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Aspen 56852

Vol M03 Page 51680

State of Oregon, County of Klamath  
Recorded 07/22/2003 2:35 P. m  
Vol M03 Pg 51680-87  
Linda Smith, County Clerk  
Fee \$ 56.00 # of Pgs 8

AFFIDAVIT OF MAILING  
Trustee's Notice of Sale  
STATE OF WASHINGTON )  
COUNTY OF KING ) ss.

I, John Edmundson, being first duly sworn, depose, 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 addresses, to-wit:

SEE Exhibit "A" Attached hereto and incorporated herein by this reference.

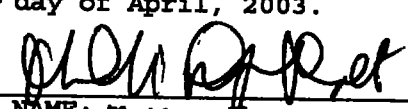
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 David Powell, trustee named in said notice; each such copy was contained in a sealed envelope, 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 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.

  
John Edmundson

SUBSCRIBED AND SWORN TO before me this 11/4 day of April, 2003.

  
PRINTED NAME: Melissa J. Tervet

NOTARY PUBLIC in and for the State of  
Washington residing at King Co.  
My Appointment Expires: 01/16-04

AFTER RECORDING RETURN TO:

BISHOP, LYNCH & White, P.S.  
720 Olive Way, Suite 1600  
Seattle, WA 98101-1801  
Attn:  
FORBASOREGONMOD.FRM REV 4/11/03



56A

EXHIBIT A

GRANTORS and ALL OTHER PARTIES:

Nikki Sue Delaney  
406 Quaking Aspen Street  
Chiloquin, OR 97624

John Doe Delaney  
Spouse of Nikki Sue Delaney  
406 Quaking Aspen Street  
Chiloquin, OR 97624

Occupants of the Premises  
406 Quaking Aspen Street  
Chiloquin, OR 97624

Nikki Sue Delaney  
105 Kings Way  
Central Point, OR 97502

John Doe Delaney  
105 Kings Way  
Central Point, OR 9

City Of Chiloquin  
City Hall  
122 South 2<sup>nd</sup> Street  
Chiloquin OR 97624

**FIDELITY NATIONAL TITLE - NDS**

After recording return to:  
 BISHOP, LYNCH & WHITE, P.S.  
 720 Olive Way, #1301  
 Seattle, WA 98101-1801  
 Attn: Lauri J. Langton  
 Delaney, 240-X1617.01

Recorded herewith are the following:

- ☐ Affidavit(s) of Mailing # \_\_\_\_\_
- ☐ Proof(s) of Service # \_\_\_\_\_
- ☐ Affidavit of Publication
- ☐ Certificate(s) of Mailing # \_\_\_\_\_
- ☐ Affidavit of Non-Occupancy

3410096

**NOTICE: WE ARE ATTEMPTING TO COLLECT A DEBT, ANY INFORMATION OBTAINED WILL BE USED FOR PURPOSES OF DEBT COLLECTING.**

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Nikki Sue Delaney, as grantor, to Regional Trustee Services, as trustee, in favor of Beneficial Oregon, Inc. dba Beneficial Mortgage Company, as beneficiary, dated April 13, 2000, recorded April 18, 2000, in the mortgage records of Klamath County, Oregon, in Volume M00 Page 12568, covering the following described real property situated in said county and state, to-wit:

LOTS 1 THROUGH 3 IN BLOCK 11 OF CHILOQUIN DRIVE ADDITION TO THE CITY OF CHILOQUIN, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as: 406 Quaking Aspen Street, Chilloguin, OR 97624

Both the beneficiary and the trustee, Krista L. White or David Powell, 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:

1.

**Monthly Payments:**

Delinquent monthly payments from November 18, 2002 through March 18, 2003

1	Payment(s) at	\$185.50	\$185.50
4	Payment(s) at	403.00	1,612.00

**TOTAL MONTHLY PAYMENTS AND LATE CHARGES**

**\$1,797.50**

2. Delinquent Real Property Taxes, if any.

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:

Unpaid balance is \$31,344.18 as of April 3, 2003. In addition there are attorney's fees and foreclosure costs which as of the date of this notice are estimated to be \$2,500.00. Interest, late charges and advances for the protection and preservation of the property may accrue after the date of this notice.

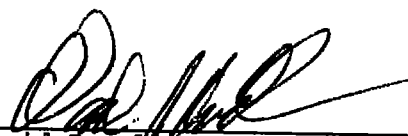
WHEREFORE, notice hereby is given that the undersigned trustee, Krista L. White or David Powell will on August 13, 2003, at the hour of 11:00 a.m. in accord with the standard of time established by ORS 187.110, at the front entrance to the County Courthouse, located at 316 Main Street, Klamath Falls, of Klamath County, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by grantor of the said trust deed together with any interest which the grantor or grantor's 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 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), paying all advances authorized under the trust deed, including all costs and expenses incurred in enforcing the obligation and trust deed, and by curing any other default complained of therein 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.

DATED: April 3, 2003.

  
David Powell, Trustee

State of Washington )  
County of King ) ss.

