71837 Vol_M03_Page____

State of Oregon, County of Klamath Recorded 09/26/03 2:50 p m Vol M03 Pg 7/837-50 Linda Smith, County Clerk Fee \$ 869 # of Pgs /4

OREGON AFFIDAVIT OF MAILING OF NOTICE OF SALE

I, Kelly D. Sutherland, say and certify that:

I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or the successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons at their last known addresses, to-wit:

Steven W. Perry 920 Lincoln Street Klamath Falls, OR 97601

Lori A. Perry 920 Lincoln Street Klamath Falls, OR 97601

Steven W. Perry 96645 Fairview Sumner Lane Coquille, OR 97423

Lori A. Perry 96645 Fairview Sumner Lane Coquille, OR 97423

Howard S. Lichtig, Esq. P. O. Box 1267 Port Orford, OR 97465

Eric R.T. Roost, Trustee P.O. Box 12060 Eugene, OR 97440 The persons mailed to include the granter in the trust deed, any successor in interest to the granter whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Kreisman, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Vancouver, Washington, on July 1, 2003. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

As used herein, the singular incudes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Kelly D. Sutherland

State of Washington

County of Clark

On this day of _____, in the year 20 03, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal

Notary Public

My Commission Expires

Lender Loan #: 6103256605

OF WASHINGTON

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Steven W. Perry and Lori A. Perry, husband and wife, as grantor, to AmeriTitle, as Trustee, in favor of Bank United, as Beneficiary, dated June 3, 1998, recorded June 8, 1998, in the mortgage records of Klamath County, Oregon, in Volume No. 1098, at Page 19526, beneficial interest now held by Washington Mutual Bank, F.A., successor by merger to Bank United, covering the following described real property:

The Southwesterly 40 feet of the Westerly 100 feet of Lot 7 in Block 56, Nichols Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon.

COMMONLY KNOWN AS: 920 Lincoln 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 in the sum of \$723.31 from September 1, 2002, and monthly payments in the sum of \$742.65, from February 1, 2003, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit:

\$69,395.71, together with interest thereon at the rate of 8.37500% per annum from August 1, 2002, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 29, 2003, at the hour of 11:00 AM, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 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 has or had power to convey at the time of the execution of 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 due (other than such portion of the principal as would not then

be due had no default occurred) and by caring any other default complained of herein that is capable of being cured by tendering the performance required under the obligations 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.

Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

Dated 6/23/03

State of Washington, County of Clark, ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

SHAPIRO & KREISMAN 201 NE Park Plaza Drive, #150 Vancouver, WA 98684 (360) 260-2253

KELLY D. SUTHERLAND

ccessor Trustee

Lender Loan #:

6103256605

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

TROUBLE S ATTEM (III AS TO NON-OCCUPANCY
State of Washington)
County of Clark)
I, Kelly D. Sutherland, being first duly sworn, depose, say and certify that: I am the Successor trustee in that certain trust deed executed and delivered by Steven W. Perry and Lori A. Perry, husband and wife as grantor to AmeriTitle as trustee, in which Bank Unite is beneficiary, recorded on June 8, 1998, in the mortgage records of Klamath County, Oregon in Book/Reel/Volume No. 1098, at Page 19526, Document/Instrument/Recorder's Fee No. none covering the following described real property situated in said county:
The Southwesterly 40 feet of the Westerly 100 feet of Lot 7 in Block 56, Nicholand Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon.
Commonly known as: 920 Lincoln Street, #1, Klamath Falls, OR 97601
I hereby certify that on July 2, 2003, the above described real property was not occupied. The word "trustee' as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.
State of Washington) Kelly D. Sutherland
County of Clark)
On this 2 day of Street, in the year 20 03, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.
Witness my hand and official seal
Motaly Public S NOTARI S AUBLIC S
My Commission Expires 11/29/03 Lender Loan #: 6103256605
Lettier Liver #: 0105230003 1 O

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

State of Washington)	
County of Clark)	•
I am the Successor trus and Lori A. Perry, hus is beneficiary, recorded in Book/Reel/Volume?	stee in that certain to band and wife as go d on June 8, 1998, No. 1098, at Page 19	worn, depose, say and certify that: rust deed executed and delivered by Steven W. Perry rantor to AmeriTitle as trustee, in which Bank United in the mortgage records of Klamath County, Oregon 0526, Document/Instrument/Recorder's Fee No. none, perty situated in said county:
Addition to the	City of Klamath Fa	Westerly 100 feet of Lot 7 in Block 56, Nichols lls, according to the official plat thereof on file in the ath County, Oregon.
Commonly know	wn as: 920 Lincoln	Street, #2, Klamath Falls, OR 97601
The word "trustee' as u	ised in this affidavi	above described real property was not occupied. t means any successor-trustee to the trustee named in
the trust deed first men	noned above.	All
State of Washington)	Kelly D. Sutherland
County of Clark	_)	;
On this 24 day of Sublic in and for said	estudos in the	year 2003, before me the undersigned, a Notary
known to me to be the	person whose nom	personally appeared Kelly D. Sutherland personally
that he executed.	berson whose fixing	e is subscribed to this instrument and acknowledged
		areannill.
Witness my hand and o	fficial seal	TANKETIE O ZIII
Man IT	X//// _	NOTARY
Notary Public	SUCC	O NOTARY P
My Commission Expire	s 11/29/03	AUBLIC #
Lender Loan #: 610325	66051	137.29-03:10-5

