

'02 SEP 25 AM 11:23

Vol M02 Page 54565

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 09/25/2002 11:23 a m.  
Vol M02, Pg 54565-73  
Linda Smith, County Clerk  
Fee \$ 71<sup>00</sup> # of Pgs 9

**AFTER RECORDING RETURN TO:**

Gaydos, Churnside & Balthrop, PC  
440 East Broadway, Suite 300  
Eugene, OR 97401

**ORDER #** K58547 / T33805

**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.**

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

  X   **AFFIDAVIT OF PUBLICATION OF NOTICE OF SALE**

  X   **PROOF OF SERVICE**

**Original Grantor on Trust Deed:** Mark T. and Beckie L. Angulo

**Beneficiary:** Keybank National Association

K61<sup>v</sup>  
+10  
71<sup>-</sup>

After recording, return to:  
 Gaydos, Churnside & Balthrop, P.C.  
 440 East Broadway, Suite 300  
 Eugene, OR 97401

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

STATE OF OREGON            )  
   ) ss.  
 County of Lane             )

Pursuant to the Trust Deed dated September 26 2000, and recorded on September 27, 2000, in Volume M00, Page 352, Official Records of Klamath County, Oregon, a Notice of Default and Election to Sell, and Trustee's Notice of Sale was recorded in the Official Records of Linn County in Volume MO2, Page No.24927-28, on April 24, 2002.

I mailed a true copy of the Trustee's Notice of Sale to those listed below at the addresses and on the dates shown. Each mailing of the Notice of Sale was made at a U.S. Post Office Box, Eugene, OR 97401 by both first-class and certified mail with return receipt requested, in sealed envelopes with postage prepaid. The mailing address for each was the last known address of the addressee.

Date	Name	Address
May 1, 2002	Mark T. and Beckie L. Angulo	11522 Red Wing Loop, Keno, OR 97627

*Joan Lighty*  
 \_\_\_\_\_  
 Joan Lighty

SUBSCRIBED AND SWORN to before me this 23rd day of September, 2002:

*[Signature]*  
 \_\_\_\_\_  
 Notary Public for Oregon



PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS

54567

STATE OF OREGON  
COUNTY OF Klamath

COURT CASE NO. \_\_\_\_\_

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- Small Claim
- Summons
- Complaint
- Answer
- \_\_\_\_\_
- Order
- Motion
- Affidavit
- Restraining Order
- Subpoena
- Notice
- Petition
- Letter
- \_\_\_\_\_
- Order to Show Cause
- Trustee's Notice of Sale
- Writ of Garnishment
- Writ of Continuing Garnishment

For the within named: Occupants of 11522 Red Wing Loop

PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Beckie Angulo at the address below.

SUBSTITUTE SERVICE: By delivering an Original or True Copy to Beckie Angulo, a person over the age of 14, who resides at the place of abode of the within named at said abode shown below for: Mark Angulo

OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with \_\_\_\_\_, the person who is apparently in charge.

SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.  
Upon \_\_\_\_\_, by (a) delivering such true copy personally and in person, to: \_\_\_\_\_ who is a/the \_\_\_\_\_ thereof, or (b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the office of \_\_\_\_\_, who is a/the \_\_\_\_\_ thereof.

OTHER METHOD: \_\_\_\_\_

NOT FOUND: I certify that I received the within document for service on \_\_\_\_\_ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, within \_\_\_\_\_ County.

11522 Red Wing Loop  
ADDRESS OF SERVICE STREET UNIT / APT. / SPC#  
Keno CITY Oregon STATE 97627 ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

May 28, 2002 DATE OF SERVICE 8:55 a.m.  p.m.   
Dave Shuck SIGNATURE  
PRINTED IN OREGON

## AFFIDAVIT OF MAILING

STATE OF: OREGON

COUNTY OF: KLAMATH

DEFENDANT: MARK ANGULO (OCCUPANT OF 11522 RED WING LOOP)

I hereby certify that on the 30<sup>TH</sup> day of MAY, 2002, I mailed a Certified true copy of the TRUSTEE NOTICE to the above stated defendant, at the address of 11522 RED WING LOOP KENO, OR 97627 upon whom substitute service was made on the 28<sup>TH</sup> day of MAY, 2002, with a statement of the date, time and place at which service was made.

