

After Recording Return To:

Glenn H. Prohaska
4425 SW Corbett Avenue
Portland, Oregon 97201

Vol M02 Page 64613

State of Oregon, County of Klamath
Recorded 11/08/2002 9:18 a m.
Vol M02, Pg 64613-18
Linda Smith, County Clerk
Fee \$ 46⁰⁰ # of Pgs 6

02 NOV 8 AM 9:18

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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah) ss:

Glenn H. Prohaska, being first duly sworn, depose, and say 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 the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached Trustee's Notice of Sale by mailing copies 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 addresses, to-wit:

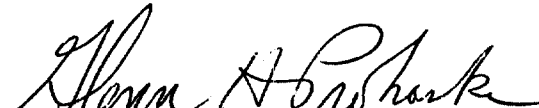
NAME: Klamath County Tax Collector
Matthew and/or Jeanette King and/or Occupant(s)
Matthew and/or Jeannette King
Bank One NA

ADDRESS: 305 Main St., Floor 1, Klamath Falls, OR 97601
325 Hawthorne, Klamath Falls, OR 97601
3375 Hwy 234, White City, OR 97503
10300 Kincaid Dr., Fishers, IN 46038

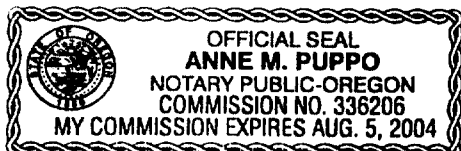
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 set forth in ORS 86.785.*


Each of the notices so mailed was certified to be a true copy of the original notice of sale by Glenn H. Prohaska, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Portland, Oregon on June 7, 2002. 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, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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


Glenn H. Prohaska, OSB #69140

Personally appeared before me the above named Glenn H. Prohaska on November 12, 2002 and acknowledged the foregoing to be his voluntary act and deed.




NOTARY PUBLIC FOR OREGON
My Commission expires August 5, 2004

416

64614

Court Case No.
Sheriff's Case No. 02-01788

I hereby certify that I received for service on
MALE, ROWDY
the within:

MALE, ROWDY
was served by leaving a true copy with
MALE, KELLY L
a person over the age of fourteen years who resides
at the place of abode of the within named located at
325 HAWTHORNE
KLAMATH FALLS, OR, on 06/18/02,
at 08:00 hours.

Klamath County, Oregon

BY Terri Alexander
ALEXANDER, TERRI L

OR 97201

64615

Court Case No.
Sheriff's Case No. 02-01788

OR 97201

TRUSTEE'S NOTICE OF SALE

64616

Reference is made to that certain trust deed made by **Matthew S. King and Jeanette M. King**, as grantor(s), to Glenn H. Prohaska, as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated June 24, 1998, recorded June 26, 1998, in the mortgage records of Klamath County, Oregon, as Fee No. /M98, page 22365, covering the following described real property situated in said county and state, to wit:

Lot 6 and the Westerly 24 feet of Lot 7, Block 2 NORTH KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the North 5 feet of Lot 7, TOGETHER with and easement for ingress and egress over the North 22 feet of Lot 5 in said Block 2.

which has the address commonly known as 325 Hawthorne, Klamath Falls, OR. 97601.

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:

\$ 4,658.28 Total delinquent monthly payments and late chgs. due as of November 05, 2001
\$ 4,658.28 **TOTAL AMOUNT REQUIRED TO REINSTATE AS OF November 05, 2001**

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

\$ 80,474.19 Principal balance of loan
\$ 80,474.19 **TOTAL AMOUNT DUE AS OF November 05, 2001**

WHEREFORE, notice hereby is given that the undersigned trustee will on **October 29, 2002**, at the hour of **10:00 o'clock A.M.**, in accord with the standard of time established by ORS 187.110, at front steps of Klamath County Courthouse 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 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 June 10, 2002

Glenn H Prohaska
Trustee

STATE OF OREGON, County of Multnomah) ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Glenn H Prohaska
Glenn H. Prohaska, OSB #69140

