

02 SEP 9 PM 2:14

Vol M02 Page 50951

**RECORDING COVER SHEET**  
**Pursuant to ORS 205.234**

State of Oregon, County of Klamath  
Recorded 09/09/2002 2:14 P m.  
Vol M02, Pg 50951-58  
Linda Smith, County Clerk  
Fee \$ 56<sup>00</sup> # of Pgs 8

After recording return to:

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

*K- 57373*

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

**Original Grantor(s) on Trust Deed: Emile A. Dugas and Robin D. Dugas, husband and wife as tenants by the entirety**

**Beneficiary: America First Funding, Inc., an Oregon corporation**

**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.**

*#58 12*

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

**50952**

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:

Emile A. Dugas  
39944 Incline Drive  
Chiloquin, OR 97624

Robin D. Dugas  
39944 Incline Drive  
Chiloquin, OR 97624

Emile A. Dugas  
P.O. Box 497  
Chiloquin, OR 97624

Robin D. Dugas  
P.O. Box 497  
Chiloquin, OR 97624

Emile D. Dugas  
P.O. Box 2860  
Ventura, CA 93002

Robin D. Dugas  
c/o Douglas V. Osborne, Attorney  
439 Pine  
Klamath Falls, OR 97601

Emile D. Dugas  
c/o W. Daniel Bunch, Attorney  
411 Pine Street  
Klamath Falls, OR 97601

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

Carter-Jones Collections, LLC  
c/o Neal G. Buchanan, Attorney  
435 Oak Avenue  
Klamath Falls, OR 97601-6154

State of Oregon  
Department of Revenue  
P.O. Box 14725  
Salem, OR 97309-5018

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

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.

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

**RE: Trust Deed from  
Dugas, Emile A. and Robin D.  
Grantor**

**to  
Northwest Trustee Services, LLC,  
Trustee**

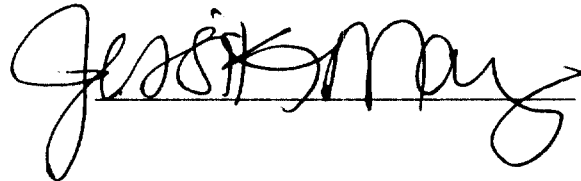
**File No. 7006.20613**

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

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 6/4/02. 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.

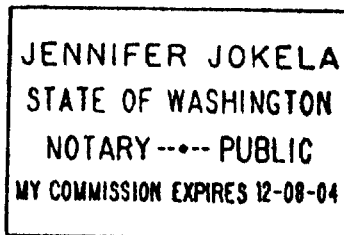
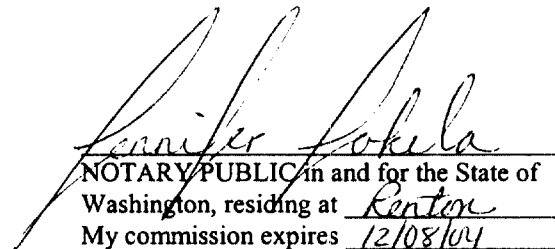
STATE OF WASHINGTON       )  
  ) ss.  
COUNTY OF KING        )



**Jessica K. May**

I certify that I know or have satisfactory evidence that \_\_\_\_\_ 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: 6/4/02

NOTARY PUBLIC in and for the State of  
Washington, residing at Kent  
My commission expires 12/08/04

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Emile A. Dugas and Robin D. Dugas, husband and wife as tenants by the entirety, as grantor, to Amerititle, as trustee, in favor of America First Funding, Inc., an Oregon corporation, as beneficiary, dated 07/14/97, recorded 08/01/97, in the mortgage records of Klamath County, Oregon, in Volume M97 Page 24953 and subsequently assigned to The Chase Manhattan Bank, as Trustee of IMC Home Equity Loan Trust 1997-6 under the Pooling and Servicing Agreement dated as of October 1, 1997, by Assignment, covering the following described real property situated in said county and state, to wit:

