

MTC K56304

Vol M03 Page 30912

AFFIDAVIT OF MAILING AMENDED 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:

Jerry A. Rajnus
32942 Rajnus Road
Malin, OR 97632

Cascade Automotive, Inc.
2128 Washburn Way
Klamath Falls, OR 97603

Merrilees Oil Company, Inc.
P.O. Box 296
Merrill, OR 97633

Carter-Jones Collections, LLC
1143 Pine Street
Klamath Falls, OR 97601

Merrilees Oil Company
c/o James R. Merrilees, Reg. Agent
22801 South Merrill Road
Merrill, OR 97633

Dixie Rajnus
32942 Rajnus Road
Malin, OR 97632

Merrilees Oil Company, Inc.
22801 South Merrill Road
Merrill, OR 97633

Merrilees Oil Company, Inc.
c/o Neal G. Buchanan, Atty.
435 Oak Avenue
Klamath Falls, OR 97601

Cascade Automotive, Inc.
c/o Randall Nunes, Reg. Agent
2128 Washburn Way
Klamath Falls, OR 97632

Douglas V. Osborne, Attorney
439 Pine Street
Klamath Falls, OR 97601

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 5/1/03. 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.

State of Oregon, County of Klamath
Recorded 05/08/2003 3:18 p m.
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Linda Smith, County Clerk
Fee \$ 36⁰⁰ # of Pgs 4

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 Jeanene 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: 5/1/03

JOANNETTE JAMES
STATE OF WASHINGTON
NOTARY — — PUBLIC
MY COMMISSION EXPIRES 02-28-07

NOTARY PUBLIC in and for the State of
Washington, residing at 154. 9TH
My commission expires 02/24/07

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE
RE: Trust Deed from
Jerry A. Rajnus and Dixie Rajnus, an estate in fee simple as tenants by the
entirety

Grantor
to
DAVID E. FENNELL
Trustee

File No. 7090.20138

After recording return to:
Northwest Trustee Services, PLLC
Attn: Shannon Blood
P.O. Box 4143
Bellevue, WA 98009-4143

Reference is made to that certain trust deed made by Jerry A. Rajnus and Dixie Rajnus, an estate in fee simple as tenants by the entirety, as grantor, to Mark H. Peterman, as trustee, in favor of BNC Mortgage, Inc., a Delaware corporation, as beneficiary, dated 03/16/00, recorded 03/24/00, in the mortgage records of Klamath County, Oregon, in Volume M00 Page 9689, and subsequently assigned to First Union National Bank, as trustee of the Amortizing Residential Collateral Trust, Series 2000-BC3, without recourse by Assignment recorded as Volume M01, Page 15745, covering the following described real property situated in said county and state, to wit:

The following described real property situate in Klamath County, Oregon: All in Township 41 South, Range 12 East of the Willamette Meridian: Section 15: Southeast 1/4 Northeast 1/4 and That part of the Northeast 1/4 Southeast 1/4 lying North of the "D" Canal, as follows: a Tract of Land comprising 10 acres, more or less, located in the Northeast 1/4 Southeast 1/4, Section 15, Township 41 South, Range 12 East of the Willamette Meridian and more particularly describes as follows: Beginning at the Northwest corner of said Northeast 1/4 Southeast 1/4 of said Section 15, Township 41 South, Range 12, East of the Willamette Meridian: thence South on the 40 line of the North right of way line of the "D" Canal of the U.S. Reclamation Service as now located and constructed; thence following said North right of way line of said "D" Canal in a Southeasterly direction to its intersection with the East line of said Northeast 1/4 Southeast 1/4 of said Section 15; thence North on the Section line to the Northeast corner of said Northeast 1/4 Southeast 1/4 of said Section 15; thence West on the East and West 1/2 Section line to the Point of Beginning.

PROPERTY ADDRESS: 32942 Rajnus Road Malin, OR 97632

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 \$828.80 beginning 04/01/02; plus late charges of \$41.44 each month beginning 09/16/00; 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; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$84,274.87 with interest thereon at the rate of 11.3 percent per annum beginning 03/01/02; plus late charges of \$41.44 each month beginning 09/16/00 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; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

The Notice of Default and original Notice of Sale given pursuant thereto stated the property would be sold on Friday, August 17, 2001, 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; However, subsequent to the recording of said Notice of Default the original proceedings were stayed by order of the court or by proceedings filed under the U.S. Bankruptcy Code or for other lawful reason. Said stay was terminated effective 4/1/2003.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 23, 2003 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

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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.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

Dated: 5/1, 2003

DAVID E. FENNELL*

By 

Authorized Signature

*Northwest Trustee Services, PLLC was formerly known as Northwest Trustee Services, LLC

For further information, please contact:

Shannon Blood
Northwest Trustee Services, PLLC
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900

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

AMENDED TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from Jerry A. Rajnus and Dixie Rajnus, an estate in fee simple as tenants by the entirety
Grantor

to

DAVID E. FENNELL, Trustee **File No. 7090.20138**

After recording return to:
Northwest Trustee Services, PLLC
Attn: Shannon Blood
P.O. Box 4143
Bellevue, WA 98009-4143

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE