

03 AUG 15 AM 10:35

Vol M03 Page 59425

**RECORDING COVER SHEET FOR NOTICE  
OF SALE PROOF OF COMPLIANCE PER  
O.R.S. 205.234**

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

State of Oregon, County of Klamath  
Recorded 08/15/2003 10:35Am  
Vol M03 Pg 59425-35  
Linda Smith, County Clerk  
Fee \$ 81.00 # of Pgs 11

WHEN RECORDED MAIL TO

**REGIONAL TRUSTEE SERVICES CORPORATION, as Trustee**  
720 Seventh Avenue, Suite 100  
Seattle, WA 98104

Trustee's Sale No: 09-MS-33373

*Aspen 54304*



**MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of Sale or Proof of Service will be considered a transaction.**



**AFFIDAVIT OF MAILING NOTICE OF SALE** (must have trustee's notice of sale attached)



**AFFIDAVIT OF PUBLICATION NOTICE OF SALE**



**PROOF OF SERVICE /AFFIDAVIT OF NON-OCCUPANCY**

**Original Grantor on Trust Deed**

**CONNIE NALETTE**

**Beneficiary**

**EVERGREEN MONEYSOURCE MORTGAGE COMPANY**

*71  
+5  
+5  
81A*

59426

REGIONAL TRUSTEE SERVICES CORPORATION  
720 Seventh Avenue, Suite 100  
Seattle, WA 98104  
Phone: (206) 340-2550 / Fax:

Trustee Sale No.: 09-MS-33373



**Affidavit of Mailing Trustee's Notice of Sale**

STATE OF WASHINGTON     )  
                                  ) ss.  
COUNTY OF KING         )

The undersigned, being first duly sworn, states that I am now, and at all times herein mentioned was a citizen of the United States a resident of the State of Washington, and over the age of eighteen years, and not the beneficiary or his successor in interest named in the attached original Notice of Sale given under the terms of that certain trust deed described in said Notice.

That 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:

CONNIE NALETTE, 549 TORREY STREET, KLAMATH FALLS, OR, 97601  
PARTIES IN POSSESSION, 549 TORREY STREET, KLAMATH FALLS, OR, 97601  
SPOUSE OF CONNIE NALETTE, 549 TORREY STREET, KLAMATH FALLS, OR, 97601

CARTER-JONES COLLECTION, LLC, 1143 PINE STREET, , KLAMATH FALLS, OR, 97601  
CONNIE NALETTE, C/O BLAIR M. HENDERSON, ATTY., 426 MAIN STREET, KLAMATH FALLS, OR, 97601  
DUNLAP FANNING & CO., LLP, CPA, BRIAN M. SULLIVAN, ATTY., 3526 SW CORBETT AVE.,  
PORTLAND, OR, 97201  
IRS (3), , , ,  
KLAMATH COUNTY TAX ASSESSOR , 316 MAIN STREET, , KLAMATH FALLS, OR, 97601  
OREGON DEPARTMENT OF REVENUE, REVENUE AGENT, PO BOX 14725, SALEM, OR, 97309  
SOUTHERN OREGON CREDIT SERVICES, INC., 841 STEWART AVENUE, , MEDFORD, OR, 97501  
SOUTHERN OREGON CREDIT SERVC. INC., PO BOX 4070, , MEDFORD, OR, 97501  
STATE OF OREGON, EMPLOYMENT DEPARTMENT, 875 UNION STREET NE, ROOM 107, SALEM,  
OR, 97311  
STATE OF OREGON, TAX COLLECTIONS, ROOM 520, JUSTICE BLDG., 1162 COURT STREET NE,  
SALEM, OR, 97310  
TROUTMAN INVESTMENT CO DBA TROUTMAN'S EMPORIUM, 86776 MCVAY HWY, EUGENE, OR,  
97405  
TROUTMAN INVESTMENT CO DBA TROUTMAN'S EMPORIUM, C/O DALLAS TROUTMAN, REG  
AGENT/PRESIDENT, 86776 MCVAY HWY, EUGENE, OR, 97405  
TROUTMAN INVESTMENT CO DBA TROUTMAN'S EMPORIUM, PO BOX 5467, EUGENE, OR, 97405  
TROUTMAN INVESTMENT CO DBA TROUTMAN'S EMPORIUM, C/O DALLAS TROUTMAN, REG  
AGENT/PRESIDENT, PO BOX 5467, EUGENE, OR, 97405  
WRAYCO, INC. DBA HARVEST FORD-LINCOLN-MERCURY, C/O MUHLHEIN PALMER AND WADE,  
US BANK CENTER, 800 WILLAMETTE STREET, SUITE #700, EUGENE, OR, 97401

OR\_Mailing Aff

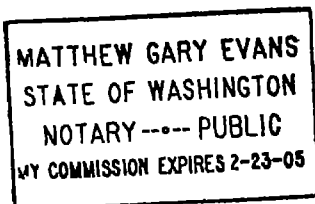
Said persons include (a) the grantor in the trust deed, (b) successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest 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 an authorized representative of 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 Seattle, WASHINGTON, on 05.15.03. 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.

Nicole Singell Nicole Frizell  
On behalf of Regional Trustee Services Corporation

SUBSCRIBED AND SWORN TO before me on 05.15.03.