Lot 7 in Block 7 of Tract No. 1019, Winema Peninsula Unit No. 2, according to the Official Plat thereof on File in the Office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 39944 Incline Drive  
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 \$696.31 beginning 05/04/01; plus late charges of \$34.82 each month beginning 05/19/01; plus prior accrued late charges of \$203.48; plus advances of \$1,150.29; 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: \$54,189.05 with interest thereon at the rate of 15.13 percent per annum beginning 04/04/01; plus late charges of \$34.82 each month beginning 05/19/01 until paid; plus prior accrued late charges of \$203.48; plus advances of \$1,150.29; 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 **October 4, 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: May 31, 20 02

By

  
Authorized Signature

For further information, please contact:

**Danni Johnson**  
**Northwest Trustee Services, LLC**  
**P.O. Box 4143**  
**Bellevue, WA 98009-4143**  
**(425) 586-1900**  
**File No.7006.20613/Dugas, Emile A. and Robin D.**

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.**

50956

**7006.20613/Dugas**

## 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 Klarnath 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 5<sup>th</sup> day of June, 2002, after personal inspection, I found the following described real property to be unoccupied:

Lot 7 in Block 7 of Tract No. 1019, Winema Peninsula Unit No. 2, according to the Official Plat thereof on File in the Office of the County Clerk of Klamath County, Oregon.

**Commonly known as:** 39944 Incline Drive  
Chiloquin, OR 97624

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

  
Dave Shuck 247703

SUBSCRIBED AND SWORN to before me this 6<sup>TH</sup> day of June, 2002, by Dave Shuck.

Sharon A. Fuller  
Notary Public for Oregon



# Affidavit of Publication

50957

## 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 # 5029

Notice of Sale/Dugas

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:

July 11, 18, 25, August 1, 2002

Total Cost: \$729.00

Subscribed and sworn

before me on: August 1, 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 Emile A. Dugas and Robin D. Dugas, husband and wife as tenants by the entirety, as grantor, to Ameriti-ble, as trustee, in favor of America First Funding, Inc., an Oregon corporation, as beneficiary, dated 07/14/97, recorded 08/01/97, in the mortgage records of Klamath County, Oregon in Volume M97 Page 24953 and subsequently assigned to the Chase Manhattan Bank, as Trustee of IMC Home Equity Loan Trust 1997-6 under the Pooling and Servicing Agreement dated as of October 1, 1997 by Assignment, covering the following described real property situated in said county and state, to wit: Lot 7 in Block 7 of Tract No. 1019, Winema Peninsula Unit No. 2, according to the Official Plat thereof on File in the Office of the County Clerk of Klamath County, Oregon. PROPERTY ADDRESS: 39944 Incline Drive, Chiloquin, OR 97624.

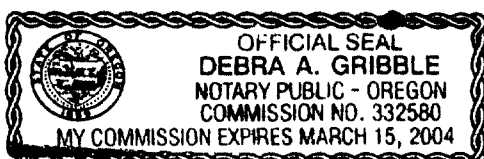
Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$696.31 beginning 05/04/01; plus late charges of \$34.82 each month begin-

ning 05/19/01; plus prior accrued late charges of \$203.48; plus advances of \$1,150.29; 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.

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WHEREFORE, notice hereby is given that the undersigned trustee will on October 4, 2002 at the hour of 10:00 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 high-

est 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 of 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



50958

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: May 31, 2002.

By: Danni Johnson,  
Authorized Signature.

For further information, please

contact: Danni

Johnson, Northwest

Trustee Services,

LLC, PO Box 4143,

Bellevue, WA 98009-

4143. (425) 586-1900.

File No. 7006.20613/

Dugas, Emile A.

and Robin D.

#5029 July 11, 18, 25,

August 1, 2002.

RECEIVED

AUG 3 - 2002

ROUTH CHARTER & FENWELL