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 920 LINCOLN STREET KLAMATH FALLS, OREGON 97601 (X) PERSONNALLY SERVED: Original or True Copy to within named, personally and in person to Tom Nickels at the address below. (X) SUBSTITUE SERVICE: By delivering an Original or True Copy to Tom Nickels, 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 other 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. (X) SUBSTITUTE SERVICE MAILER: That on the 3rd day of July, 2003 I mailed a copy of the Trustee's Notice of Sale addresses to all other 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. 920 Lincoln Street APT#3 Klamath Falls, OR 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. July 2, 2003 1:15 P.M. DATE OF SERVICE TIME OF SERVICE or non occupancy Dated this 3rd day of July, 2003. Subscribed and sworn to before me by

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 920 LINCOLN STREET KLAMATH FALLS, OREGON 97601 (X) PERSONNALLY SERVED: Original or True Copy to within named, personally and in person to Dean Gordon at the address below. (X) SUBSTITUE SERVICE: By delivering an Original or True Copy to Dean Gordon, 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 other 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. (X) SUBSTITUTE SERVICE MAILER: That on the 3rd day of July, 2003 I mailed a copy of the Trustee's Notice of Sale addresses to all other 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. 920 Lincoln Street APT# 4 Klamath Falls, OR 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. July 1, 2003 4:41 P.M. DATE OF SERVICE TIME OF SERVICE or non occupancy Cory Dickens Dated this 3rd day of July, 2003. Subscribed and sworn to before me by

Notary Public for Oregon

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

State of washington)
County of Clark)
I, Kelly D. Sutherland, being first duly sworn, depose, say and certify that: I am the Successor trustee in that certain trust deed executed and delivered by Steven W. Perry and Lori A. Perry, husband and wife as grantor to AmeriTitle as trustee, in which Bank United is beneficiary, recorded on June 8, 1998, in the mortgage records of Klamath County, Oregon in Book/Reel/Volume No. 1098, at Page 19526, Document/Instrument/Recorder's Fee No. none, covering the following described real property situated in said county:
The Southwesterly 40 feet of the Westerly 100 feet of Lot 7 in Block 56, Nichols Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon.
Commonly known as: 920 Lincoln Street, #5, Klamath Falls, OR 97601
I hereby certify that on July 2, 2003, the above described real property was not occupied. The word "trustee' as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.
Mul
State of Washington) Kelly D. Sutherland
County of Clark)
On this 24 day of Septem, in the year 2003, before me the undersigned, a Notary
Public in and for said County and State, personally appeared Kelly D. Sutherland personally
known to me to be the person whose name is subscribed to this instrument and acknowledged
that he executed.

Winess my hand and official seal

My Commission Expires 14
Lender Loan #: 6103256603

IRUSII	LE'S AFFIDA	TT AS TO NON-OCCUPANCY
State of Washington)	
County of Clark	ý	
I am the Successor trusted and Lori A. Perry, husbar is beneficiary, recorded of in Book/Reel/Volume No.	e in that certain to nd and wife as gr in June 8, 1998, 1098, at Page 19	vorn, depose, say and certify that: rust deed executed and delivered by Steven W. Perry antor to AmeriTitle as trustee, in which Bank United in the mortgage records of Klamath County, Oregon 526, Document/Instrument/Recorder's Fee No. none, erty situated in said county:
Addition to the Cit	y of Klamath Fal	Westerly 100 feet of Lot 7 in Block 56, Nichols is, according to the official plat thereof on file in the the County, Oregon.
Commonly known	as: 920 Lincoln	Street, #6, Klamath Falls, OR 97601
I hereby certify that on Ju The word "trustee' as used the trust deed first mention	d in this affidavit	thove described real property was not occupied. means any successor-trustee to the trustee named in
State of Washington)	Kelly D. Sutherland
County of Clark)	
On this 24 day of Sept Public in and for said Co	unty and State, r	year 2003, before me the undersigned, a Notary personally appeared Kelly D. Sutherland personally
known to me to be the pe	rson whose name	is subscribed to this instrument and acknowledged
that he executed.		TE COLL
Witness my hand and office	cial seal	WINDTARY #
Symutes	un	
Motary/Public	uhala	PUBLIC
My Commission Expires	1/19/03	1, 7, 29.00. 30 5
Lender Loan #: 61032566	0 5	OF WASHING

