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**First American Title Insurance Company**

Vol M02 Page 73295

**RECORDING COVER SHEET FOR**
**NOTICE OF SALE PROOF OF COMPLIANCE**
**Per ORS 205.234**

**State of Oregon, County of Klamath**
Recorded 12/16/2002 3:09 P m.
Vol M02, Pg 73295-73302
Linda Smith, County Clerk
Fee $ 71.00 # of Pgs 8

**AFTER RECORDING RETURN TO:**
**CRYSTAL HERREN 5535**
**First American Title Insurance Company**
**400 COUNTRYWIDE WAY SV-35**
**SIMI VALLEY, CA 93065**

**TS No.: 02 -10154** 1329317
Doc ID #00011325452005N

1. AFFIDAVIT OF MAILING NOTICE OF SALE
2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
3. AFFIDAVIT OF SERVICE
4. COPY OF NOTICE OF SALE

Original Grantor on Trust Deed: and DARRELL D. HANKINS

Beneficiary: AMERICA'S WHOLESALE LENDER

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.



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1000.05006/HANKINS

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# PROOF OF SERVICE

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, upon an **OCCUPANT** at the following address:

**1611 KANE STREET, KLAMATH FALLS, OREGON 97603,** as follows:

Personal service upon Helen Sharpe, by delivering said true copy, personally and in person, at the above address on September 16th, 2002 at 2:55 p.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at ____:____ ___.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at ____:____ ___.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at ____:____ ___.m.

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

Dave Shuck 253915

SUBSCRIBED AND SWORN to before me this 18TH day of September 2002 by Dave Shuck.

OFFICIAL SEAL
THERESA A FOELLER
NOTARY PUBLIC - OREGON
COMMISSION NO. 330066
MY COMMISSION EXPIRES FEB. 24, 2004

Theresa A Foeller
Notary Public for Oregon

5006

# Affidavit of Publication

73297

88587

**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 # 5278
Notice of Sale/Hankins

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 24, 31, November 7, 14, 2002

Total Cost: $742.50

Larry L Wells
Subscribed and sworn
before me on: November 14, 2002

Debra A Gribble
Notary Public of Oregon

My commission expires March 15, 2004

OFFICIAL SEAL
DEBRA A. GRIBBLE
NOTARY PUBLIC - OREGON
COMMISSION NO. 332580
MY COMMISSION EXPIRES MARCH 15, 2004

**TRUSTEE'S NOTICE OF SALE**
**1329317**

Reference is made to that certain trust deed made by Darrell D. Hankins, An Unmarried Man, as grantor(s), to Aspen Title And Escrow, as trustee, in favor of America's Wholesale Lender, as beneficiary, dated 04/10/1998, recorded 04/29/1998, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M98 at Page No. 14342 as Recorder's fee/file/instrument/microfilm/reception Number 57280, covering the following described real property situated in said county and state, to wit:

The South 69.2 feet of the West 131 feet of Lot 40, Fair Acres Subdivision No. 1, in the County of Klamath, State of Oregon, excepting therefrom the West 5 feet for county road as set out in instrument recorded in book 349 at page 474, deed records of Klamath County, Oregon.

PROPERTY ADDRESS: 1611 Kane Street, 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 $462.00 beginning 06/01/2002, plus late charges of $16.05 each month beginning with the 06/01/2002 payment plus prior accrued late charges of $47.15, plus advances of $25.00, 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: $42,982.00 with interest thereon at the rate of 7.75 percent per annum beginning 05/01/2002 until paid, plus all accrued late charges thereon 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 interests therein.

WHEREFORE, notice hereby is given that FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee, will on Thursday, January 16, 2003 at the hour of 10:00 AM 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 the trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor"

73298

[illegible] successor in interest to the [illegible] any other person owing an obligation the performance of which is secured by said trust deed, and [illegible] beneficiary, including their respective successors in interest, if any. [illegible] September 7, 2002. [illegible] Thompson, Assistant Secretary [illegible] Following information [illegible] correct: First American Title Insurance Company, [illegible] Wide [illegible] Slim [illegible] 3065 [illegible] DOC. ID [illegible] 31.

73299

# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) 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 California, 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 trust deed described in said notice.

I gave notice of sale of the real property described in the attached notice of sale by mailing a copy thereof by bot 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:

**See attached Exhibit A for all the mailing address(es).**

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 by First American Title Insurance Company, 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 VENTURA, CALIFORNIA, on 9/17/2002. 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 and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale. As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Chantal Mekhdjian

Subscribed and sworn to before me on 9/17, 2002 by Chantal Mekhdjian.

Denise L. Cox
Notary Public for California
Residing at Ventura
My commission expires: 2-23-06

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
RE: Trust Deed from
Grantor
and DARRELL D. HANKINS

First American Title Insurance Company
Trustee TS No. 02-10154
After Recording return to:
400 COUNTRYWIDE WAY SV-35
First American Title Insurance Company
SIMI VALLEY, CA 93065

DENISE L. COX
Commission # 1344173
Notary Public - California
Ventura County
My Comm. Expires Feb 23, 2006

*CTC Form ormlgaffdvt (03/02)*

# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE "EXHIBIT A"

**TS No. 02-10154**

DARRELL D. HANKINS
1611 KANE ST
KLAMATH FALLS, OR 97603
7187 7930 3131 0144 6249

DARRELL D. HANKINS
1611 KANE STREET
KLAMATH FALLS, OR 97603
7187 7930 3131 0144 6256

CITIFINANCIAL, INC.
P.O. BOX 17170
BALTIMORE, MD 21203
7187 7930 3131 0144 6263

CITIFINANCIAL, INC.
C/O CITIFINANCIAL
2848 South 6th Street
541-885-9991, USA
KLAMATH FALLS, OR 97603
7187 7930 3131 0144 6270

1329317

73301

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Darrell D. Hankins, An Unmarried Man, as grantor(s), to Aspen Title And Escrow, as trustee, in favor of America's Wholesale Lender, as beneficiary, dated 04/10/1998, recorded 04/29/1998, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M98 at Page No. 14342 as Recorder's fee/file/instrument/microfilm/reception Number 57280, covering the following described real property situated in said county and state, to wit:

THE SOUTH 69.2 FEET OF THE WEST 131 FEET OF LOT 40, FAIR ACRES SUBDIVISION NO. 1, IN THE COUNTY OF KLAMATH, STATE OF OREGON, EXCEPTING THEREFROM THE WEST 5 FEET FOR COUNTY ROAD AS SET OUT IN INSTRUMENT RECORDED IN BOOK 349 AT PAGE 474, DEED RECORDS OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 1611 KANE STREET
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 $402.00 beginning 06/01/2002; plus late charges of $16.05 each month beginning with the 06/01/2002 payment plus prior accrued late charges of $47.15; plus advances of $25.00; 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: $42,982.00 with interest thereon at the rate of 7.75 percent per annum beginning 05/01/2002 until paid, plus all accrued late charges thereon 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 interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on Thursday, January 16, 2003 at the hour of 10:00 AM 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 the trustee's and attorney's fees not exceeding the amounts provided by OSRS 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 9-9, 2002 Teri L Thompson

**FIRST AMERICAN TITLE INSURANCE COMPANY**

**TERI L THOMPSON**
**ASSISTANT SECRETARY**

For further information, please contact:

**FIRST AMERICAN TITLE INSURANCE COMPANY**
**400 COUNTRYWIDE WAY SV-35**
**SIMI VALLEY, CA 93065**
**(800) 669 6650**
**TS No. 02 -10154**
**Doc ID #00011325452005N**

**STATE OF** California )
) ss.
**COUNTY OF** Contra Costa

On 9-9-02, before me, H. A. Briggs, personally appeared Teri L Thompson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

H. A. Briggs
**Notary Public for** Contra Costa
**My commission expires:** 1/27/06

**(SEAL)**

H. A. BRIGGS
Comm. #1341457
NOTARY PUBLIC-CALIFORNIA
Contra Costa County
My Comm. Expires Jan. 27, 2006

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.**