

04 AUG 23 PM 10:53

Vol M04 Page 55477

1st 372388
RECORDING COVER SHEET
Pursuant to ORS 205.234

State of Oregon, County of Klamath
Recorded 08/23/04 10:53 a.m.
Vol M04 Pg 55477-83
Linda Smith, County Clerk
Fee \$ 66⁰⁰ # of Pgs 7

After recording return to:

Northwest Trustee Services, Inc.
Attention: Kathy Taggart
P.O. Box 997
Bellevue, WA 98009-0997

1. AFFIDAVIT OF MAILING
- ✓ 2. TRUSTEE'S NOTICE OF SALE
- ✓ 3. AFFIDAVIT OF NON-OCCUPANCY
- ✓ 4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Scott Engelbrecht and Deanna Engelbrecht, husband and wife

Beneficiary: Norwest Mortgage, Inc. nka Wells Fargo Home Mortgage, Inc.

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

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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF WASHINGTON, County of KING) ss:

55478

I, the undersigned, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned, I was and now am a resident of the State of Washington, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

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 address, to-wit:

Scott Engelbrecht
3859 Bristol Avenue
Klamath Falls, OR 97603

Deanna Engelbrecht
3859 Bristol Avenue
Klamath Falls, OR 97603

Ronald R. Sticka, Trustee
P.O. Box 10990
Eugene, OR 97440

The Chase Manhattan Bank as Indenture Trustee
c/o Residential Funding c/o Homecomings Financial
9375 Sky Park Court, 3rd Floor
San Diego, CA 92123

The Chase Manhattan Bank as Indenture Trustee
c/o Residential Funding c/o Homecomings Financial
470 Norristown Road, Suite 200
Blue Bell, PA 19422

The Chase Manhattan Bank as Indenture Trustee
c/o Residential Funding Corporation
1301 Office Center Drive, #200
Fort Washington, PA 19034

The Chase Manhattan Bank as Indenture Trustee
c/o Residential Funding Corporation
10 Universal City, Plaza #2100
Universal City, CA 91608

Deanna Engelbrecht
c/o Sam A. McKeen, Atty.
4819 Climax Ave
Klamath Falls, OR 97603

Said 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 required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale, 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 Bellevue, Washington, on 4/22/04. 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.

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence that Joel Cotto Jr is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 4/22/04

Julie A. Smith
NOTARY PUBLIC in and for the State of
Washington, residing at King County, WA
My commission expires 1-30-06

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

**RE: Trust Deed from
Engelbrecht, Scott and Deanna
Grantor**

**to
Northwest Trustee Services, PLLC,
Trustee**

File No. 7023.28531

**After recording return to:
Northwest Trustee Services, PLLC
(fka Northwest Trustee Services, LLC)
Attn: Kathy Taggart
P.O. Box 4143
Bellevue, WA 98009-4143**

**JULIE A. SMITH
STATE OF WASHINGTON
NOTARY --- PUBLIC
MY COMMISSION EXPIRES 1-30-06**

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Scott Engelbrecht and Deanna Engelbrecht, husband and wife, as grantor, to Amerititle, as trustee, in favor of Norwest Mortgage, Inc. nka Wells Fargo Home Mortgage, Inc., as beneficiary, dated 07/11/97, recorded 07/17/97, in the mortgage records of Klamath County, Oregon, as M97 Pg 22502, covering the following described real property situated in said county and state, to wit:

Lot 25 of Summers Park, According to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 3859 Bristol Avenue
Klamath Falls, OR 97603

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 of \$723.11 beginning 01/01/04; plus late charges of \$28.92 each month beginning 01/16/04; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$75,501.64 with interest thereon at the rate of 8 percent per annum beginning 12/01/03; plus late charges of \$28.92 each month beginning 01/16/04 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on **August 27, 2004** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 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 described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for reinstatement or payoff quotes requested pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

Dated: 4/21, 20 04

Northwest Trustee Services, PLLC*

By

Authorized Signature

*Northwest Trustee Services, PLLC was formerly known as Northwest Trustee Services, LLC

For further information, please contact:

Kathy Taggart
Northwest Trustee Services, PLLC
(fka Northwest Trustee Services, LLC)
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No.7023.28531/Engelbrecht, Scott and Deanna

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

By Authorized Signer

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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7023.28531/Englebrecht

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
County of Klamath) ss.
)

I, Cory Dickens, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 21st day of April 2004, after personal inspection, I found the following described real property to be unoccupied:

LOT 25 OF SUMMERS PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF ON
FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as: 3859 Bristol Avenue
Klamath Falls, OR 97603

I declare under the penalty of perjury that the above statements are true and correct.

Cory Dickens 286401

SUBSCRIBED AND SWORN to before me this 23rd day of April 2004, by Cory Dickens.



Margaret L. Nielsen
Notary Public for Oregon

Affidavit of Publication

55482

STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, 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 I know from my personal knowledge that the

Legal # 6725

Notice of Sale/Engelbrecht

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:
June 3, 10, 17, 24, 2004

Total Cost: \$990.50 dg

Jeanine P. Day

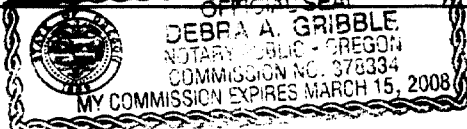
Subscribed and sworn

before me on: June 24, 2004

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Scott Engelbrecht and Deanna Engelbrecht, husband and wife, as grantor, to Amerititle, as trustee, in favor of Northwest Mortgage, Inc. nka Wells Fargo Home Mortgage, Inc., as beneficiary, dated 07/11/97, recorded 07/17/97, in the mortgage records of Klamath County, Oregon, as Vol M97, pg 22502, covering the following described real property situated in said county and state, to wit:

Lot 25 of Summers Park, According to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 3859 Bristol Avenue, Klamath Falls, OR 97603.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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 of \$723.11 beginning 01/01/04; plus late charges of \$28.92 each month beginning 01/16/04; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by

the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$75,501.64 with interest thereon at the rate of 8 percent per annum beginning 12/01/03; plus late charges of \$28.92 each month beginning 01/16/04 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 27, 2004 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 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 described real property which the grantor had or had power to convey at the

time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for reinstatement or payoff quotes requested pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (Call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal of equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. 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 com-

plained 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

Dated: April 21, 2004. By: Kathy Taggart, Authorized Signature. Northwest Trustee Services, PLLC was formerly known as a Northwest Trustee Services, LLC. For further information, please contact: Kathy Taggart, Northwest Trustee Services, PLLC (fka Northwest Trustee Services, PLLC) PO Box 4143, Bellevue, WA 98009-4143. (425) 586-1900. File No. 7023.28531/Englebrecht, Scott and Deanna. #6725 June 3, 10, 17, 24, 2004.

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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

The trustee's rules of auction may be accessed at www.northwest-trustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.