

03 JUN 6 PM 3:12

MTL-60102

Vol M03 Page 38760

AFFIDAVIT OF MAILING OF NOTICE OF SALE

STATE OF OREGON           )  
  ) ss.  
COUNTY OF LANE           )

State of Oregon, County of Klamath  
Recorded 06/06/2003 3:12 p. m.  
Vol M03 Pg 38760-65  
Linda Smith, County Clerk  
Fee \$ 46.00 # of Pgs 6

I, NANCY K. CARY, being first duly sworn, depose and say:

1. I am the Successor Trustee of the Trust Deed described in the attached Trustee's Notice of Sale.

2. I served the attached Trustee's Notice of Sale upon the following parties by depositing true copies thereof in the United States Mail at Eugene, Oregon, on March 5, 2003:

U.S. Bank National Association  
Attn: Joe Vodus, Consumer Collections  
PO Box 30869  
Portland OR 97297

James A. Pehrson  
203 High Street  
Klamath Falls OR 97601

U.S. Bank National Association  
Attn: Christine Cary  
1010 S Seventh Street EP-MN-TT4F  
Minneapolis MN 55415

Southern Oregon Credit Service, Inc.  
PO Box 4070  
Medford OR 97501

U.S. Bank National Association ND  
4325 17th Avenue SW  
Fargo ND 58103

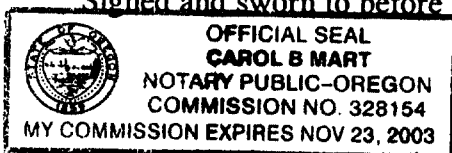
Highland Community Federal Credit Union  
3737 Shasta Way  
Klamath Falls OR 97603

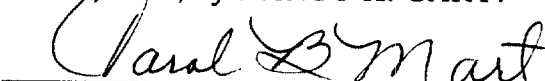
Carter-Jones Collection, L.L.C.  
PO Box 145  
Klamath Falls OR 97601-0375

3. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below their names which, to the best of my knowledge, were their last known addresses as of the date of mailing. The copies were mailed by certified mail, return receipt requested, and by first class mail, with postage prepaid.

  
Nancy K. Cary

Signed and sworn to before me on March 5, 2003, by NANCY K. CARY.



  
Notary Public for Oregon  
My Commission Expires: 11-23-03

AFFIDAVIT OF MAILING

FOR RECORDING RETURN TO:  
Hunter, et al  
Attn: Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440

46

38761

**PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS**

STATE OF: OREGON  
COUNTY OF: KLAMATH

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: TRUSTEE'S NOTICE OF SALE

FOR THE WITHIN NAMED: OCCUPANT 2365 LINDA VISTA DRIVE KLAMATH FALLS, OREGON 97601

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to Gregrey Baker at the address below.

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Gregrey Baker, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Denise Baker

☐ **OTHER METHOD:** By leaving an Original or True Copy with \_\_\_\_\_

☐ **NON OCCUPANCY:** I certify that I received the within document(s) for service on \_\_\_\_\_ and after personal inspection, I found the above described real property to be unoccupied.

☐ **SUBSTITUTE SERVICE MAILER:** That on the \_\_\_\_\_ day of \_\_\_\_\_, 2003 I mailed a copy of the Trustee's Notice of Sale addresses to Occupant(s) at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed \_\_\_\_\_

2365 Linda Vista Drive Klamath Falls, Oregon 97601

**ADDRESS OF SERVICE**

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

March 3<sup>rd</sup>, 2003

5:47 P.M.

**DATE OF SERVICE**

**TIME OF SERVICE**

☐ or non occupancy

By: \_\_\_\_\_

Rob Girard

Dated this 5<sup>th</sup> day of March, 2003.

Subscribed and sworn to before me by Rob Girard



Margaret A. Nielsen  
Notary Public for Oregon

**AFTER RECORDING RETURN TO:**  
Hershner, Hunter, et al  
Attn: Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440

38762

NOTICE OF SUBSTITUTE SERVICE

TO:

Denise V. Baker  
2365 Linda Vista Drive  
Klamath Falls OR 97601

You are hereby notified that you were served with a Trustee's Notice of Sale, a true copy of which is attached hereto, by delivery of an original copy of the Notice of Sale at your dwelling house or usual place of abode indicated above, as follows:

Date and Time of Service: March 3, 2003, 5:47 p.m.

Person to Whom the Notice  
Was Delivered: Gregrey L. Baker

/s/ Nancy C. Cary  
NANCY K. CARY,  
Successor Trustee

AFFIDAVIT OF MAILING

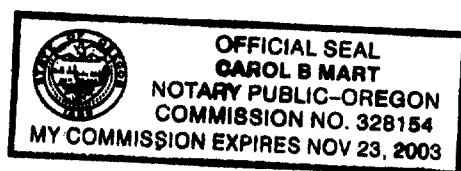
STATE OF OREGON       )  
                                  ) ss.  
COUNTY OF LANE       )

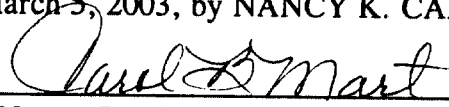
I, NANCY K. CARY, being first duly sworn, depose and say that:

I mailed an original Notice of Substitute Service, a true copy of which appears above, together with a true copy of the Notice of Sale referred to therein, by placing them in a sealed envelope, addressed as shown above and mailed by certified mail, return receipt requested, with postage prepaid in the United States Mail at Eugene, Oregon, on March 5, 2003.

