

AFTER RECORDING RETURN TO:  
Shapiro & Kreisman  
Kelly D. Sutherland, Successor Trustee  
201 NE Park Plaza Drive, #150  
Vancouver, WA 98684  
98-13228

State of Oregon, County of Klamath  
Recorded 02/20/2003 2:47 p. m.  
Vol M03 Pg 10320-25  
Linda Smith, County Clerk  
Fee \$ 46.00 # of Pgs 6

**AFFIDAVIT OF MAILING**  
**FIFTH AMENDED TRUSTEE'S NOTICE OF SALE**  
(After Release From Stay)

STATE OF WASHINGTON, County of Clark, ss:

I, Kelly D. Sutherland, being first duly sworn, depose, and say and certify that: At all times hereinafter mention 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 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.

I gave notice of the sale of the real property described in the attached Fifth Amended Trustee's Notice of Sale by mailing a copy thereof by registered or certified mail to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

William S. Anderson III  
6757 Henley Road  
Klamath Falls, OR 97603

Tessie B. Ronningen-Anderson  
14640 S.W. Farmington Road, #42  
Beaverton, OR 97007

Tessie B. Ronningen  
6757 Henley Road  
Klamath Falls, OR 97603

Tessie B. Ronningen  
PO Box 7342  
Klamath Falls, OR 97601

Occupant(s)  
6757 Henley Road  
Klamath Falls, OR 97603

Oregon State Dept. of Justice  
Support Enforcement Division  
PO Box 14506  
Salem, OR 97309

Kenneth S. Ronningen, Jr.  
42265 Royal Coachman Drive  
Chiloquin, OR 97624

Ford Motor Credit Company  
ATTN: Legal Office  
PO Box 6044  
Dearborn, MI 48121

William S. Anderson III  
PO Box 6352  
Aloha, OR 97007-0352

03 FEB 20 PM 2:47

46A

Ford Motor Credit Company  
R/A: CT Corporation System  
388 State Street, Suite 420  
Salem, OR 97301

Ted A Troutman  
Attorney at Law  
8885 SW Cashmur Ln  
Portland, OR 97225

10321

John W. Weil, Esq.  
HOOPER ENGLUND & WEIL, LLP  
1100 S.W. 6th Avenue, Suite 1507  
Portland, OR 97204-1016

Phillip R. Muir, Esq.  
MUIR & TROUTMAN  
8885 S.W. Cashmur Lane  
Portland, OR 97225-3002

Klamath Basin Improvement District  
6640 Kid Lane  
Klamath Falls, OR 97603

Kenneth R Tolliver  
Attorney at Law  
10200 S.W. Katherine Street  
Tigard, OR 97223

Klamath Irrigation District  
6640 Kid Lane  
Klamath Falls, OR 97603

Rick A Yarnall  
Chapter 13 Trustee  
1300 SW 5th, #1700  
Portland, OR 97201

Alan R Unkeles  
Attorney at Law  
P.O. Box 5337  
Aloha, OR 97005

Richard Fairclo, Esq.  
280 Main Street  
Klamath Falls, OR 97601

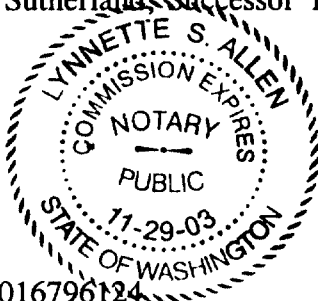
Said Fifth Amended Trustee's Notice of Sale was given in compliance with ORS 86.755(6), within 30 days after release from a stay of the foreclosure proceedings, and the above named persons listed in ORS 86.740 and ORS 86.750(1).

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 thereof fully prepaid, and was deposited by me in the United States post office at Vancouver, Washington, on February 19, 2003, which was within 30 days after release from a stay of the foreclosure proceeding set forth therein.

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

Subscribed and sworn to before me this 19th day of February, 20 03  
by Kelly D. Sutherland, Successor Trustee.

