Vol. MO2 Page 45891

AFTER RECORDING RETURN TO:

Anderson & Monson, P.C. 10700 SW Beaverton-Hillsdale Hwy. Suite 460 Beaverton, Oregon 97005

MTE SUSTS

State of Oregon, County of Klamat
Recorded 08/15/2002 14.60
Vol M02, Pg 45891-95
Linda Smith County Clark
Linda Smith, County Clerk Fee \$ 4/100 # of Pgs 5
8- <u></u> -

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON) ss. County of Washington)

I, Miles D. Monson, being first duly sworn, depose and say:

I 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 Trustee's Notice of Sale.

I mailed a true copy of the attached Trustee's Notice of Sale 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 Scott D. Wiggers 1839 Lukes Road La Pine, Oregon 97739 Scott D. Wiggers PO Box 2061 La Pine, Oregon 97739 Rebecca Wiggers 1839 Lukes Road a.k.a. Becky Midst La Pine, Oregon 97739 Rebecca L. Wiggers PO Box 2061 a.k.a. Becky Midst La Pine, Oregon 97739 Lawrence W. Erwin Attorney for Scott and Becky Wiggers 221 NW Lafayette Ave. Bend, Oregon 97701

Each copy was contained in a sealed envelope, with postage prepaid, and was deposited in the United States post office at Beaverton, Oregon, on April 25, 2002. Each of the notices was mailed after the Notice of Default and Election to Sell was recorded.

The above-named 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.

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

Miles D. Monson

SUBSCRIBED AND SWORN TO before me this 25th day of April, 2002.

OFFICIAL SEAL
LISA A DAWES

NOTARY PUBLIC-OREGON
COMMISSION NO. 344343
MY COMMISSION EXPIRES MAY 14, 2005

NOTARY PUBLIC FOR OREGON

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341 ·175/Oakwood/Wiggers

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 29th day of May, 2002, after personal inspection, I found the following described real property to be unoccupied:

Lot 6 in Block 20 of THIRD ADDITION TO RIVER PINE ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Commonly known as:

1839 Lukes Road

La Pine, OR 97739

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

Dave Shuck

245263

SUBSCRIBED AND SWORN to before me this day of May, 2002, by Dave Shuck.



Notary Public for Oregon

TRUSTEE'S NOTICE OF SALE

The trust deed to be foreclosed pursuant to Oregon law is referred to as follows (the "Trust Deed"):

Grantor:

Scott D. Wiggers and Rebecca L. Wiggers

Trustee:

AmeriTitle

Beneficiary:

Oakwood Acceptance Corporation

Date:

February 25, 2000

Recording Date:

March 1, 2000

Recording Reference:

Vol. M00, Page 6485

County of Recording:

Klamath County

Oakwood Acceptance Corporation is now known as Oakwood Acceptance Corporation, LLC., a Delaware LLC. ("Beneficiary") pursuant to a merger effective October 1, 2001.

The Trust Deed covers real property described in the Trust Deed and legally described as follows in the County of Klamath and State of Oregon ("the Property"):

Lot 6 in Block 20 of THIRD ADDITION TO RIVER PINE ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Together with all improvements constructed upon, affixed to or located upon the above described real property, including without limitation any residential dwelling located upon or to be located thereon, which dwelling is or may be a manufactured home, as hereinbelow described, which manufactured home is or upon placement and affixation shall be conclusively deemed to be real estate ("the Manufactured Home"):

Manufactured Home make: Golden West Manufactured Home model: OK56003K

Together with any interest therein which Grantor may hereafter acquire.

The default for which foreclosure is permitted is the Grantors' failure to pay when due the following sums:

Monthly installments of \$676.44 beginning November 1, 2001 and continuing through the installment due April 1, 2002, plus late charges and NSF fees, less a suspense balance of \$9.48.

By reason of the default, the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable as follows:

\$85,036.41 together with interest of \$2,869.40 through February 20, 2002 plus interest on the principal sum of \$85,036.41 at the rate of 8.75 percent per annum from February 21, 2002, until paid, less a suspense balance of \$9.48, together with Trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the Trust Deed.

NOTICE

The Trustee will on September 6, 2002 at the hour of One O'clock, 1:00 p.m., at the Klamath County Courthouse, 316 Main Street, Front Steps, in the City of Klamath Falls, County of Klamath and State of Oregon, sell at public auction to the highest bidder for cash the interest in the 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 acquired after the execution of the Trust Deed, to satisfy the debt thereby secured and the costs and expenses of sale, including a reasonable charge by the Trustee.

NOTICE OF RIGHT TO CURE

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 doing <u>all</u> of the following:

- 1. Paying the Beneficiary the entire amount then due (other than such portion as would not then be due had no default occurred);
- 2. Curing any other default complained of herein that is capable of being cured by tendering the performance required under the debt or Trust Deed; and
- 3. Paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with Trustee's and attorney fees not exceeding the amounts provided by 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 the Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

DATED: April 23, 2002.

Miles D. Monson
Successor Trustee
10700 SW Beaverton-Hillsdale Hwy. #460

Beaverton, Oregon 97005 (503) 646-9230

STATE OF OREGON)) ss.

County of Washington)

I, Miles D. Monson, certify that I am the Successor Trustee and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

Successor Trustee