STATE OF OREGON. COUNTY OF KLAMATH

Legal # 6022

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

Notice of Sale/Perry
a printed copy of which is hereto annexed,
vas published in the entire issue of said
newspaper for: (4)
Four
nsertion(s) in the following issues:
August 6, 13, 20, 27, 2003
Total Cost: \$810.00
-2 14/4
Subscribed and sworn
perfore me on: August 27, 2003
) ₀ /
ilbra a subble
Notary Public of Oracon

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Steven W. Perry and Lori A. Perry, husband and wife, as grantor, to Amerititle, as Trustee, in favor of Bank United, as Beneficiary, dated June 3, 1998, recorded June 1998, in the mortgage records of Kla-math County, Oregon, in Volume No. 1098, at Page 19526, beneficial Interest now held by Wash-Ington Mutual Bank, F.A., successor by merger to Bank United, covering the following described real property: Bank

Southwesterly The 40 feet of the Westerly 100 feet of Lot 7 in Block 56, Nichols Addition to the City Klamath Falls according to the offi-cial plat thereof on file in the office of the county clerk of Klamath County, Oregon. COMMON-LY KNOWN AS: 920 COMMON-Lincoln Street, Kla-Falls, math 97601.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obliga-tions 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:

costs, disburseand/or fees ments, incurred or paid by beneficiary the and/or trustee, their employees, acents or assigns.

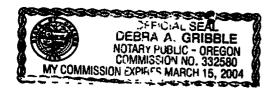
By reason of said default the benefi-clary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sum being the following, to-wit: \$69,395.71, together with interest thereon at the rate of 8.37500% per annum from August 1, 2002, together with all disbursements, and/or fees incurred or paid by beneficiary and/or trustee, their employees, or assigns.

WHEREFORE, no-tice hereby is given that the undersigned standard time estab-; lished by ORS; ilshed by ORS attorney's 187.110, at the main exceeding entrance of the Klamath Country Court-house, located at 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the high-est bidder for cash the interest in the said described real property which the grantor has or had power to convey at the time of the execution of said trust deed, together with any interest which the grantor or his successors in interro pay when due the following sums:
Monthly payments in the sum of \$723.31 from September 1, 2002 and monthly payments in the sum of \$742.65, from sum of \$742.65, from February 1, 2003, together with all successors in interest acquired after the escution of said thrust deed, to satisfy the foregoing obligations thereby secured and the costs and successors in interest acquired after the escution of said thrust deed, to satisfy the foregoing obligations thereby secured and the costs and said the costs an

by the trustee. Nothat 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 trust deed reinstated by trust payment to the beneficiary of the entire amount 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 capa-ble of being cured tendering the performance quired under the obligations or trust deed, and in addiagents tion to paying said sums or tendering the performance necessary to cure the default, by pay-ing all costs and extrustee will on Octo- penses actually in-ber 29, 2003 at the curred in enforcing hour of 11:00 AM, in the obligation and accord with the trust deed, together with trustee's and attorney's fees not the amounts provided by said ORS 86.753.

> 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 respec-tive successors in interest, if any.

Also, please be advised that pursuant to the terms stated on the Deed of Trust ding a and Note, the benefi-charge clary is allowed to and Note, the benefi-



My commission expires March 15, 2004

conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

Dated: June 23, 2003. By: Kelly D. Sutherland, Successor Trustee. State of Washington, County of Clark, ss: i, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale. Shapiro & Kreisman, 201 NE Park Plaza Drive, #150, Vancouver, WA 98684. (360) 260-2253. Lender Loan #6103256605. #6022 August 6, 13, 20, 27, 2003.

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF <u>WASHINGTON</u>)	
)	SS
County of <u>CLARK</u>)	

THIS IS TO CERTIFY THAT I, Lyanette S. Allen, am the Assistant Vice President and Attesting Assistant Secretary of Washington Mutual Bank, F.A., successor by merger to Bank United,, the current beneficiary in that certain trust deed in which Steven W. Perry and Lori A. Perry, husband and wife, as grantor, conveyed to AmeriTitle, as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated June 3, 1998, and recorded June 8, 1998, in the mortgage records of said county, in Book No. 1098, at Page 19526, thereafter a Notice of Default with respect to said trust deed was recorded June 19, 2003, Document/Instrument/Recorder's Fee No. M03-42089, of said mortgage records; thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed is scheduled to be sold at the trustee's sale on October 29, 2003; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailor's Civil Relief Act of 1940," as amended, or legally incompetent under the laws of the State of Gregon.

In construing this certificate, the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

Washington Mutual Bank, F.A., successor by merger to Bank United

Beneficiary

ypnette 8/Allen.

Assistant Vice President and Attesting Assistant Secretary

STATE OF WASHINGTON)
) SS.
COINTY OF CIADE	`

On this day of Latentus, 2003, before me the undersigned a Notary Public appeared Lynnette S. Allen, personally known to me or proved to me on the basis of satisfactory evidence to be the Assistant Vice President and Attesting Assistant Secretary of the corporation that executed the within instrument, also known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the date first hereinabove written.

Notary Public for State indicated above My commission expires:

Loan #: 6103256605