

03 AUG 1 PM 3:35

Vol M03 Page 55163

**RECORDING COVER SHEET**  
Pursuant to ORS 205.234

State of Oregon, County of Klamath  
Recorded 08/1/2003 3:35 pm  
Vol M03 Pg 55163-69  
Linda Smith, County Clerk  
Fee \$ 61.00 # of Pgs 7

1st 88224  
After recording return to:

Northwest Trustee Services, PLLC  
Attention: Shannon Blood  
P.O. Box 4143  
Bellevue, WA 98009-4143

- ✓ 1. AFFIDAVIT OF MAILING
- 2. TRUSTEE'S NOTICE OF SALE
- ✓ 3. PROOF OF SERVICE
- ✓ 4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Grover L. Rodgers, Alice Rodgers, an estate in fee simple as tenants by the entirety

Beneficiary: Conseco Finance Servicing Corp.

**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS CONTAINED IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.**

51  
+5  
+3  
61A

## AFFIDAVIT OF MAILING 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:

Grover L. Rodgers  
5858 Shasta Way  
Klamath Falls, OR 97603

Alice Rodgers  
5858 Shasta Way  
Klamath Falls, OR 97603

Pacesetter Corporation  
10461 Old Placerville Road, #170  
Sacramento, CA 95827

Carter-Jones Collections, LLC  
c/o Neal G. Buchanan, Attorney  
435 Oak Avenue  
Klamath Falls, OR 97601

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

Carter-Jones Collections, LLC  
P.O. Box 145  
Klamath Falls, OR 97601

Candace Amborn, Trustee  
P.O. Box 580  
Medford, OR 97501-0214

Philip M. Wasley, Attorney  
888 Northwest Hill Street, #6  
Bend, OR 97701

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 4/20/03. 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.

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 Sharonne Boudette 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: 4/29/03

**KAREN MICHELLE HARDY**  
STATE OF WASHINGTON  
NOTARY — — PUBLIC  
MY COMMISSION EXPIRES 03-17-07

Karen Michelle Hardy  
NOTARY PUBLIC in and for the State of  
Washington, residing at Vineburg,  
My commission expires 03-17-07

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from  
Rodgers, Grover L. and Alice  
Grantor

to  
Northwest Trustee Services, PLLC,  
Trustee

File No. 7042.21661

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

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Grover I. Rodgers, Alice Rodgers, an estate in fee simple as tenants by the entirety, as grantor, to Glenn H. Prohaska, Attorney, as trustee, in favor of Conseco Finance Servicing Corp., as beneficiary, dated 05/25/00, recorded 06/01/00, in the mortgage records of Klamath County, Oregon, as Volume M00, Page 19804, covering the following described real property situated in said county and state, to wit:

Lot 39 First Addition to Madison Park, according to the Official Plat thereof on File in the Office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 5858 Shasta Way  
Klamath Falls, OR 97603

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 \$1,287.26 beginning 09/15/02; plus late charges of \$64.36 each month beginning 09/30/02; plus prior accrued late charges of \$836.67; 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: \$112,583.28 with interest thereon at the rate of 12.95 percent per annum beginning 08/15/02; plus late charges of \$64.36 each month beginning 09/30/02 until paid; plus prior accrued late charges of \$836.67; 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.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 29, 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 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](http://www.northwesttrustee.com) and are incorporated by this reference. You may also access sale status at [www.northwesttrustee.com](http://www.northwesttrustee.com).

Northwest Trustee Services, PLLC\*

Dated: 4/23, 2007

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  
(fka Northwest Trustee Services, LLC)  
P.O. Box 4143  
Bellevue, WA 98009-4143  
(425) 586-1900  
File No. 7042.21661/Rodgers, Grover L. and Alice

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

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

7 2.21661/RODGERS

55167

## PROOF OF SERVICE

STATE OF OREGON )  
 ) ss.  
 County of Klamath )

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, along with the Notice Under the Federal Fair Debt Collection Practices Act, upon an OCCUPANT at the following address:

**5858 SHASTA WAY, KLAMATH FALLS, OREGON 97603, as follows:**

Personal service upon Allison Rogers, by delivering said true copy, personally and in person, at the above address on April 28th, 2003 at 6:33 P.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2003 at \_\_\_\_\_:\_\_\_\_\_.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2003 at \_\_\_\_\_:\_\_\_\_\_.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2003 at \_\_\_\_\_:\_\_\_\_\_.m.