Dated this 30<sup>TH</sup> day of MAY, 2002.

By

  
JENNY JOHNSONSubscribed and sworn before me this 30<sup>th</sup> day of May, 2002.  
Notary Public for OregonMy Commission Expires: 4-12-04

NOTICE OF DEFAULT, ELECTION TO SELL AND TRUSTEE'S NOTICE OF SALE

02 APR 29 AM 10:51

Vol M02 Page 21021

The successor trustee under the terms of the trust deed described below, at the direction of the beneficiary, hereby elects to sell the property described in the trust deed to satisfy the obligations secured thereby, which the beneficiary has declared due. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES: Grantor: MARK T. and BECKIE L. ANGULO; Trustee: Aspen Title & Escrow Company ; Successor Trustee: E. AL LUSHENKO; Beneficiary: KEYBANK NATIONAL ASSOCIATION.

2. DESCRIPTION OF PROPERTY: See Exhibit A attached hereto; more commonly known as 11522 Red Wing Loop, Keno, Oregon 97627.

3. RECORDING DATA: Trust deed dated September 26, 2000; recorded September 27, 2000; Vol. M00; Page 352, Klamath County, Oregon Records.

4. DEFAULT FOR WHICH THE FORECLOSURE IS MADE: Beneficiary seeks to foreclose the trust deed for failure to pay the following sums: Delinquent monthly payments in the amount of \$1,129.86 from October 9, 2001, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

5. SUM OWING ON THE OBLIGATION SECURED BY THE TRUST DEED:

Principal	\$ 107,418.09
Interest at 11.24% per annum to and including 3-20-02	5,083.27
Late charges as of 3-20-02	360.00
E. Al Lushenko, Attorney	1,500.00
First American Title	480.00
Reconveyance fees	<u>50.00</u>
<b>TOTAL SUM OWING plus other expenses, interest and charges accrued as of 3-20-02</b>	<b>\$ 114,891.36</b>

6. ELECTION TO SELL: The successor trustee hereby elects to sell the property to satisfy the obligations secured by the trust deed. This Notice of Default, Election to Sell and Notice of Sale has been recorded in the official records of Klamath County at Vol. M02, Page 24927-28 on 4/29/02, 2002, as reflected on the copy of this document which has been entered in the records of Klamath County for purposes of notice of default and election to sell.

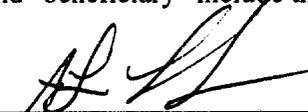
7. DATE, TIME AND PLACE OF SALE: **Monday, October 7, 2002; 2:00 p.m.**, Pacific Time, as established by ORS 187.110; Front Door of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon 97601.

8. SALE OF PROPERTY: The successor trustee will sell at oral public auction to the highest bidder for cash, paid on the date of sale, the interest which the grantor had or had power to convey at the time of execution of the deed of trust, together with any interest of the grantor or successors in interest acquired after execution of the deed of trust, to satisfy the sum owing on the obligation plus the expenses of sale and trustee and attorney fees.

9. REINSTATEMENT: Pursuant to ORS 86.753, the grantor, the grantor's successor in interest to all or any part of the trust property, any beneficiary under a subordinate trust deed, or any person having any subordinate lien or encumbrance of record on the property, may cure the default or defaults at any time prior to 5 days before the date set by the trustee for the trustee's sale. If the default consists of a failure to pay, when due, sums secured by the trust deed, the default may be cured by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. Any other default of the trust deed obligation that is capable of being cured may be cured by tendering the performance required under the obligation or trust deed. In any case, and in addition to paying the sums or tendering the performance necessary to cure the default, the person affecting the cure shall pay to the beneficiary all costs and expenses actually incurred in enforcing the obligation and trust deed, together with the costs and expenses actually incurred in enforcing the terms of the obligation, plus trustee and attorney fees as prescribed in ORS 86.753. Upon such payment, the proceedings shall be dismissed and the trust deed reinstated.