SERVE: Matthew S. King and/or Jeanette M. King (OR CURRENT OCCUPANT)
325 Hawthorne, Klamath Falls, Or. 97601

After Recording Return To:

Glenn H. Prohaska
4425 SW Corbett Avenue
Portland, Oregon 97201

64617

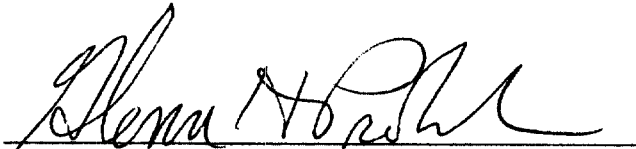
This Space Reserved For Recorder's Use

CERTIFICATE OF NON-MILITARY SERVICE


STATE OF OREGON, County of Multnomah) ss.

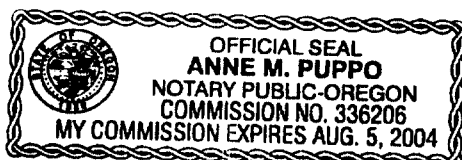
THIS IS TO CERTIFY that I am the beneficiary in that certain trust deed in which Matthew S. King and Jeanette M. King as grantor, conveyed to Glenn H. Prohaska as trustee, certain real property in Klamath County, Oregon. The trust deed was dated June 24, 1998 and recorded June 26, 1998 in the Records of that county, Recording No./Fee No./ M98, page 22365. Thereafter, a Notice of Default with respect to the trust deed was recorded June 13, 2002 as Recording No./Fee No./Vol. M02, Page 34488. Thereafter, the trust deed was duly foreclosed by advertisement and sale, and the real property covered by the trust deed was sold at the trustee's sale on November 12, 2002. I reasonably believe that, at no time during the period of three months and one day immediately preceding the day of the sale, and including the day thereof, was the real property described in and covered by the trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

In construing this certificate the singular includes the plural, "grantor" includes any successor in interest to the grantor, "trustee" includes any successor trustee, and "beneficiary" includes any successor in interest to the beneficiary named in the trust deed.


Glenn H. Prohaska, OSB #69140

Personally appeared before me the above named Glenn H. Prohaska on November 12, 2002 and acknowledged the foregoing to be his voluntary act and deed.


NOTARY PUBLIC FOR OREGON
My Commission expires August 5, 2004



Affidavit of Publication

64618

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 # 5221

Notice of Sale/King

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:
October 2, 9, 16, 23, 2002

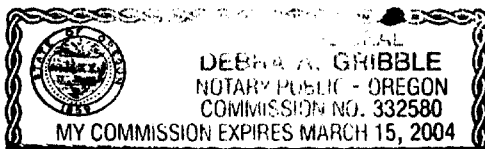
Total Cost: \$607.50

Subscribed and sworn

before me on: October 23, 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 Matthew S. King and Jeanette M. King, as grantor(s), to Glenn H. Prohaska, as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated June 24, 1998, recorded June 26, 1998, in the mortgage records of Klamath County, Oregon, as Fee No. M98, page 22365, covering the following described real property situated in said county and state, to wit:

Lot 6 and the Westerly 24 feet of Lot 7, Block 2 North, Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, Excepting Therefrom the North 5 feet of Lot 7, together with and easement for ingress and egress over the North 22 feet of Lot 5 in said Block 2, which has the address commonly known as 325 Hawthorne, Klamath Falls, OR 97601.

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: \$4,658.28 Total delinquent monthly payments and late chgs. due as of November 05, 2001. \$4,658.28 Total Amount Re-

quired to Reinstated as of November 05, 2001.

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following to wit: \$80,474.19 Principal balance of loan; \$80,474.19 Total Amount Due as of November 05, 2001.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 29, 2002 at the hour of 10:00 AM in accordance with the standard of time established by ORS 187.110, at front steps of Klamath County Courthouse 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 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 pay-

ing 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: June 10, 2002, Glenn H. Prohaska, Trustee, 4425 SW Corbett Ave., Portland, OR 97201; (503) 241-0020, Fax (503) 223-6212. #5221 October 2, 9, 16, 23, 2002.