U L L  
NOTARY PUBLIC for WASHINGTON  
My commission expires: 2/23/2005

**NOTICE TO BORROWER:** YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

### **TRUSTEE'S NOTICE OF SALE**

*Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.*  
Trustee's Sale No. 09-MS-33373



Reference is made to that certain Deed of Trust made by, CONNIE NALETTE, as grantor, to MOUNTAIN TITLE, as Trustee, in favor of EVERGREEN MONEYSOURCE MORTGAGE COMPANY, as beneficiary, dated 3/22/1996, recorded 3/29/1996 in Volume M-96, page 8895, of Deeds of Trust, under Instrument No. , records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by THE BANK OF NEW YORK, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT DATED AS OF MAY 31, 1996 SERIES 1996-B. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

ATTACHED HERETO AS EXHIBIT 'A' AND INCORPORATED HEREIN AS THOUGH FULLY SET FORTH.

The street address or other common designation, if any, of the real property described above is purported to be:

549 TORREY STREET  
KLAMATH FALLS, OR 97601

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

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:

	Amount due as of May 6, 2003
Delinquent Payments from December 01, 2002	
1 payments at \$ 1,631.61 each	\$ 1,631.61
5 payments at \$ 1,202.23 each (12-01-02 through 05-06-03)	\$ 6,011.15
Late Charges:	\$ 781.43
Beneficiary Advances:	\$ 4,663.93
	-----
<b>TOTAL:</b>	<b>\$ 13,088.12</b>

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances,

property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

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:

UNPAID PRINCIPAL BALANCE OF \$120,358.53, PLUS interest thereon at 11.125% per annum from 11/1/2002 to 1/1/2003, 11.125% per annum from 1/1/2003, until paid., together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on September 8, 2003, at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the said trust deed, together with any interest which the grantor or his 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 masculine gender includes the feminine and the neuter, 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.

59430

DATED: May 06, 2003

REGIONAL TRUSTEE SERVICES CORPORATION  
Trustee

By

  
NANCI LAMBERT, AUTHORIZED AGENT  
720 Seventh Avenue, Suite 100, Seattle, WA 98104  
Phone: (206) 340-2550  
Sale Information: <http://www.rtrustee.com>

STATE OF WASHINGTON }  
COUNTY OF KING } ss.

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

\_\_\_\_\_  
Authorized Representative of Trustee

EXHIBIT "A"  
EXHIBIT FOR LEGAL DESCRIPTION

Lots 1 and 2, Block 5, KLAMATH LAKE ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, TOGETHER WITH that portion of vacated Berkley Street which inured thereto.

EXCEPTING THEREFROM the following:

Beginning at a point which is the intersection with the Easterly right of way line of Hanks Street and the West right of way line of Berkley Street; thence Southerly along the West right of way line of Berkley street 64.2 feet; thence Westerly parallel to Torrey Street 48.54 feet, more or less, to the East right of way line of Hanks Street; thence Northeasterly along the Easterly right of way line of Hanks Street, 79.91 feet, more or less to the point of beginning.

59432

09MS33373

RSOR  
(Nalette)

**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: OCCUPANTS OF 549 TORREY STREET KLAMATH FALLS, OREGON

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

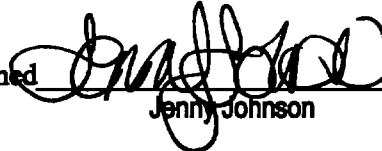
☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Connie Nalette, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: All occupants

☐ **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 9<sup>th</sup> day of May, 2003 I mailed a copy of the Trustee's Notice of Sale addresses to all Occupants 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

  
Jenny Johnson

549 Torrey Street 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.

May 9, 2003

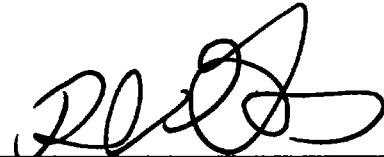
8:03 a.m.

DATE OF SERVICE

TIME OF SERVICE

☐ or non occupancy

By:

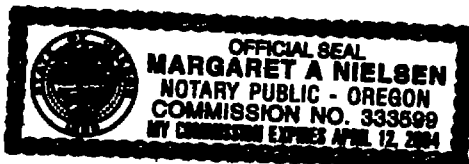


Rob Girard

Dated this 9<sup>th</sup> day of May, 2003.

Subscribed and sworn to before me by



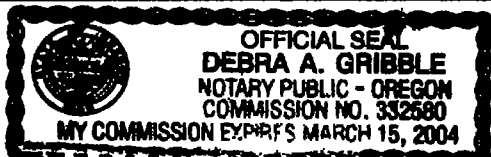


  
Notary Public for Oregon



## RS-OR

537426





**REGIONAL TRUSTEE SERVICES CORPORATION**  
**720 Seventh Avenue, Suite 100**  
**Seattle, WA 98104**  
**Phone: (206) 340-2550 / Fax: (206) 292-4930**

**Trustee Sale No.: 09-MS-33373**

**720 Seventh Avenue, Suite 100**

**Seattle, WA 98104**

**Phone: (206) 340-2550 / Fax: (206) 292-4930**

**Trustee Sale No.: 09-MS-33373**



May 12, 2003

# Affidavit of Mailing IRS Lien Notice

State of WASHINGTON )  
 ) ss.  
County of KING )

I JEFF YATES, being first duly sworn, state that I am now, and at all times herein mentioned was a citizen of the United States a resident of the State of WASHINGTON, and over the age of eighteen years, and not the beneficiary or his successor in interest named in the attached Notice of Trustee's Sale.

**That, at the direction and under the supervision of the Trustee I gave notice of the sale of the real property described in the attached Notice of Trustee's Sale, by mailing a copy thereof by first class mail and by mailing a copy by certified mail with return receipt requested to:**

**The notice so mailed was a true copy of the original Notice of Trustee's Sale, contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in a United States post office at Seattle, WA, on May 12, 2003.**

**I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.**

**DATED May 12, 2003, at Seattle, WA.**

