

02 SEP 11 PM 2:25

Vol M02 Page 51761

State of Oregon, County of Klamath

Recorded 09/11/2002 2:25 p m.

Vol M02, Pg 51761-71

Linda Smith, County Clerk

Fee \$ 71.00 # of Pgs 11

PLEASE RECORD IMMEDIATELY

After recording return to:

Christy Melhorn

PRESTON GATES & ELLIS LLP

222 SW Columbia, Suite 1400

Portland, OR 97201

Facsimile: (503) 248-9085

37543-50316/Frances I. Hart

Title Order Number 54950

County Klamath

Property Address 3665 Pine Tree Drive, Klamath Falls, OR 97603

Recording Cover Sheet

This cover sheet has been prepared by the person presenting the attached instrument for recording, as provided by ORS 205.234. Any Errors in this Sheet do not affect the transactions contained in the instrument itself. PLEASE FAX US THE RECORDING NUMBERS AND COSTS. Then, please issue an endorsement to the Trustee's Sale Guarantee. Include our file number and grantor name on all correspondence.

A) Names of the transactions described in the attached instruments:

- ☒ Affidavit of Mailing Trustee's Notice of Sale with original
- ☒ Trustee's Notice of Sale attached
- ☐ Affidavit of Service on Occupant
- ☐ Affidavit of Mailing Notice of Substitute Service
- ☒ Affidavit of Notice of Non-Occupancy
- ☒ Affidavit of Publication of Trustee's Notice of Sale
- ☐ Affidavit of Mailing Notice to IRS
- ☐ Affidavit of Mailing Amended Trustee's Notice of Sale
- ☐ Original Amended Trustee's Notice of Sale
- ☒ *affidavit of additional Mailing TNOS*

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51762

After recording return to:
Christy Melhorn
PRESTON GATES & ELLIS LLP
222 SW Columbia St., Suite 1400
Portland, OR 97201

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Client Matter Number 37543-50316/Frances I. Hart

STATE OF OREGON, County of Multnomah) ss:

I, Christy Melhorn, being first duly sworn, depose, 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 *Trustee's Notice of Sale* given under the terms of that certain deed described in said notice.

I gave notice of the real property described in the attached *Trustee's 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:

NAME	ADDRESS
Frances I. Hart	3665 Pine Tree Drive Klamath Falls, OR 97603
All Residents and/or Occupants	3665 Pine Tree Drive Klamath Falls, OR 97603
GreenPoint Mortgage Funding, Inc.	1100 Larkspur Landing Circle, Suite 101 Larkspur, CA 94939

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GreenPoint Mortgage Funding, Inc.	c/o CT Corporation System as Reg. Agt. 388 State Street, Suite 420 Salem, OR 97301
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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.

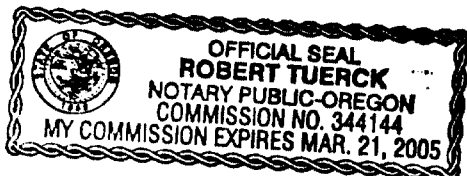
Each of the *Trustee's Notice of Sale* so mailed was certified by an attorney of record to be a true copy of the original *Trustee's Notice of Sale*, each such copy was contained in a sealed envelope, with postage fully prepaid, and was deposited by me in the United States post office at Portland, Oregon, on May 24, 2002. With respect to each person listed above, one such notice was mailed with postage 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 in the amount sufficient to accomplish the same. Each of said *Trustee's Notice of Sale* was mailed after the Notice of Default and Election to Sell described in said notice of sale was recorded.

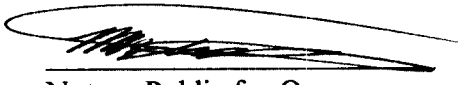
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.


Christy Melhorn

STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

I certify that Christy Melhorn has appeared before me and was authorized to execute this instrument on the 24th day of May, 2002.




