

'02 OCT 28 PM3:39

K 58819
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol M02 Page 67419

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:

Kedrick D. Davis
203 Michigan Avenue
Klamath Falls, OR 97604

Kedrick D. Davis
5250 South Etna
Klamath Falls, OR 97603

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 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 7-23-02. 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)

I certify that I know or have satisfactory evidence that Tim Murta 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: 7/23/02

KAREN MICHELLE HARDY
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES 3-17-03

Karen Michelle Hardy
NOTARY PUBLIC in and for the State of
Washington, residing at King County
My commission expires 03-17-03

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Davis, Kedrick D.

Grantor

to

Northwest Trustee Services, LLC,
Trustee

File No. 7445.20575

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

*RERECORDED TO ADD AFFIDAVIT OF NON OCCUPANCY

State of Oregon, County of Klamath
Recorded 10/28/2002 3:39 p. m.
Vol M02, Pg 61549-55
Linda Smith, County Clerk
Fee \$ 51.00 # of Pgs 7

State of Oregon, County of Klamath
Recorded 11/21/2002 10:49 A m.
Vol M02, Pg 67419-427
Linda Smith, County Clerk
Fee \$ 50.00 # of Pgs 10

1250 RR
+20 NS

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TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Kedrick D. Davis, as grantor, to Transamerica Title Insurance Company, as trustee, in favor of Secretary of Veterans Affairs, as beneficiary, dated 01/10/90, recorded 01/16/90, in the mortgage records of Klamath County, Oregon, as Volume M90 Page 996 and subsequently assigned to Deutsche Bank National Trust Company as Trustee for Bankers Trust Company of California, N.A., successor Trustee by Operation of Law to Bank of America National Trust and Savings Association, successor by merger to Security Pacific National Bank not in its individual capacity but solely as Trustee for American Housing Trust VI by Assignment, covering the following described real property situated in said county and state, to wit:

The Southwesterly 100 feet of Lot 11, Block 57, Second Hot Springs Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon

PROPERTY ADDRESS: 203 Michigan Avenue
Klamath Falls, OR 97601

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 \$201.33 beginning 12/01/01; plus late charges of \$7.57 each month beginning 12/16/01; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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: \$1,666.67 with interest thereon at the rate of 9.5 percent per annum beginning 11/01/01; plus late charges of \$7.57 each month beginning 12/16/01 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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 November 22, 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.

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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: 7/17, 20

Northwest Trustee Services, LLC

By Vonnie Nave

Authorized Signature

For further information, please contact:

Vonnie Nave
Northwest Trustee Services, LLC
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7445.20575/Davis, Kedrick 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.

PROOF OF SERVICE

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STATE OF OREGON)
) ss.
County of Klamath)

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, along with the Notice Under the Federal Fair Debt Collection Practices Act, upon Highland Community Federal Credit Union at the following address:


435 Oak Avenue, Klamath Falls, Oregon 97601, as follows:

Service effected upon Highland Community Federal Credit Union, by delivering such true copy, personally and in person to Neal Buchanan, who is the Attorney thereof, on August 9, 2002 at 9:45 a.m.

I declare under the penalty of perjury that the above statement is true and correct.


251613

SUBSCRIBED AND SWORN to before me this 9 day of August, 2002 by Dave Shuck.


Notary Public for Oregon



7445.20575/Davis

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PROOF OF SERVICE

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STATE OF OREGON)
) ss.
County of Klamath)

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, along with the Notice Under the Federal Fair Debt Collection Practices Act, upon Highland Community Federal Credit Union at the following address:

3737 Shasta Way, Klamath Falls, Oregon 97603, as follows:

Service effected upon Highland Community Federal Credit Union, by delivering such true copy, personally and in person to Denise Reis, who is the person apparently in charge thereof, on August 9, 2002 at 9:30 a.m.

I declare under the penalty of perjury that the above statement is true and correct.


251614

SUBSCRIBED AND SWORN to before me this 9th day of August, 2002 by Dave Shuck


Notary Public for Oregon

Affidavit of Publication

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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 # 5131

Notice of Sale/Davis

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 29, September 5, 12, 19, 2002

Total Cost: \$756.00

Subscribed and sworn

before me on: September 19, 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 Kendrick D. Davis, as grantor, to Transamerica Title Insurance Company, as trustee, in favor of Secretary of Veterans Affairs, as beneficiary, dated 01/10/90, recorded 01/16/90, in the mortgage records of Klamath County, Oregon as Volume M90 Page 996 and subsequently assigned to Deutsche Bank National Trust Company as Trustee for Bankers Trust Company of California, NA, successor Trustee, by Operation of Law to Bank of America National Trust and Savings Association, successor by merger to Security Pacific National Bank not in its individual capacity but solely as Trustee for American Housing Trust VI by Assignment, covering the following described real property situated in said county and state, to wit: The Southwesterly 100 feet of Lot 11, Block 57, Second Horizontal Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon. PROPERTY ADDRESS: 203 Michigan Avenue, Klamath Falls, OR 97601. 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 \$201.33 beginning 12/01/01; plus late charges of \$7.57 each month beginning 12/16/01; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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: \$1,666.67 with interest thereon at the rate of 9.5 percent per annum beginning 11/01/01; plus late charges of \$7.57 each month beginning 12/16/01 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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. WHEREFORE, notice hereby is given that the undersigned trustee will on November 22, 2002 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: in

side 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

STATE OF OREGON)
County of KLAMATH)
I CERTIFY that this is a true and correct
copy of a document in the possession
of the Klamath County Clerk.

Dated: 4-20-02
LINDA SMITH, Klamath County Clerk

By: *Deputy* Deputy



Unofficial
Copy

67426

K58819
RECORDING COVER SHEET
Pursuant to ORS 205.234

After recording return to:

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

- 1. AFFIDAVIT OF NON-OCCUPANCY**
- 2. Certified copy of previously recorded Affidavit of mailing**
- 3. Certified copy of previously recorded Trustee's Notice of Sale**
- 4. Certified copy of previously recorded Proof of Service (2)**
- 5. Certified copy of previously recorded Affidavit of Publication**

Original Grantor(s) on Trust Deed: Kedrick D. Davis

Beneficiary: Secretary of Veterans Affairs

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.

7445.20575/Davis

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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 day 18th day of September, 2002 after personal inspection, I found the following described real property to be unoccupied:

The Southwesterly 100 feet of Lot 11, Block 57, Second Hot Springs Addition to the City of Klamath Falls in the County of Klamath, State of Oregon.

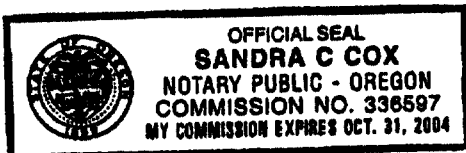
Commonly known as: 203 Michigan Avenue
 Klamath Falls, Oregon 97601

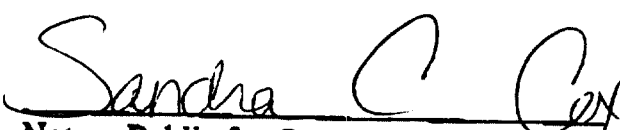
I declare under the penalty of perjury that the above statements are true and correct.


Dave Shuck

250594

SUBSCRIBED AND SWORN to before me this 19th day of October, 2002, by Dave Shuck.




Notary Public for Oregon