

WJC - 636001

Vol M04 Page 16112

AFTER RECORDING RETURN TO:
Hershey Hending, et al
Attn: Carol Mart
PO Box 1478
Eugene, OR 97448

AFFIDAVIT OF MAILING OF NOTICE OF SALE

STATE OF OREGON)
) ss.
COUNTY OF LANE)

State of Oregon, County of Klamath
Recorded 03/22/2004 _____ m
Vol M04 Pg 16112-18
Linda Smith, County Clerk
Fee \$ 51.00 # of Pgs 7

I, NANCY K. CARY, being first duly sworn, depose and say:

1. I am the Successor Trustee of the Trust Deed described in the attached Trustee's Notice of Sale.

2. I served the attached Trustee's Notice of Sale upon the following parties by depositing true copies thereof in the United States Mail at Eugene, Oregon, on December 15, 2003:

Nancy Hill
14889 Anderson Road
Merrill OR 97633

Mark M. LeCog
Dan C. Burdett
Schwabe, Williamson & Wyatt
1211 SW Fifth Avenue, Suite 1600
Portland OR 97204

American Express Business
Finance Corporation
13th Floor, Chase Tower
600 Travis Street
Houston TX 77002

3. The above copies were enclosed in sealed envelopes addressed to the parties named above at the addresses set forth below their names which, to the best of my knowledge, were their last known addresses as of the date of mailing. The copies were mailed by certified mail, return receipt requested, and by first class mail, with postage prepaid.

Nancy K. Cary

Signed and sworn to before me on December 15, 2003, by NANCY K. CARY.

Carol B. Mart

Notary Public for Oregon
My Commission Expires: 11-23-07



AFFIDAVIT OF MAILING

5760 AM

AFTER RECORDING RETURN TO:
Henderson Hunter, et al
Attn: Carol Hunt
PO Box 1476
Bugsen, OR 97448

16113

**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 Hill Veterinary Clinic, 6360 South 6th Street Klamath Falls, Oregon 97603

X PERSONALLY SERVED: Original or True Copy to within named, personally and in person to Dr. Dale Hill at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to _____, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for.

☐ **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.

6360 South 6th Street Klamath Falls, Oregon 97603

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.

December 11, 2003

12:25 PM

DATE OF SERVICE

TIME OF SERVICE

☐ or non occupancy

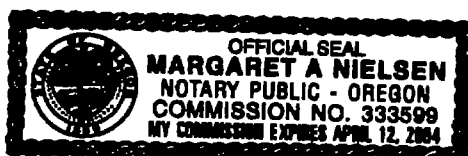
By: 

Rob Girard

Dated this 11th day of December, 2003.

Subscribed and sworn to before me by Rob Girard


Notary Public for Oregon



The following Trustee's Notice of Sale is served on you (if mailed, by certified mail, return receipt requested and first class mail) pursuant to ORS Chapter 86, requiring notice of the foreclosure to be given to the grantor of the trust deed, to certain successors in interest of the grantor and junior lien holders, and to the occupants of the property.

TO:

TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided:

1. **PARTIES:**
 Grantor: DALE R. HILL, DVM and NANCY HILL
 Trustee: PACIFIC CASCADES FINANCIAL INC.
 Successor Trustee: NANCY K. CARY
 Beneficiary: KLAMATH FIRST FEDERAL SAVINGS & LOAN ASSOCIATION
2. **DESCRIPTION OF PROPERTY:** The real property is described as follows:
 As described on the attached Exhibit A.
3. **RECORDING.** The Trust Deed was recorded as follows:
 Date Recorded: February 22, 2002
 Volume M02, Page 10826
 Official Records of Klamath County, Oregon
4. **DEFAULT.** The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments in the amount of \$1,648.79 each, due the 25th of each month, for the months of September through December 2003; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.
5. **AMOUNT DUE.** The amount due on the Note which is secured by the Trust Deed referred to herein is: Principal balance in the amount of \$201,782.83 plus interest at the rate of 8.3% per annum from August 25, 2003; plus late charges of \$247.29; plus advances and foreclosure attorney fees and costs.
6. **ELECTION TO SELL.** The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.
7. **TIME OF SALE.**
 Date: April 22, 2004
 Time: 11:00 a.m. as established by ORS 187.110
 Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon
8. **RIGHT TO REINSTATE.** Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and attorney's fees not exceeding the amount provided in ORS 86.753.

AFTER RECORDING RETURN TO:
 Harshner Hunter, et al
 Attn: Carol Hunt
 PO Box 1478
 Eugene, OR 97440

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511. 16115

DATED: December 9, 2003.

/s/ Nancy K. Cary

Nancy K. Cary, Successor Trustee
HERSHNER, HUNTER, ANDREWS,
NEILL & SMITH, LLP
P.O. Box 1475
Eugene, OR 97440

FAIR DEBT COLLECTION PRACTICES ACT NOTICE

We are attempting to collect a debt on behalf of the beneficiary named above (also referred to as the "creditor") and any information obtained will be used for that purpose. This debt is owed to the creditor in the amount of described above. Under some circumstances, you may receive more than one copy of this notice. Unless you dispute the validity of this debt, or any portion thereof, in writing within 30 days after your first receipt of the original or a copy of this notice, we will assume the debt to be valid. If you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that the debt, or any portion thereof, is disputed, we will obtain verification of the debt or (if applicable) a copy of a judgment against you and a copy of the verification or (if applicable) the judgment will be mailed to you. We will provide you with the name and address of the original creditor, if different from the creditor named above, if you notify us in writing within 30 days after your first receipt of the original or a copy of this notice that you request such information. This communication is from a debt collector.

