

04 JAN 15 AM 10:46

NJC - 62373

Vol M04 Page 02467

**AFFIDAVIT OF MAILING  
TRUSTEE'S NOTICE OF SALE**

RE: Trust Deed from

**Joanne Hermes, fka Joanne Ingihart  
Grantor**

To.

**H & L Services, Inc.  
Trustee.**

After recording return to:

**Laura J. Walker  
Cable Huston Benedict et al  
1001 SW Fifth Avenue #2000  
Portland Oregon, 97204**

State of Oregon, County of Klamath  
Recorded 01/15/2004 10:46a. m  
Vol M04 Pg 2467-70  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of Multnomah) ss:

I, Laura J. Walker, being first duly sworn, depose, and say that:

At all times hereinafter mentioned, 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies 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:

Joanne Hermes  
5120 Swan Dr,  
Bonanza, OR 97623

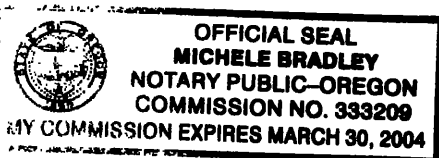
Beneficial Oregon, Inc.  
1345 CTR DR, STE D.  
Medford, OR 97501

Beneficial Oregon Inc.  
c/o CT Corporation, R/A  
388 State St. STE 420  
Salem, OR 97301

These 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 set forth in ORS 86.785.\*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Ken P. Dobson, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office in Portland, Oregon, on September 19, 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, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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



*[Signature]*  
Trustee

Subscribed and sworn to before me on January 12, 2004

*[Signature]*  
Notary Public for Oregon  
My commission expires 03-30-04

30.00  
AM

TRUSTEE'S NOTICE OF SALE

02468

Reference is made to that certain trust deed made by Joanne Hermes, fka Joanne Inglehart as grantor, to H & L Services, Inc., as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated October 21, 1997, recorded on October 27, 1997, in the records of Klamath County, Oregon Microfilm Records M97, page 35422, covering the following described real property situated in the above-mentioned county and state, to wit:

**Lot 3 in Block 54 of KLAMATH FALLS FOREST ESTATES,  
HIGHWAY 66 UNIT, PLAT NO. 2 According to the official plat  
thereof on file in the office of the County of Klamath, State of Oregon**

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligation 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:

**Six monthly payments of \$455.22 each due for the months of March  
2003 through August 2003 with interest accruing thereon at the  
contract rate of 8.49% per annum or \$13.17 per diem until paid in  
full, plus costs and attorneys fees.**

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:

<b>Principal</b>	<b>\$56,627.33</b>
<b>Interest as of August 31, 2003: \$</b>	<b>\$2,357.43</b>
<b>Foreclosure Guarantee</b>	<b>\$ 321.00</b>
<b>Beneficiary is also entitled to costs and attorney fees.</b>	

WHEREFORE, notice hereby is given that the undersigned trustee will on **January 29, 2004**, at the hour of 1:30 o'clock, p.m., in accord with the standard of time established by ORS 187.110, at the **Klamath County Courthouse, 316 Main Street, 2<sup>nd</sup> floor, 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.

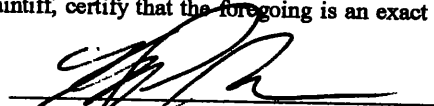
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED September 19, 2003

  
Laura Walker, Trustee

State of Oregon, County of Multnomah ss:

I, the undersigned attorney of record for the Plaintiff, certify that the foregoing is an exact and complete copy of the original trustee's notice of sale

  
Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Beneficial Oregon Inc.  
c/o CT Corporation, R/A  
388 State St. STE 420  
Salem, OR 97301

2. Article Number  
(Transfer from service label)

7003 1010 0001 9888 9982

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

*Patricia M. Smith* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

SEP 2 2003

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

02469

3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Beneficial Oregon, Inc.  
1345 CTR DR, STE D  
Medford, OR 97501

2. Article Number  
(Transfer from service label)

7002 2030 0000 0038 5864

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-154

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

*Ben S* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

9/2

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Joanne Hermes  
5120 Swan Dr,  
Bonanza, OR 97623

2. Article Number  
(Transfer from service label)

7003 1010 0001 9888 9999

PS Form 3811, August 2001

Domestic Return Receipt

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

*Joanne Hermes* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

9/5/03

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

# Affidavit of Publication

02470

## 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 # 6274

Notice of Sale/Hermes

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:  
December 8, 15, 22, 29, 2003

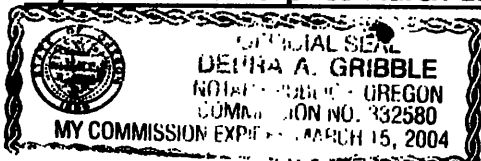
Total Cost: \$621.00

Subscribed and sworn

before me on: December 29, 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 Joanne Hermes, fka Joanne Inglehart as grantor, to H & L Services, Inc., as trustee, in favor of Green Tree Financial Servicing Corporation, as beneficiary, dated October 21, 1997, recorded on October 27, 1997, in the records of Klamath County, Oregon Microfilm Records M97, page 35422, covering the following described real property situated in the above-mentioned county and state, to wit:

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Six monthly payments of \$455.22 each due for the months of March 2003 through August 2003 with interest accruing thereon at the contract rate of 8.49% per annum or \$13.17 per diem until paid in full, plus costs and attorneys fees.

By reason of said default the benefi-

ciary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to wit:

Principal \$56,627.33; Interest as of August 31, 2003: \$2,357.43; Foreclosure Guarantee \$321.00; Beneficiary is also entitled to costs and attorney fees.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 29, 2004 at the hour of 1:30 PM in accord with the standard of time established by ORS 187.110, at the Klamath County Courthouse, 316 Main Street, 2nd Floor, 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 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: September 19, 2003. Laura J. Walker, Trustee. Cable, Huston, Benedict, Haagenen & Lloyd, LLP. Attorneys At Law, Suite 2000, 1001 SW Fifth Ave., Portland, OR 97204. 503-224-3092. #6274 December 8, 15, 22, 29, 2003.