Notary Public for Oregon
My commission expires 3/21/05

After recording return to:
Christy Melhorn
PRESTON GATES & ELLIS LLP
222 SW Columbia St., Suite 1400
Portland, OR 97201

AFFIDAVIT OF ADDITIONAL MAILING TRUSTEE'S NOTICE OF SALE

Client Matter Number 37543-50316/Hart, Frances

STATE OF OREGON, County of Multnomah) ss:

I, Christy Melhorn, being first duly sworn, depose, 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 *Trustee's Notice of Sale* given under the terms of that certain deed described in said notice.

I gave notice of the real property described in the attached *Trustee's 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:

NAME	ADDRESS
Wilshire Credit	PO Box 650314 Dallas, TX 75265-0314
CT Corporation System as Reg Agt for Wilshire Credit	388 State St., Suite 420 Salem, OR 97301

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 *Trustee's Notice of Sale* so mailed was certified by an attorney of record to be a true copy of the original *Trustee's Notice of Sale*, each such copy was contained in a sealed envelope, with postage fully prepaid, and was deposited by me in the United States post office at Portland, Oregon, on June 19, 2002. With respect to each person listed above, one such notice was mailed with postage 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 in the amount sufficient to accomplish the same. Each of said *Trustee's Notice of Sale* 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.

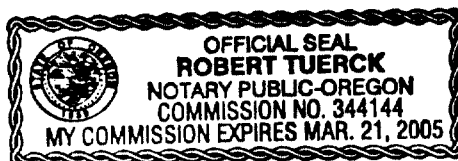

Christy Melhorn

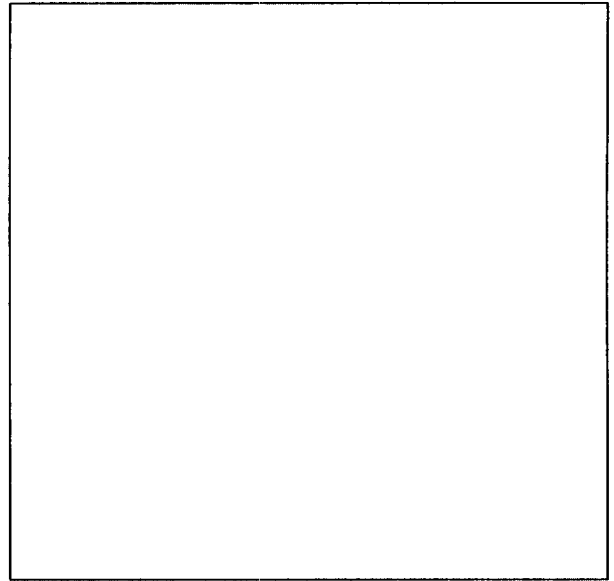
STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

I certify that Christy Melhorn has appeared before me and was authorized to execute this instrument on the 19th day of June, 2002.


Notary Public for Oregon
My commission expires 3/21/05

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After recording return to:
Christy Melhorn
PRESTON GATES & ELLIS LLP
222 SW Columbia St., Suite 1400
Portland, OR 97201

Client Matter Number 37543-50316/Frances I. Hart

TRUSTEE'S NOTICE OF SALE

The Fair Debt Collection Practices Act requires that we state the following: This is an attempt to collect a debt and any information obtained will be used for that purpose.

Reference is made to that certain trust deed made by Frances I. Hart, a married woman, grantor(s), to Amerititle, as trustee, in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, dated December 5, 2000, recorded December 13, 2000, in Book M-00, Page 44747, in the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to wit:

The Northerly 72.67 feet of Lot 3, Block 3, PINE GROVE PONDEROSA, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon AND the Southerly 72.67 feet of Lot 4, Block 3, PINE GROVE PONDEROSA, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 3665 Pine Tree Drive, Klamath Falls, OR 97603

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Client Matter Number 37543-50316/Frances I. Hart

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: monthly payments of \$2,115.45 beginning January 1, 2002; plus late charges of \$105.77 each month beginning January 16, 2002; 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, or Grantors failure to pay real property taxes or insurance as required by the trust deed.

