

02 DEC 2 AM 10:55

**RECORDING COVER SHEET FOR NOTICE OF SALE PROOF OF COMPLIANCE PER O.R.S. 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 12/02/2002 10:55 a m.  
Vol M02, Pg 69696-69703  
Linda Smith, County Clerk  
Fee \$ 66<sup>00</sup> # of Pgs 8

WHEN RECORDED MAIL TO

**REGIONAL TRUSTEE SERVICES CORPORATION**, as Trustee  
720 Seventh Avenue, Suite 400  
Seattle, WA 98104

Trustee's Sale No: 09-WG-29708



**MARK NAME(S) OF ALL THE TRANSACTION(S)** described in the attached instrument. Fill in the Original Grantor on 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.

- AFFIDAVIT OF MAILING NOTICE OF SALE** (must have trustee's notice of sale attached)
- AFFIDAVIT OF PUBLICATION NOTICE OF SALE**
- PROOF OF SERVICE /AFFIDAVIT OF NON-OCCUPANCY**

Original Grantor on Trust Deed

**DAVID A POLANDER AND MICHELE R POLANDER, AS TENANTS BY THE ENTIRETY**

Beneficiary

**WASHINGTON MUTUAL BANK**

56 A  
+10

REGIONAL TRUSTEE SERVICES CORPORATION  
720 Seventh Avenue, Suite 400  
Seattle, WA 98104  
Phone: (206) 340-2550 / Fax:

Trustee Sale No.: 09-WG-29708



Affidavit of Mailing Trustee's Notice of Sale

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

The undersigned, being first duly sworn, states that I am now, and at all times herein mentioned was a citizen of the United States a resident of the State of Washington, and over the age of eighteen years, and not the beneficiary or his successor in interest named in the attached original Notice of Sale given under the terms of that certain trust deed described in said Notice.

That 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 addresses, to-wit:

- DAVID A POLANDER , 9009 SE CAUSEY AVE #C20, PORTLAND , OR, 97266
- DAVID A POLANDER , 2036 MADISON ST, KLAMATH FALLS , OR, 97603
- MICHELE R POLANDER , 9009 SE CAUSEY AVE #C20, PORTLAND , OR, 97266
- MICHELE R POLANDER , 2036 MADISON ST, KLAMATH FALLS , OR, 97603
- PARTIES IN POSSESSION, 2036 MADISON ST, KLAMATH FALLS, OR, 97603

THE CHASE MANHATTAN BANK, C/O RESIDENTIAL FUNDING CORPORATION, 1301 OFFICE CENTER DRIVE #200, FORT WASHINGTON, PA, 19034

Said persons include (a) the grantor in the trust deed, (b) 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 b ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by an authorized representative of the trustee named in said notice; 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 Seattle, WASHINGTON, on 8/14/2002. 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 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.

SOURAPHOL VONGMANI  
*Souraphol Vongmani*  
On behalf of Regional Trustee Services Corporation

SUBSCRIBED AND SWORN TO before me on 8/14/2002

*Matthew Sary Evans*  
NOTARY PUBLIC for WASHINGTON  
My commission expires: 2/23/2005

MATTHEW SARY EVANS  
STATE OF WASHINGTON  
NOTARY ---- PUBLIC  
MY COMMISSION EXPIRES 2-23-05

Unofficial Copy

**NOTICE TO BORROWER:** YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

**TRUSTEE'S NOTICE OF SALE**

*Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.*  
Trustee's Sale No. 09-WG-29708



Reference is made to that certain Deed of Trust made by, DAVID A POLANDER AND MICHELE R POLANDER, AS TENANTS BY THE ENTIRETY, as grantor, to AMERITITLE, as Trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated 5/23/1996, recorded 5/30/1996 in Volume M96, page 15670, of Deeds of Trust, under Instrument No. , records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by WASHINGTON MUTUAL BANK, FA, FKA WASHINGTON MUTUAL BANK. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

THE EAST 110 FEET OF TRACT NO. 83, PLEASANT HOME TRACTS NO.2,  
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE  
COUNTY CLERK OF KLAMATH COUNTY, OREGON.

The street address or other common designation, if any, of the real property described above is purported to be:

2036 MADISON STREET  
KLAMATH FALLS, OR 97603

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

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:

	Amount due as of August 8, 2002
	-----
Delinquent Payments from May 01, 2002	
4 payments at \$ 840.93 each	\$ 3,363.72
(05-01-02 through 08-08-02)	
Late Charges:	\$ 101.25
Beneficiary Advances:	\$ 0.00
	=====
TOTAL:	\$ 3,464.97

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances,

property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

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:

UNPAID PRINCIPAL BALANCE OF \$81,230.82, PLUS interest thereon at 8.750% per annum from 4/1/2002, until paid., together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on December 16, 2002, at the hour of 11:00 AM, in accord with the standard of time established by ORS 187.110, at KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the said trust deed, together with any interest which the grantor or his 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 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, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: August 08, 2002

REGIONAL TRUSTEE SERVICES CORPORATION  
Trustee

By   
CHRIS REBHUN, CHIEF EXECUTIVE OFFICER  
720 Seventh Avenue, Suite 400, Seattle, WA 98104  
Phone: (206) 340-2550  
Sale information: <http://www.rtrustee.com>

STATE OF WASHINGTON        }  
  } ss.  
COUNTY OF KING            }

I certify that I am an authorized representative of trustee, and the foregoing is a complete and exact copy of the original trustee's notice of sale.