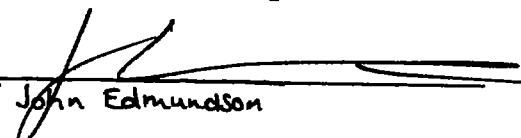
I certify that I know or have satisfactory evidence that David Powell is the person who appeared before me, and said person acknowledged that he signed the attached Trustee's Notice of Sale and acknowledged it to be his free and voluntary act and deed and for the uses and purposes mentioned in the instrument.

Dated this 3 day of April, 2003.

  
PRINTED NAME: Lauri J. Langton

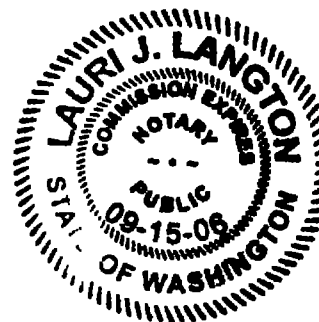
Notary Public in and for the State of  
Washington, residing at Seattle.  
My Commission Expires: 09-15-02

I, the undersigned, certify that the foregoing is a complete and exact copy of the original trustee's notice of sale.

  
John Edmundson

For Information Contact:

Bishop, Lynch & White, P.S.  
720 Olive Way, #1301  
Seattle, WA 98101-1801  
(206) 622-7527  
Ref: Delaney, 240-X1617.01



**240-X1617/Delaney**

**51685**

## AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON )  
 ) ss.  
County of Klamath )

**I, Rob Girard, 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 7<sup>th</sup> day of April 2003, after personal inspection, I found the following described real property to be unoccupied:

**Lots 1 Through 3 in Block 11 of Chiloquin Drive Addition to the City of Chiloquin, According to the Official Plat Thereof on File in the Office of the County Clerk of Klamath County, Oregon.**

**Commonly known as:** 406 Quaking Aspen Street  
Chiloquin, OR 97624

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

  
Rob Girard 266067

SUBSCRIBED AND SWORN to before me this 8<sup>th</sup> day of April 2003, by Rob Girard.

Margaret A. Nelson  
Notary Public for Oregon

# Affidavit of Publication

51686

## 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 # 5943

Notice of Sale/Delaney

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )  
Four

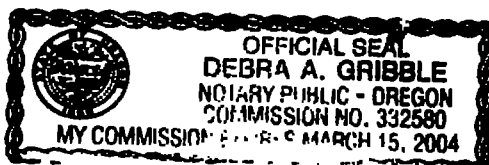
Insertion(s) in the following issues:  
June 25, July 2, 9, 16, 2003

Total Cost: \$729.00

*Larry L. Wells*  
Subscribed and sworn  
before me on: July 16, 2003

*Debra A. Gribble*  
Notary Public of Oregon

My commission expires March 15, 2004



2003.

### TRUSTEE'S NOTICE OF SALE

NOTICE: We are attempting to collect a debt, any information obtained will be used for purposes of debt collecting.

Reference is made to that certain trust deed made by Nikki Sue Delaney, as grantor, to Regional Trustee Services, as trustee, in favor of

Beneficial Oregon, Inc. dba Beneficial Mortgage Company, as beneficiary, dated April 13, 2000, recorded April 18, 2000 in the mortgage records of Klamath County, Oregon, in Volume M00 Page 12568, covering the following described real property situated in said county and state, to-wit:

Lots 1 through 3 in Block 11 of Chiloquin Drive Addition to the City of Chiloquin, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. Commonly known as: 406 Quaking Aspen Street, Chiloquin, OR 97624.

Both the beneficiary and the trustee, Krista L. White or David Powell, 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:

1. Monthly Payments: Delinquent monthly payments from November 18, 2002 through March 18, 2003; 1 Payment(s) at \$185.50, \$185.50; 4 Payment(s) at \$403.00, \$1,612.00; TOTAL MONTHLY PAYMENTS AND LATE CHARGES \$1,797.50.

2. Delinquent Real Property Taxes, if any.

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: Unpaid balance is \$31,344.18 as of April 3, 2003. In addition there are attorney's fees and foreclosure costs which as of the date of this notice are estimated to be \$2,500.00. Interest, late charges and advances for the protection and preservation of the property may accrue after the date of this notice.

WHEREFORE, notice hereby is given that the undersigned trustee, Krista L. White or David Powell will on August 13, 2003 at the hour of 11:00 AM in accord with the standard of time established by ORS 167.110, at the front entrance to the County Courthouse, located at 316 Main Street, Klamath Falls, of Klamath County, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had

power to convey at the time of the execution by grantor of the said trust deed together with any interest which the grantor or grantor's 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 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), paying all advances authorized under the trust deed, including all costs and expenses incurred in enforcing the obligation and trust deed, and by curing any other default complained of therein 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.

51687

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: April 3, 2003.  
David Powell, Trustee.  
For information contact: Bishop, Lynch & White, P.S., 720 Olive Way, #1301, Seattle, WA 98101-1801. (206) 622-7527. Ref: Delaney, 240-X1617.01.  
#5943 June 25, J.  
2, 9, 16, 2003. /