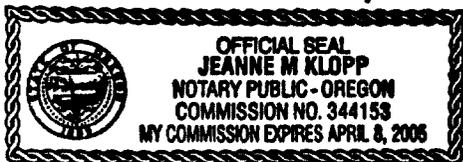
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

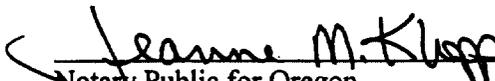
DATED this 24 day of April, 2002.

  
E. Al Lushenko, Successor Trustee

STATE OF OREGON )  
County of Lane )

Signed or attested before me on April 24, 2002, by E. Al Lushenko, Successor Trustee.



  
Notary Public for Oregon

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

Re: TRUST DEED FROM  
MARK T. and BECKIE L. ANGULO, Grantor;  
E. AL LUSHENKO, Successor Trustee;  
KEYBANK NATIONAL ASSOCIATION, Beneficiary

State of Oregon, County of Klamath  
Recorded 04/29/2002 10:51 a.m.  
Vol M02, Pg 24927-28  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

AFTER RECORDING RETURN TO:  
E. AL LUSHENKO  
GAYDOS, CHURNSIDE & BALTHROP, P.C.  
440 East Broadway, Suite 300  
Eugene, OR 97401

K26-

24928  
54570

A PORTION OF LOTS 15 AND 16, BLOCK 30, FIFTH ADDITION TO KLAMATH RIVER ACRES  
IN THE COUNTY OF KLAMATH, STATE OF OREGON, AS DEFINED BY LOT LINE ADJUSTMENT  
2-92, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 15; THENCE ALONG THE EASTERLY  
LINE OF LOTS 15 SOUTH 00 DEGREES 05'24" WEST 108.00 FEET; THENCE SOUTH 75  
DEGREES 53'56" WEST 179.48 FEET TO A POINT ON THE WESTERLY LINE OF LOT 16;  
THENCE NORTH 00 DEGREES 05'24" EAST 152.00 FEET TO THE NORTHWEST CORNER OF  
LOT 15; THENCE SOUTH 89 DEGREES 54'36" EAST 174.00 FEET TO THE POINT OF  
BEGINNING.

Unofficial  
Copy

Exhibit A



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 # 4988

Notice of Sale/Angulo

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: June 26, July 3, 10, 17, 2002

Total Cost: \$837.00

Subscribed and sworn before me on: July 17, 2002

Debra A. Gribble Notary Public of Oregon

My commission expires March 15, 2004

NOTICE OF DEFAULT, ELECTION TO SELL AND TRUSTEE'S NOTICE OF SALE

The successor trustee under the terms of the trust deed described below, at the direction of the beneficiary, hereby elects to sell the property described in the trust deed to satisfy the obligations secured there- by; which the benefi- ciary has declared due. Pursuant to ORS 86.745, the fol- lowing information is provided:

- 1. Parties: Grantor: MARK T. and BECKIE L. ANGU- LO; Trustees: Aspen Title & Escrow Company; Succes- sor Trustee: E. AL LUSHENKO; Bene- fiary: Key Bank National Associa- tion. 2. Description of Property: More commonly known as 11522 Red Wing Loop, Keno, Oregon 97627.