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: \$258,310.55 with interest thereon at the rate of 9.125 percent per annum beginning December 1, 2001; plus late charges of \$105.77 each month beginning January 16, 2002, until paid; 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. As a further default, Grantor has failed to pay property taxes as required by the trust deed, or Grantors failure to pay real property taxes or insurance as required by the trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will **on Friday, October 4, 2002, at the hour of 11:00 A.M.**, in accordance with the standard of time established by ORS 187.110, at the following place: at the office of Brandsness Brandsness & Rudd 411 Pine 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 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

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Client Matter Number 37543-50316/Frances I. Hart

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 May 23, 2002.


Linda Johansen, Trustee

For further information, please contact:
Christy Melhorn
Preston Gates & Ellis LLP
222 SW Columbia St., Suite 1400
Portland, OR 97201
(503) 228-3200

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

Attorney of Record

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37543-50316/Hart

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 28th day of May, 2002, after personal inspection, I found the following described real property to be unoccupied:

The Northerly 72.67 feet of Lot 3, Block 3, PINE GROVE PONDEROSA, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon AND the Southerly 72.67 feet of Lot 4, Block 3, PINE GROVE PONDEROSA, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

Commonly known as: 3665 Pine Tree Drive
Klamath Falls, OR 97603

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


Dave Shuck 247330

SUBSCRIBED AND SWORN to before me this 30th day of May, 2002, by Dave Shuck.

Margaret C. Nielsen
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 # 5084

Notice of Sale/Hart

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)
Four

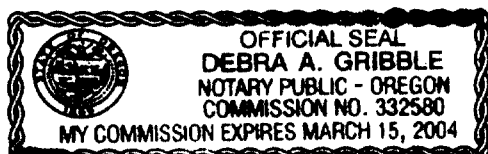
Insertion(s) in the following issues:
August 8, 15, 22, 29, 2002

Total Cost: \$783.00

Larry L. Wells
Subscribed and sworn
before me on: August 29, 2002

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S
NOTICE OF SALE
Client Matter Number 37543-50316/
Frances I. Hart.
The Fair Debt Collection Practices Act requires that we state the following: This is an attempt to collect a debt and any information obtained will be used for that purpose.

Reference is made to that certain trust deed made by Frances I. Hart, a married woman, grantor(s), to Amerititle, as trustee, in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, dated December 5, 2000, recorded December 13, 2000, in Book M-00, Page 44747, in the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit: The Northerly 72.67 feet of Lot 3, Block 3, Pine Grove Ponderosa, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon AND the Southerly 72.67 feet of Lot 4, Block 3, Pine Grove Ponderosa, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon. PROPERTY ADDRESS: 3665 Pine Tree Drive, Klamath Falls, OR 97603.

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: monthly payments of \$2,115.45 beginning January 1, 2002; plus late charges of \$105.77 each month beginning January 16, 2002; 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, or Grantors failure to pay real property taxes or insurance as required by the trust deed.

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: \$258,310.55 with interest thereon at the rate of 9.125 percent per annum beginning December 1, 2001; plus late charges of \$105.77 each month beginning January 16, 2002, until paid; 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. As a further default, Grantor has failed to pay property taxes as required by the trust deed, or Grantors failure to pay real property taxes or insurance as required by the trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on Friday, October 4, 2002, at the hour of 11:00 AM, in accordance with the standard of time established by ORS 187.110, at the following place: at the office of Brandsness, Brandsness & Rudd, 411 Pine 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 during 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

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-said sums or tender-
ing the performance
necessary to cure
the default, by pay-
ing all costs and ex-
penses actually in-
curred 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 succes-
sor 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" in-
clude their respec-
tive successors in in-
terest, if any.

Dated: May 23, 2002.
Linda Johannsen,
Trustee. For fur-
ther information,
please contact:
Christy Melhorn;
Preston Gates & El-
lis, LLP, 222 SW Co-
lumbia St., Suite
1400, Portland, OR
97201. (503) 228-3200.
#5084 August 8, 15,
22, 29, 2002.