

02 DEC 4 PM 3:04

K 58805

Vol M02 Page 70481

**RECORDING COVER SHEET**  
Pursuant to ORS 205.234

State of Oregon, County of Klamath  
Recorded 12/04/2002 3:04 p. m.  
Vol M02, Pg 70481-88  
Linda Smith, County Clerk  
Fee \$ 71.00 # of Pgs 8

After recording return to:

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

1. AFFIDAVIT OF MAILING
2. TRUSTEE'S NOTICE OF SALE
3. PROOF OF SERVICE
4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Lyle L. Deford and Lisa M. Deford, as tenants by the entirety

Beneficiary: Washington Mutual Bank

**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.**

70482

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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:

Lyle L. Deford  
1333 Summers Lane  
Klamath Falls, OR 97603

Lisa M. Deford  
1333 Summers Lane  
Klamath Falls, OR 97603

GreenPoint Mortgage Funding, Inc.  
P.O. Box 3459  
New York, NY 10008-3459

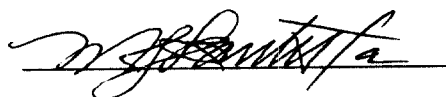
GreenPoint Mortgage Funding, Inc.  
1100 Larkspur Landing Circle, Suite 101  
Larkspur, CA 94939

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 8/20/02. 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.

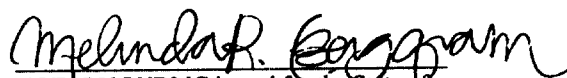
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )



I certify that I know or have satisfactory evidence that JEAN BAUTISTA 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: 8/20/02

  
NOTARY PUBLIC in and for the State of  
Washington, residing at Bellevue  
My commission expires 10/17/06

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**  
**RE: Trust Deed from**  
**Deford, Lyle L. and Lisa M.**  
**Grantor**  
**to**  
**Northwest Trustee Services, LLC,**  
**Trustee** **File No. 7258.20942**

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

**MELINDA R. BERGQUAM**  
**STATE OF WASHINGTON**  
**NOTARY — — PUBLIC**  
**MY COMMISSION EXPIRES 10-17-06**

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Lyle L. Deford and Lisa M. Deford, as tenants by the entirety, as grantor, to Amerititle, an Oregon corporation, as trustee, in favor of Washington Mutual Bank, as beneficiary, dated 06/10/97, recorded 06/16/97, in the mortgage records of Klamath County, Oregon, as Volume M97, Page 18424, covering the following described real property situated in said county and state, to wit:

Lot 19, Block 3, Shadow Hills No. 1, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. Excepting therefrom the Northerly 44.1 feet thereof. Also excepting therefrom the Southerly 12.73 feet of the Northerly 56.83 feet of Lot 19, Block 3, Shadow Hills No. 1 as shown on property line adjustment 19-96 County Survey 5894 filed May 17, 1996, on file in the Office of the Klamath County Engineer. Together with that portion of street vacated by Ordinance No. 5852 recorded May 22, 1972 in Volume M72 Page 5439, Microfilm records of Klamath County, Oregon, which inured thereto.

PROPERTY ADDRESS: 1333 Summers Lane  
Klamath Falls, OR 97603

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 \$703.17 beginning 02/01/02; plus late charges of \$35.15 each month beginning 02/16/02; 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: \$71,473.95 with interest thereon at the rate of 8.125 percent per annum beginning 01/01/02; plus late charges of \$35.15 each month beginning 02/16/02 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.

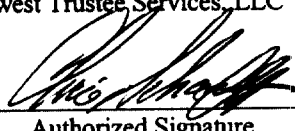
WHEREFORE, notice hereby is given that the undersigned trustee will on **December 20, 2002** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the 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.

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.

Northwest Trustee Services, LLC

Dated: August 19th, 20 02

By

  
Authorized Signature

For further information, please contact:

Chris Ashcraft  
Northwest Trustee Services, LLC  
P.O. Box 4143  
Bellevue, WA 98009-4143  
(425) 586-1900  
File No. 7258.20942/Deford, Lyle L. and Lisa M.

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.**

70485

7258.20942/Deford

**AFFIDAVIT OF NON-OCCUPANCY**

STATE OF OREGON       )  
                                  ) ss.  
County of Klamath       )

I, Ed Foreman, 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 20<sup>th</sup> day of August, 2002, after personal inspection, I found the following described real property to be unoccupied:

See Attached

Commonly known as:       1333 Summers Lane  
                                  Klamath Lane, OR 97603

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

Ed Foreman  
Ed foreman                               252286

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of August, 2002, by Ed Foreman.



Margaret A. Nielsen  
Notary Public for Oregon

70486

Lot 19, Block 3, Shadow Hills No. 1, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. Excepting therefrom the Northerly 44.1 feet thereof. Also excepting therefrom the Southerly 12.73 feet of the Northerly 56.83 feet of Lot 19, Block 3, Shadow Hills No. 1 as shown on property line adjustment 19-96 County Survey 5894 filed May 17, 1996, on file in the Office of the Klamath County Engineer. Together with that portion of street vacated by Ordinance No. 5852 recorded May 22, 1972 in Volume M72 Page 5439, Microfilm records of Klamath County, Oregon, which inured thereto.

PROPERTY ADDRESS: 1333 Summers Lane  
Klamath Falls, OR 97603

**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 # 5202

Notice of Sale/Deford

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:

September 26, October 3, 10, 17, 2002

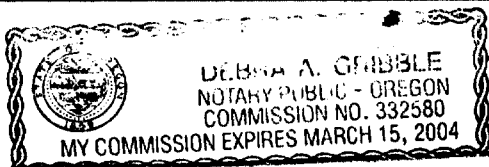
Total Cost: \$783.00

*Larry L. Wells*  
Subscribed and sworn

before me on: October 17, 2002

*Debra A. Snoble*  
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 Lyle L. Deford and Lisa M. Deford, as tenants by the entirety, as grantor, to Arthur Little, an Oregon corporation, as trustee, in favor of Washington Mutual Bank, as beneficiary, dated 06/10/97, recorded 06/16/97, in the mortgage records of Klamath County, Oregon as Volume M97, Page 18424, covering the following described real property situated in said county and state to wit:

Lot 19, Block 3, Shadow Hills No. 1, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. Excepting therefrom the Northerly 44.1 feet thereof. Also excepting therefrom the Southerly 12.73 feet of the Northerly 56.83 feet of Lot 19, Block 3, Shadow Hills No. 1, as shown on property line adjustment 19-96 County Survey 5894 filed May 17, 1996 on file in the Office of the Klamath County Engineer. Together with that portion of street vacated by Ordinance No. 5852 recorded May 22, 1972 in Volume M72 Page 5439. Microfilm records of Klamath County, Oregon which inured thereto. PROPER-  
TY ADDRESS: 1333 Summers Lane, Klamath Falls, OR 97603.

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(2), the default has been made as a result of failure to pay when due the following sums: monthly payments of \$703.17 beginning 02/01/02 plus late charges of \$35.15 each month beginning 02/16/02; 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 thereon.

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: \$71,473.75 with interest thereon at the rate of 8.125 percent per annum beginning 01/01/02 plus late charges of \$35.15 each month beginning 02/16/02 until paid; plus prior or 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 thereon. WHEREFORE, notice is hereby given that the trustee, Arthur Little, will sell on December 10, 2002 at 10:00 AM in a

public auction 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 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 of the trust deed; and in addition to paying the sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred

*Journal of Management Studies*, 19(6), 701-718.

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725-209-42/Petford,  
 N.J. Tel. and Miss. M.  
 1-800-368-1169  
 Q. 10/17/10