"EXHIBIT A"

A portion of Lots 15 and 16, Block 30, Fifth Addition to Klamath River Acres in the County of Klamath, State of Oregon, as defined by lot line adjust- ment 2-92, more par- ticularly described as follows: Begin- ning at the North- east corner of said Lot 15; thence along the Easterly line of Lots 15 South 00 de- grees 05' 24" West 108.00 feet; thence South 75 degrees 53' 56" West 179.48 feet to a point on the Westerly line of Lot 16; thence North 00 degrees 05' 24" East 152.00 feet to the Northwest corner of Lot 15; thence South 89 degrees 54' 36" East 174.00 feet to

the point of begin- ning.

3. Recording Data: Trust deed dated September 26, 2000; recorded September 27, 2000; Vol. M00; Page 352, Klamath County, Oregon Re- cords.

4. Default for Which the Foreclosure is Made: Beneficiary seeks to foreclose the trust deed for failure to pay the following sums: De- linquent monthly payments in the amount of \$1,129.86 from October 9, 2001, together with all costs, disburse- ments, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

5. Sum Owning on the Obligation Secured by the Trust Deed: Principal \$107,418.09, Interest at 11.24% per annum to and including 3- 20-02 \$5,083.27, Late charges as of 3-20-02 \$360.00, E. Al Lush- enko, Attorney \$1,500.00, First American Title \$480.00, Reconvey- ance fees \$50.00; To- tal Sum Owning plus other expenses, in- terest and charges accrued as of 3-20-02 \$114,891.36.

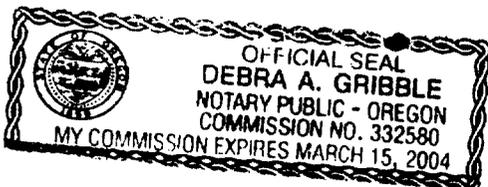
6. Election to Sell: The successor trust- ee hereby elects to sell the property to satisfy the obliga- tions secured by the trust deed. This No- tice of Default, Elec- tion to Sell and No- tice of Sale has been recorded in the offi- cial records of Kla- math County at Vol. M02, Page 24927-28 on 4/29/02, as re- flected on the copy of this document which has been en- tered in the records of Klamath County for purposes of no- tice of default and election to sell.

7. Date, Time and Place of Sale: Mon- day, October 7, 2002, 2:00 PM, Pacific Time, as established by ORS 187.110, Front door of the Klamath County Courthouse, 316 Main Street, Kla- math Falls, Oregon 97601.

8. Sale of Property: The successor trust- ee will sell at oral public auction to the highest bidder for cash, paid on the date of sale, the in- terest which the

grantor had or had power to convey at the time of execu- tion of the deed of trust, together with any interest of the grantor or succes- sors in interest ac- quired after execu- tion of the deed of trust, to satisfy the sum owing on the obligation plus the expenses of sale and trustee and attorney fees.

9. Reinstatement: Pursuant to ORS 86.753, the grantor, the grantor's succes- sor in interest to all or any part of the trust property, any beneficiary under a subordinate trust deed, or any person having any subordi- nate lien or encum- brance of record on the property, may cure the default or defaults at any time prior to 5 days be- fore the date set by the trustee for the trustee's sale. If the default consists of a failure to pay, when due, sums secured by the trust deed, the default may be cured by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. Any other default of the trust deed obligation that



is capable of being cured may be cured by tendering the performance required under the obligation or trust deed. In any case, and in addition to paying the sums or tendering the performance necessary to cure the default, the person affecting the cure shall pay to the beneficiary all costs and expenses actually incurred in enforcing the obligation and trust deed, together with the costs and expenses actually incurred in enforcing the terms of the obligation, plus trustee and attorney fees as prescribed in ORS 86.753. Upon such payment, the proceedings shall be dismissed and the trust deed reinstated.

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 said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated this 24th day of April, 2002. E. Al Lushenko, Successor Trustee. Gaydos, Churnside & Balthrop, PC, 440 East Broadway, Suite 300, Eugene, OR 97401. Phone (541) 343-8060. #4988 June 26, July 3, 10, 17, 2002.