\_\_\_\_\_  
Authorized Representative of Trustee

**AFFIDAVIT OF SERVICE**

Trustee's Sale No.: 09-WG-29708  
Trustee's Sale Date: December 16, 2002  
Grantor/Successor: Polander

STATE OF OREGON                    )  
  ) ss.  
COUNTY OF Klamath            )

I hereby certify and swear that I am now and at all times herein mentioned a citizen of the United States and resident of the State of Oregon, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness herein.

I made service of the attached Trustee's Notice of Sale upon the occupants of 2036 Madison St. Klamath Falls, OR 97603, pursuant to ORC §6.745 and ORCP 7 D(2) and 7D(3):

**PERSONAL SERVICE UPON OCCUPANTS OF PROPERTY**

Upon Occupant by delivering a copy to \_\_\_\_\_ personally and in person, on \_\_\_\_\_, at \_\_\_\_\_ am/pm.

**SUBSTITUTED SERVICE UPON OCCUPANTS OF PROPERTY**

Upon Occupant \_\_\_\_\_ by delivering such true copy(s) at his/her dwelling house or usual place of abode, to \_\_\_\_\_ who is a person over the age of 14 years and an occupant of residence, on \_\_\_\_\_, at \_\_\_\_\_ am/pm.

**SUBSTITUTE SERVICE MAILER**

That on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I deposited by regular/registered/certified mail with the United States Post Office a properly addressed, postage prepaid envelope containing a copy of said Trustee's Notice of Sale, addressed to Occupant(s), at the address stated in said Notice of Trustee Sale, with a statement of the date, time and place at which substitute service was made.  
( ) Substitute Service Mailer attached as a separate document.

**NON-OCCUPANCY**

I certified that I received the within document for service on the 9th day of August, 2002. After due search, careful inquiry and diligent attempts at the address listed in the Trustee's Notice of Sale, I have been unable to effect process upon the occupant being served due to non-occupancy of said property (address listed above). The following attempts were made:  
See Attached

By: [Signature]  
Print Name: Dave Shuck

Subscribed and Sworn before me this 24 day of September, 2002.

Margaret A. Nielsen  
Notary Public and for the State of Oregon  
Commission Expires: 4-12-04



# Affidavit of Publication

**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 # 5127  
Notice of Sale/Polander

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 25, September 1, 8, 15, 2002

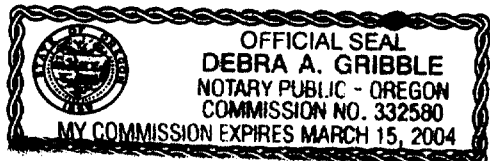
Total Cost: \$850.50

*Larry L. Wells*  
Subscribed and sworn  
before me on: September 15, 2002

*Debra A. Gribble*  
Notary Public of Oregon

My commission expires March 15, 2004

<p><b>TRUSTEE'S NOTICE OF SALE</b> Pursuant to ORS 86.705 et seq. and ORS 79.5010, et seq. Trustee's Sale No. 09-WG-29708.</p> <p><b>Notice to Borrower:</b> You should be aware that the undersigned is attempting to collect a debt and that any information obtained will be used for that purpose.</p> <p>Reference is made to that certain Deed of Trust made by DAVID A. POLANDER and MICHELE R. POLANDER, as tenants by the entirety, as grantor, to AMERITITLE, as Trustee, in favor of WASHINGTON MUTUAL BANK, as beneficiary, dated 5/23/1996, recorded 5/30/1996 in Volume M96, page 15670, of Deeds of Trust, under Instrument No. records of Klamath County, Oregon.</p> <p>The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by WASHINGTON MUTUAL BANK, FA, FKA WASHINGTON MUTUAL BANK. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: The East 110 feet of Tract No. 83, Pleasant Home Tracts No. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.</p> <p>The street address or other common designation, if any, of the real property described above is purported to be 2036 Madison Street, Klamath Falls, OR 97603. The under-</p>	<p>signed Trustee disclaims any liability for any incorrectness of the above street address or other common designation.</p> <p>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: Amount due as of August 8, 2002; Delinquent Payments from May 01, 2002, in payments of \$840.93 each (05-01-02 through 08-08-02) \$3,363.72; Late Charges: \$101.25; Beneficiary Advances: \$0.00; Total: \$3,464.97.</p> <p>ALSO, if you have failed to pay taxes on the property; provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust; the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.</p> <p>By reason of said default, the beneficiary has declared all sums owing on the obligation se-</p>	<p>cured by said trust deed immediately due and payable, said sums being the following: UNPAID PRINCIPAL BALANCE OF \$81,230.82, PLUS interest thereon at 8.750% per annum from 4/01/2002, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.</p> <p>WHEREFORE, notice hereby is given that the undersigned trustee, will on December 16, 2002, at the hour of 11:00 AM, in accord with the standard of time established by ORS 187.110 at the Klamath County Courthouse, 316 Main Street, Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the said trust deed, together with any interest which the grantor or his 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.</p> <p>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 proceed-</p>
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ing 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 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, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: August 8, 2002. By: Chris Rebnuhn, Chief Executive Officer, Regional Trustee Services Corporation, Trustee, 720 Seventh Ave., Suite 400, Seattle, WA 98104. Phone: (208) 340-2550. Sale information: <http://www.rtrustee.com>. #5127 August 25, September 1, 8, 15, 2002.