

04 FEB 20 AM 10:32

Vol M04 Page 09700

03-16785

ATE 36050

State of Oregon, County of Klamath
Recorded 02/20/2004 10:32 a m
Vol M04 Pg 9700-13
Linda Smith, County Clerk
Fee \$ 86.00 # of Pgs 14

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Glen J. Ogilvie and Michele L. Ogilvie, as grantor, to AmeriTitle, as Trustee, in favor of Washington Mutual Bank, as Beneficiary, dated October 24, 2001, recorded October 31, 2001, in the mortgage records of Klamath County, Oregon, in Volume M01, at Page 55901, covering the following described real property:

Lot 26, Block 9, Tract No. 1050, Winema Peninsula, Unit 3, according to the
✓ Official Plat thereof on file in the Office of the County Clerk of Klamath County,
Oregon.

COMMONLY KNOWN AS: 40162 Braymill Drive, Chiloquin, OR 97624

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 \$683.19 from June 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:

\$86,543.47, together with interest thereon at the rate of 6.75000% per annum from June 1, 2003, 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 March 17, 2004, 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 curing 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

86A

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.

KELLY D. SUTHERLAND
Successor Trustee

Dated 11/12/03

By: 

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 #: 39255062

09702

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
03-16785

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:

Glen J. Ogilvie
82199 Beach Access Road
Umatilla, OR 97881

Glen J. Ogilvie
40162 Braymill Drive
Chiloquin, OR 97624

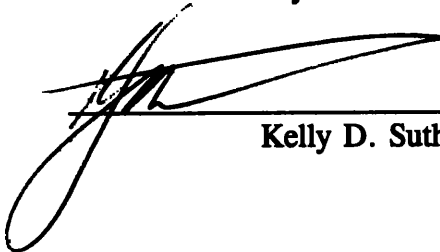
Michele L. Ogilvie
40162 Braymill Drive
Chiloquin, OR 97624

Michele L. Ogilvie
P.O. Box 11
Stanfield, OR 97875

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor 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 November 19, 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 includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.


 Kelly D. Sutherland

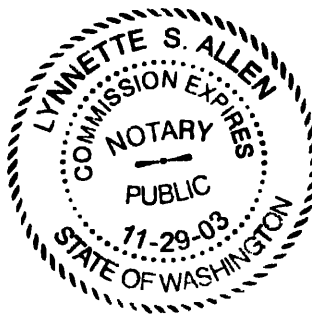
State of Washington)

County of Clark)

On this 19th day of November, 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.

Witness my hand and official seal


 Notary Public
 My Commission Expires 11/24/03



Lender Loan #: 39255062

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
03-16785

09704

**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:


State of Oregon Attorney General
Justice Building
Salem, OR 97310

Thomas J Ditton
Attorney at Law
P.O. Box 802
Hermiston, OR 97838

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor 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 November 21, 2003. As evidenced by signed return receipt, each Notice was actually received by the named parties at least 25 days before the day of the Trustee's Sale.

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



 Kelly D. Sutherland

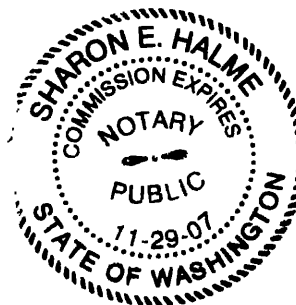
State of Washington)

County of Clark)

On this 18th day of February, in the year 20 07, 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 11-29-07



Lender Loan #: 39255062

09706

2. Article Number		COMPLETE THIS SECTION ON DELIVERY	
 7160 3901 9848 2278 3246		A. Received by (Please Print Clearly)	B. Date of Delivery
3. Service Type CERTIFIED MAIL		C. Signature	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:		D. Is delivery address different from item 1? If YES, enter delivery address below:	
State of Oregon Attorney General Justice Building Salem, OR 97310		D.A.S. Mail NOV 26 2003 Shapiro & Kreisman	
03-16785			
PS Form 3811, July 2001		Domestic Return Receipt	

2. Article Number		COMPLETE THIS SECTION ON DELIVERY	
 7160 3901 9848 2278 4777		A. Received by (Please Print Clearly)	B. Date of Delivery
3. Service Type CERTIFIED MAIL		C. Signature	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:		D. Is delivery address different from item 1? If YES, enter delivery address below:	
Thomas J Ditton Attorney at Law P.O. Box 802 Hermiston, OR 97838			
03-16785		Shapiro & Kreisman	
PS Form 3811, July 2001		Domestic Return Receipt	

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
03-16785

**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.

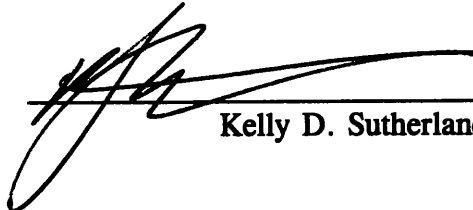
I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons at their last known addresses, to-wit:

Robert E Ridgway
Attorney at Law
P.O. Box 993
Pendleton, OR 97801

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor 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 November 21, 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 includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

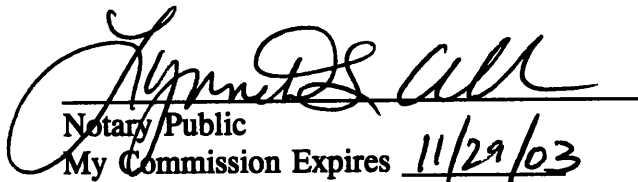

Kelly D. Sutherland

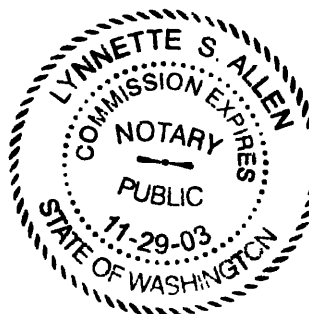
State of Washington)

County of Clark)

On this 21st day of November, 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 11/29/03



Lender Loan #: 39255062

09709

Court Case No.
Sheriff's Case No. 03-03360

I hereby certify that I received for service
the within:

OR 97208

09711

an attempt to collect
the outstanding in-
debtedness or hold
you personally liable
for the debt.

Dated November 12,
2003. By: Kelly D.
Sutherland, Succes-
sor Trustee. Sha-
piro & Kreisman,
201 NE Park Plaza
Drive, #150, Vancou-
ver, WA 98684. (360)
260-2253. Lender
Loan # 39255062.
#6276 December 7,
14, 21, 28, 2003.

09712

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
(360) 260-2253
03-16785

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF WASHINGTON)
) SS.
County of CLARK)

THIS IS TO CERTIFY THAT I, Lynnette S. Allen, am the Assistant Vice President and Attesting Assistant Secretary of Washington Mutual Bank, F.A., the current beneficiary in that certain trust deed in which Glen J. Ogilvie and Michele L. Ogilvie, as grantor, conveyed to AmeriTitle, as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated October 24, 2001, and recorded October 31, 2001, in the mortgage records of said county, in Book No. Volume M01, at Page 5590; thereafter a Notice of Default with respect to said trust deed was recorded November 14, 2003, Book No. M03, Page No. 84362, 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 March 17, 2004; 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 Oregon.

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.
Beneficiary

By: 
Lynnette S. Allen,

Assistant Vice President and Attesting Assistant Secretary