16116

A parcel of land situated in the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East, Willamette Meridian, more particularly described as follows:

Beginning at a point which bears North 0° 51' West 462.3 feet, North 89° 06' East 262.2 feet, and South 46° 09' East 198.4 feet from the Southwest corner of said NE1/4 SW1/4; thence continuing South 46° 09' East a distance of 106.0 feet to the TRUE POINT OF BEGINNING of this description; thence continuing South 46° 09' East a distance of 124.0 feet to a 5/8 inch iron pin; thence North 43° 51' East a distance of 384.0 feet to the Southerly right-of-way line of the Klamath Falls-Lakeview Highway, 30 feet Southwesterly at right angles from its center-line; thence North 46° 09' West, along said right-of-way line, a distance of 124.0 feet to a 1/2 inch iron pin; thence South 43° 51' West a distance of 384.0 feet, more or less, to the point of beginning. EXCEPTING THEREFROM that portion thereof conveyed to STATE OF OREGON, by and through its Department of Transportation, Highway Division, by deed recorded in Volume M-73, page 15379, Microfilm Records of Klamath County, Oregon.

Tax Account No.: 3909-001CA-01700-000

Key No.: 508114

EXHIBIT A

Affidavit of Publication

16117

STATE OF OREGON, COUNTY OF KLAMATH

I, John T. Walker,
being first duly sworn, depose and say
that I am 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 # 6398

Notice of Sale/Hill

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:
February 12, 19, 26, March 4, 2004

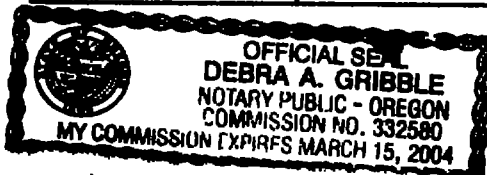
Total Cost: \$742.50

John T. Walker
Subscribed and sworn

before me on: March 4, 2004

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S NOTICE OF SALE

The Trustee under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in the Trust Deed to satisfy the obligations secured thereby. Pursuant to ORS 86.745, the following information is provided.

1. PARTIES: Grantor: Dale R. Hill, DVM and Nancy Hill; Trustee: Pacific Cascades Financial Inc.; Successor Trustee: Nancy K. Cary; Beneficiary: Klamath First Federal Savings & Loan Association.

2. DESCRIPTION OF PROPERTY: The real property is described as follows:
EXHIBIT "A"

A parcel of land situated in the NE 1/4 SW 1/4 of Section 1, Township 39 South, Range 9 East, Willamette Meridian, more particularly described as follows:

Beginning at a point which bears North 0 degree 51' West 462.3 feet, North 89 degree 06' East 262.2 feet, and South 46 degree 09' East 198.4 feet from the Southwest corner of said NE 1/4 SW 1/4; thence continuing South 46 degree 09' East a distance of 106.0 feet to the TRUE POINT OF BEGINNING of this description; thence continuing South 46 degree 09' East a distance of 124.0 feet to a 5/8 inch iron pin; thence North 43 degree 51' East, a distance of 384.0 feet to the southerly right-of-way line of

the Klamath Falls Lakeview Highway, 30 feet Southwesterly at right angles from its center-line; thence North 46 degree 09' West, along said right-of-way line, a distance of 124.0 feet to a 1/2 inch iron pin; thence South 43 degree 51' West a distance of 384.0 feet, more or less to the point of beginning. EXCEPTING THEREFROM that portion thereof conveyed to STATE OF OREGON, by and through its Department of Transportation, Highway Division, by deed recorded in Volume M-73, page 15379, Microfilm Records of Klamath County, Oregon.

Tax Account No: 3909-001CA-01700-000.
Key No: 508114.

3. RECORDING. The Trust Deed was recorded as follows:
Date Recorded: February 22, 2002;
Volume M02, Page 10826; Official Records of Klamath County, Oregon.

4. DEFAULT. The Grantor or any other person obligated on the Trust Deed and Promissory Note secured thereby is in default and the Beneficiary seeks to foreclose the Trust Deed for failure to pay: Monthly payments in the amount of \$1,448.79 each, due the 25th of each month, for the months of September through December 2003; plus late charges and advances; plus any unpaid real property taxes or liens, plus interest.

5. AMOUNT DUE: The Amount due on the Note which is secured by the Trust

Deed referred to herein is: Principal balance in the amount of \$201,782.83 plus interest at the rate of 8.39% per annum from August 25, 2003; plus late charges of \$247.29; plus advances and foreclosure attorney fees and costs.

6. ELECTION TO SELL. The Trustee hereby elects to sell the property to satisfy the obligations secured by the Trust Deed. A Trustee's Notice of Default and Election to Sell Under Terms of Trust Deed has been recorded in the Official Records of Klamath County, Oregon.

7. TIME OF SALE. Date: April 22, 2004; Time: 11:00 AM as established by ORS 187.110; Place: Front of the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon.

8. RIGHT TO REINSTATE. Any person named in ORS 86.753 has the right, at any time prior to five days before the Trustee conducts the sale, to have this foreclosure 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, by curing any other default that is capable of being cured by tendering the performance required under the obligation or Trust Deed and by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the trustee's and at-

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torney's fees not exceeding the amount provided in ORS 86.753.

Any questions regarding this matter should be directed to Carol Mart, Legal Assistant, (541) 686-8511 (TS #21669.30036).

Dated: December 9, 2003. Nancy K. Cary, Successor Trustee. Hershner, Hunter, Andrews, Neill & Smith, LLP
PO Box 1475, Eugene, OR 97440.

#6398 February 12, 19, 26, March 4, 2004.

MAR 15 2004