

03 JUL 29 PM 12:18

Vol M03 Page 53627

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE	
RE: Trust Deed from Monty Ramsey	Grantor
to	
Richard L. Biggs, Esq.	Trustee
AFTER RECORDING RETURN TO	
Richard L. Biggs, Esq. PMB 267 6327-C SW Capitol Highway Portland, OR 97239	

State of Oregon, County of Klamath  
Recorded 07/29/2003 12:18 p m  
Vol M03 Pg 53627-31  
Linda Smith, County Clerk  
Fee \$ 4/00 # of Pgs 5

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah ) ss:

I, Doris Lemire, 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.

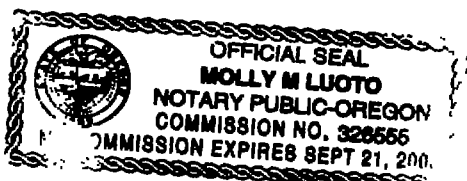
I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME	ADDRESS
Occupants	1422 Mitchell Street, Klamath Falls, OR 97601
Monty A. Ramsey	1422 Mitchell Street, Klamath Falls, OR 97601
Monty A. Ramey	PO Box 1681, 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 by Doris Lemire, for 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 Vancouver, Washington, on March 20, 2003. 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.

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 on April 4, 2003, by Doris Lemire..



Molly M. Luoto  
Notary Public for Oregon.

My commission expires 9-21-03

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## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Monty A. Ramsey, as grantor to Aspen Title and Escrow, as trustee, in favor of CitiFinancial, Inc., as beneficiary dated December 12, 2001, recorded December 14, 2001, in the mortgage records of Klamath County, Oregon, as M-01 on page 64115, covering the following described real property situated in the above-mentioned county and state, to-wit:

The North 58 feet of Lot 16, Block 307, Darrow Addition to the City of Klamath Falls, according to the Official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

*(The title company advises the property address is 1422 Mitchell Street, Klamath Falls, OR 97601)*

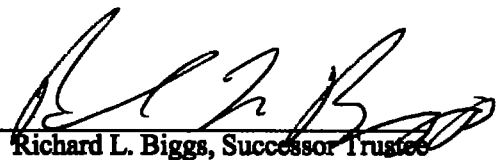
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly payments for October 2002 through March 2003, plus expenses, in the total amount of \$3,764.66, plus real property taxes for 2001-2002 through and including 2002-2003.

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: As March 17, 2003, the principal sum of \$53,093.35, plus interest; plus any sums advanced by the beneficiary or beneficiary's successor in interest for the protection of the above-described property, plus attorney and trustee's fees incurred by reason of said default.

WHEREFORE, notice hereby is given that the undersigned trustee will on July 31, 2003, at the hour of 11:00 a.m., in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse-front steps-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 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) 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 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 Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED March 17, 2003

  
Richard L. Biggs, Successor Trustee  
FOR ADDITIONAL INFORMATION CALL (503) 227-6922

State of Oregon, County of Multnomah) ss: I, the undersigned, certify that the foregoing is a complete and exact copy of the original trustee's notice of sale.

\_\_\_\_\_  
For said Trustee

## - FAIR DEBT COLLECTION PRACTICES ACT NOTICE

This is an attempt to collect a debt and any information obtained will be used for that purpose.

If you are the person who signed the Note/Loan Agreement referred to in the Trust Deed, you owe the beneficiary the amount stated in the attached Trustee's Notice of Sale.

If you are the person who signed the Note/Loan Agreement referred to in the Trust Deed, you are hereby notified that unless you notify this office in writing within thirty (30) days after the receipt of this notice that the validity of this debt, or any portion of it, is disputed, we will assume it to be valid. If you send us written notice that you dispute this debt, or any portion thereof, within 30 days after receipt of this notice, we will obtain verification of the debt, or a copy of the judgment. Also, upon your written request within 30 days after receipt of this notice, we will provide you with the name and address of the original creditor if different from the creditor listed in the Notice of Sale.

Written requests should be addressed to:

Richard L. Biggs, P.C.  
Attorney at Law  
PMB 267, 6327-C SW Capitol Highway  
Portland, OR 97201  
Phone: (503) 227-6922

Ramsay

53630

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

The North 58 feet of Lot 16, Block 307, Darrow Addition to the City of Klamath Falls, according to the Official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

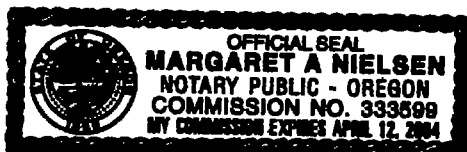
Commonly known as:       1422 Mitchell Street  
                                  Klamath Falls, OR 97601

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

  
Rob Girard

265221

SUBSCRIBED AND SWORN to before me this 14<sup>th</sup> day of July 2003, by Rob Girard.



  
Notary Public for Oregon

# Affidavit of Publication

53631

## 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 # 5836

Notice of Sale/Ramsey

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:

May 29, June 5, 12, 19, 2003

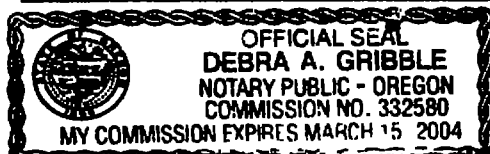
Total Cost: \$648.00

*Larry L. Wells*  
Subscribed and sworn

before me on: June 19, 2003

*Debra A. Gribble*  
Notary Public of Oregon

My commission expires March 15, 2004



### TRUSTEE'S NOTICE OF SALE

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missed 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 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 Federal Fair Debt Collection Practices Act requires we state: This is an attempt to collect a debt and any information obtained will be used for that purpose.

Dated: March 17, 2003. Richard L. Biggs, Successor Trustee. For Additional Information Call (503) 227-6922. #5836 May 29, June 5, 12, 19, 2003.