please contact:

Winston Khan,
Northwest Trustee
Services, LLC, PO
Box 4143, Bellevue,
WA 98009-4143. (425)
586-1900. File No.
7066.20024/Kimbol,
Vivian, N.
#4826 May 9, 16, 23,
30, 2002.

RECEIVED

JUN 4 - 2002

ROUTH CRADTREE & FENNEL

40958