  
NANCY K. CARY

Signed and sworn to before me on March 5, 2003, by NANCY K. CARY.



  
Notary Public for Oregon  
My Commission Expires: 11-23-03

NOTICE OF SUBSTITUTE SERVICE

AFTER RECORDING RETURN TO:  
Hershner, Hunter, et al  
Attn: Carol B. Mart  
P.O. Box 1475  
Eugene, OR 97440

The following Trustee's Notice of Sale is served on you (if mailed, by certified mail, return receipt requested and first class mail) pursuant to ORS Chapter 86, requiring notice of the foreclosure to be given to the grantor of the trust deed, to certain successors in interest of the grantor and junior lien holders, and to the occupants of the property.

TO:

TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES:  
 Grantor: GREGREY LEIGH BAKER and DENISE VYDELL BAKER  
 Trustee: WILLIAM L. SISEMORE  
 Successor Trustee: NANCY K. CARY  
 Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION

2. DESCRIPTION OF PROPERTY: The real property is described as follows:

As described on the attached Exhibit A.

3. RECORDING. The Trust Deed was recorded as follows:

Date Recorded: May 18, 1990  
 Volume M90, Page 9541  
 Official Records of Klamath County, Oregon

4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments in the amount of \$1,302.00 each, due the 20th of each month, for the months of November and December 2002, plus monthly payments in the amount of \$1,325.00 each, due the 20th of each month, for the months of January and February 2003; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE. The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$9,235.93 plus interest at an adjustable rate pursuant to the terms of the Promissory Note from October 20, 2002; plus late charges of \$400.00; plus advances and foreclosure attorney fees and costs.

6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.

7. TIME OF SALE.  
 Date: July 10, 2003  
 Time: 11:00 a.m. as established by ORS 187.110  
 Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon

8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and 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 amount provided in ORS 86.753.

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511.

DATED: February 28, 2003.

/s/ Nancy K. Cary

NANCY K. CARY, Successor Trustee  
 HERSHNER, HUNTER, ANDREWS, NEILL & SMITH, LLP  
 P.O. Box 1475  
 Eugene, OR 97440

FAIR DEBT COLLECTION PRACTICES ACT NOTICE

We are attempting to collect a debt on behalf of the beneficiary named above (also referred to as the "creditor") and any information obtained will be used for that purpose. This debt is owed to the creditor in the amount of described above. Under some circumstances, you may receive more than one copy of this notice. Unless you dispute the validity of this debt, or any portion thereof, in writing within 30 days after your first receipt of the original or a copy of this notice, we will assume the debt to be valid. If you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that the debt, or any portion thereof, is disputed, we will obtain verification of the debt or (if applicable) a copy of a judgment against you and a copy of the verification or (if applicable) the judgment will be mailed to you. We will provide you with the name and address of the original creditor, if different from the creditor named above, if you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that you request such information. This communication is from a debt collector.

38764

Lot 9 in Block 2 of FIRST ADDITION TO LOMA LINDA HEIGHTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Saving and excepting that portion deeded to the City of Klamath Falls in Deed Volume M66 on page 9332, Microfilm Records of Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the South line of Lot 9, Block 2, FIRST ADDITION TO LOMA LINDA HEIGHTS, said point being 3.80 feet East of the Southwest corner of said Lot; thence Easterly along an arc of a curve having a radius of 35.00 feet, through an angle of 62 degrees, a distance of 37.87 feet more or less to the South line 36.05 feet more or less to the point of beginning, all in the City of Klamath Falls, Oregon.

EXHIBIT A

# Affidavit of Publication

38765

## 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 # 5720

Notice of Sale/Baker

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:

April 30, May 7, 14, 21, 2003

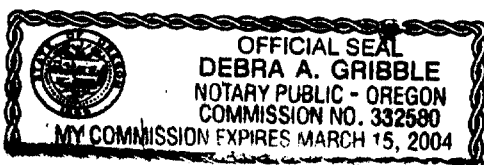
Total Cost: \$688.50

Subscribed and sworn

before me on: May 21, 2003

Notary Public of Oregon

My commission expires March 15, 2004



### TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. PARTIES: Grantor: GREGREY LEIGH BAKER and DENISE VYDELL BAKER. Trustee: WILLIAM L. SISEMORE. Successor Trustee: NANCY K. CARY. Beneficiary: KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION.

2. DESCRIPTION OF PROPERTY: The real property is described as follows: As described on the attached Exhibit A.

Lot 9 in Block 2 of FIRST ADDITION TO LOMA LINDA HEIGHTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Saving and excepting that portion deeded to the City of Klamath Falls in Deed Volume M66 on page 9332, Microfilm Records of Klamath County, Oregon, more particularly described as follows:

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along an arc of a curve having a radius of 35.00 feet, through an angle of 62 degrees, a distance of 37.87 feet more or less to the South line 36.05 feet more or less to the point of beginning, all in the City of Klamath Falls, Oregon.

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7. TIME OF SALE: Date: July 10, 2003. Time: 11:00 AM as established by ORS 187.110. Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon.

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Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511. Dated: February 28, 2003. Nancy K. Cary, Successor Trustee. Hershner, Hunter, Andrews, Neill & Smith, LLP, PO Box 1475, Eugene, OR 97440. #5720 April 30, May 7, 14, 21, 2003.

AFTER RECORDING RETURN TO:

Hershner, Hunter, et al

Page 1 Attn: Carol B. Mart

P.O. Box 1475

Eugene, OR 97440