I declare under the penalty of perjury that the above statement is true and correct.

  
 Rob Girard

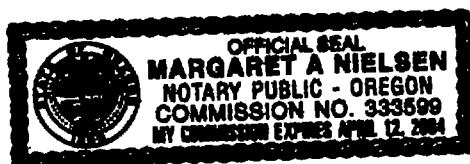
267282

SUBSCRIBED AND SWORN to before me this

1st day of

May, 2003 by

Rob Girard.



  
 Notary Public for Oregon

# Affidavit of Publication

55168

## 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 # 5863

Notice of Sale/Rodgers

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

Four

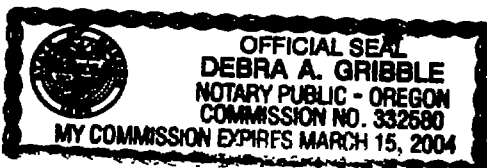
Insertion(s) in the following issues:  
June 5, 12, 19, 26, 2003

Total Cost: \$796.50

Subscribed and sworn  
before me on: June 26, 2003

Debra A. Gribble  
Notary Public of Oregon

My commission expires March 15, 2004



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Oliver L. Rogers, Alice Rodgers, an estate in fee simple as tenants by the entirety, as grantors to Grant H. Prohaska, Attorney at Law, as trustee, in favor of Columbia Finance Services Corp., as beneficiary, dated 03/26/03, recorded 06/07/03, in the mortgage records of Klamath County, Oregon, as Volume 180, Page 1804, containing the following description of real property situated in said county and state, to-wit:

Lot 39 First Addition to Madison Park, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. PROPERTY ADDRESS: 200 South West Klamath Falls, OR 97603.

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 88.0203, the default in which the foreclosure is made in grantor's failure to pay when due the following sums: monthly payments of \$1,282.25 beginning 05/01/03 plus late charges of \$64.26 each month beginning 09/30/02 plus accrued late charges of \$665.57 plus additional of \$150, together with this expense (costs, fees and attorney's fees) recorded herein by reason of

default, any further sums advanced by the beneficiary for the protection of the above described real property and the interest thereon, as provided by law.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, and from time to time, to-wit: \$15,000.00 with interest thereon at the rate of 12% per annum, beginning 06/15/02, plus late charges of \$64.26 each month beginning 09/30/02, plus attorney's fees and costs, together with this expense (costs, fees and attorney's fees) recorded herein by reason of said default, any further sums advanced by the beneficiary for the protection of the above described real property and the interest thereon, as provided by law.

Unless a writ of habeas corpus is granted, the undersigned trustee will on August 26, 2003, at the hour of 10:00 A.M. and in accordance with the provisions of Article 17, § 12, of the Oregon Constitution, cause the real property herein described to be sold to the highest bidder at public auction in the County of Klamath, State of Oregon, and the proceeds of said sale to be applied to the payment of the sums advanced by the beneficiary for the protection of the above described real property and the interest thereon, as provided by law.

excepted real property which the grantor had or had power or authority at the time of the execution of the trust deed to convey, with any interest therein, which the grantor or grantor's successors in interest abandoned after the execution of the trust deed, to satisfy the foregoing obligations, thereby to cancel and the costs and expenses of sale, including a reasonable charge on the trustee. No title is further given that any person named in ORS 88.0203 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, and is capable of being cured by tendering the payment and required under the obligation or trust deed, and in addition to getting said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in respecting the obligation and trust deed, together with attorney's fees, not exceeding the amounts advanced by said ORS 88.0203.

It is provided that notice of this election to sell the real property herein described, as provided for in Article 17, § 12, of the Oregon Constitution, shall be given to the grantor as well as to