Kelly D. Sutherland



Lynnette S. Allen  
Notary Public for Washington  
My Commission Expires 11/29/03

Loan #: 3016796124

AFTER RECORDING RETURN TO:  
Shapiro & Kreisman  
Kelly D. Sutherland, Successor Trustee  
201 NE Park Plaza Drive, #150  
Vancouver, WA 98684  
98-13228

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## **FIFTH AMENDED TRUSTEE'S NOTICE OF SALE**

(After Release From Stay)

Reference is made to that certain trust deed made by William S. Anderson III and Tessie B. Ronningen, as tenants in common, as grantor to AmeriTitle, as trustee, in favor of America First Funding, Inc., as beneficiary, dated December 8, 1997, recorded December 22, 1997, in the mortgage records of Klamath County, Oregon, in Volume M97, at Page 41574, beneficial interest having been assigned to The Chase Manhattan Bank, as Indenture Trustee of IMC Home Equity Loan Owner Trust 1998-4, under the Sale and Servicing Agreement dated as of June 1, 1998, covering the described real property in said county and state, to-wit:

See complete Legal Description attached hereto as "Exhibit A"

Commonly Known as: 6757 Henley Road, Klamath Falls, OR 97603

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:

Monthly payments in the sum of \$742.23 from November 22, 1998, monthly payments in the sum of \$859.76, from January 22, 2000, monthly payments in the sum of \$919.49, from July 22, 2000, monthly payments in the sum of \$975.75, from January 22, 2001, monthly payments in the sum of \$912.90, from July 22, 2001, monthly payments in the sum of \$854.24, from January 22, 2002, and monthly payments in the sum of \$796.97, from July 22, 2002, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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, to-wit:

\$77,739.77, together with interest thereon at the rate of 13.88% per annum from October 22, 1998, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on June 23, 1999, at 11:00 AM, in accord with the standard of time established by ORS 187.110, the main entrance of the Klamath County Courthouse, located at 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon; however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on April 10, 2000.

In accordance with ORS 86.755(6), on April 28, 2000, an Amended Trustee's Notice of Sale was mailed by both first class and certified mail, return receipt requested, to all necessary persons. The Amended Trustee's Notice of Sale stated that the property would be sold on June 7, 2000, at 11:00 A.M., in accord with the standard of time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon; however, subsequent to the mailing of said Amended Trustee's Notice of Sale the amended sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on January 6, 2002.

In accordance with ORS 86.755(6), on January 29, 2002, a Second Amended Trustee's Notice of Sale was mailed by both first class and certified mail, return receipt requested, to all necessary persons. The Amended Trustee's Notice of Sale stated that the property would be sold on February 27, 2002, at 11:00 A.M., in accord with the standard of time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon; however, subsequent to the mailing of said Amended Trustee's Notice of Sale the amended sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on May 17, 2002.

In accordance with ORS 86.755(6), on June 4, 2002, a Third Amended Trustee's Notice of Sale was mailed by both first class and certified mail, return receipt requested, to all necessary persons. The Amended Trustee's Notice of Sale stated that the property would be sold on July 10, 2002, at 11:00 A.M., in accord with the standard of time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon; however, subsequent to the mailing of said Amended Trustee's Notice of Sale the amended sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on November 13, 2002.

In accordance with ORS 86.755(6), on December 4, 2002, a Fourth Amended Trustee's Notice of Sale was mailed by both first class and certified mail, return receipt requested, to all necessary persons. The Amended Trustee's Notice of Sale stated that the property would be sold on January 3, 2003, at 11:00 A.M., in accord with the standard of time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon; however, subsequent to the mailing of said Amended Trustee's Notice of Sale the amended sale proceedings were stayed by order of the court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on February 5, 2003.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 26, 2003, at 11:00 AM, in accord with the standard of time established by ORS 187.110, the main entrance of the Klamath County Courthouse, located at 317 South 7th Street, in the City of Klamath Falls, County of Klamath, State of Oregon, (which is the new date, time and place set for sale) sell at public auction to the highest bidder foreclose the interest in the said described real property which the grantor has or had 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 reinstate by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then to 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 amount 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.

KELLY D. SUTHERLAND, Successor Trustee

Dated

2/19/03

By

[Signature]

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose.

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 as amended.

\_\_\_\_\_  
Attorney for said Trustee

Beginning at a point in the old existing fence generally accepted as the south line of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, from which the monument marking the Southeast corner of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, bears North 89 degrees 16' 50" East 1899.6 feet distant; thence continuing along said generally accepted fence South 89 degrees 16' 50" West 674.9 feet; thence North 0 degrees 12' 50" West 150.0 feet; thence North 89 degrees 16' 50" East 674.9 feet; thence South 0 degrees 12' 50" East 150.0 feet to the point of beginning.

CODE 198 MAP 3909-2400 TL 1000