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Vol M04 Page 56507

*Aspen: 51567*  
**AMENDED TRUSTEE'S NOTICE OF SALE**

**State of Oregon, County of Klamath**  
Recorded 08/25/04 2:24 p    m  
Vol M04 Pg 56507-13  
Linda Smith, County Clerk  
Fee \$ 51.00 # of Pgs 7

After Recording, Return To:  
James P. Laurick  
Kilmer, Voorhees & Laurick  
732 NW 19<sup>th</sup> Avenue  
Portland, OR 97209

Reference is made to that certain trust deed made by Ted L. Hall, as grantor, to Aspen Title & Escrow, as trustee, in favor of GreenPoint Credit, LLC, as beneficiary, dated July 31, 2000, recorded on August 9, 2000, in the Records of Klamath County, Oregon, in book M-00, at page 29115 covering the following described real property situated in that county and state, to wit:

Lot 5, Block 7, ORIGINAL PLAT OF KLAMATH RIVER ACRES, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

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:

See Exhibit "A"

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

See Exhibit "A"

WHEREFORE, notice is hereby given that the original sale date of July 16, 2004, was stayed due to a bankruptcy, and that relief from the stay was granted on July 8, 2004, and that the undersigned trustee will on **September 17, 2004**, at the hour of 1:00 p.m., in accord with the standard of time established by ORS 187.110, at 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 real property described above 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 the 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 those 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 and attorney fees not exceeding the amounts provided by ORS 86.753.

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

DATED: July 16, 2004

James P. Laurick  
James P. Laurick, Successor Trustee

State of Oregon, County of Multnomah )ss.

On this 16<sup>th</sup> day of July, 2004, before me, a Notary Public in and for said County and State, personally appeared James P. Laurick, personally known to me to be the person whose name subscribed to the within instrument and acknowledged that he executed the same.

~~SUBSCRIBED AND SWORN~~ to before me this 16<sup>th</sup> day of July, 2004.



Heather Becker  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 6-16-06

State of Oregon, County of Multnomah )ss.

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

\_\_\_\_\_  
Attorney for Trustee

VAG\GREENPORT\HALL\NOTICEOFSALE002.DOC

## EXHIBIT A

**DEFAULT AMOUNT**

Payment Date	Amount
09/01/03	\$407.38
10/01/03	\$407.38
11/01/03	\$407.38
12/01/03	\$407.38
01/01/04	\$407.38
02/01/04	\$407.38
03/01/04	\$407.38
04/01/04	\$407.38
05/01/04	\$407.38
06/01/04	\$407.38
07/01/04	\$407.38
<b>TOTAL:</b>	<b>\$4,481.18</b>

**TOTAL DUE AND OWING**

Principal	\$41,983.95
Other Fees	\$ 2,216.87
Side Notes	\$ 525.00
Late Charges	\$ 45.00
Total	\$44,770.82

NOTICE UNDER THE  
FAIR DEBT COLLECTION PRACTICES ACT  
15 U.S.C. §1692

1. The amount of the debt is stated in the Trustee's Notice of Sale attached hereto.
2. The beneficiary as named in the attached Trustee's Notice of Sale is the original creditor to whom the debt was owed; if the debt has been assigned, the Trustee's Notice of Sale will name the current holder of the beneficial interest.
3. The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the Trustee unless the debtor, within thirty (30) days after the receipt of this notice, disputes the validity of the debt or some portion thereof.
4. If the debtor notifies the Trustee in writing within thirty (30) days of the receipt of this notice that the debt or any portion thereof is disputed, the Trustee will provide a verification of the debt, and a copy of the verification will be mailed to the debtor by the Trustee.
5. If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the Trustee within thirty (30) days from the receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written request should be addressed to James P. Laurick, at Kilmer, Voorhees & Laurick, P.C., 732 NW 19th Avenue, Portland, Oregon 97209.

# Affidavit of Publication

56511

## 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 # 6863

Notice of Sale/Hall

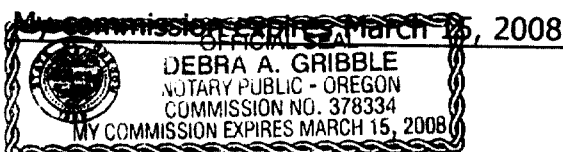
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 3 )  
Three

Insertion(s) in the following issues:  
August 1, 8, 15, 2004

Total Cost: \$588.00

Subscribed and sworn  
before me on: August 15, 2004

Notary Public of Oregon



tice 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:

### EXHIBIT A DEFAULT AMOUNT

Payment Date	Amount
09/01/03	\$407.38
10/01/03	\$407.38
11/01/03	\$407.38
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01/01/04	\$407.38
02/01/04	\$407.38
03/01/04	\$407.38
04/01/04	\$407.38
05/01/04	\$407.38
06/01/04	\$407.38
07/01/04	\$407.38

TOTAL: \$4,481.18

By reason of the default just described, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

### TOTAL DUE AND OWING

Principal \$41,983.95  
Other Fees \$2,216.87  
Side Notes \$525.00  
Late Charges \$45.00  
Total \$44,770.82

### AMENDED TRUSTEE'S NOTICE OF SALE

After Recording, Return To:  
James P. Laurick  
Kilmer, Voorhees & Laurick  
732 NW 19th Avenue  
Portland, OR 97209

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Lot 5, Block 7, ORIGINAL PLAT OF KLAMATH RIVER ACRES, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a no-

WHEREFORE, notice is hereby given that the original sale date of July 16, 2004, was stayed due to a bankruptcy, and that relief from the stay was granted on July 8, 2004, and that the undersigned trustee will on September 17, 2004, at the hour of 1:00 p.m., in accord with the standard of time established by ORS 187.110, at the Klamath County Court-

house, 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 real property described above 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 the 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 those 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 and attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word Agrantor@ 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 Atrustee@ and Abeneficiary@ include their respective successors in interest, if any.

DATED:

James P. Laurick,  
Successor Trustee  
State of Oregon,  
County of  
Multnomah)ss.

State of Oregon,  
County of  
Multnomah )ss.

I, the undersigned,  
certify that I am the  
attorney or one of  
the attorneys for the  
above named trustee  
and that the foregoing  
is a complete and  
exact copy of the  
original trustee's  
notice of sale.  
#6863 August 1, 8, 15,  
2004.

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**AFFIDAVIT OF NON-OCCUPANCY**

STATE OF OREGON       )  
                                  ) ss.  
County of Klamath       )

I, Ed Foreman, 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 23rd day of July 2004, after personal inspection, I found the following described real property to be unoccupied:

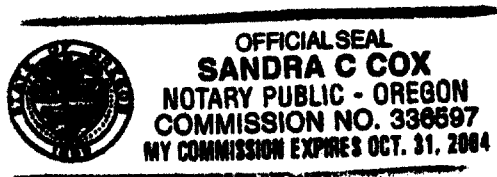
Lot 5, Block 7, ORIGINAL PLAT OF KLAMATH RIVER ACRES, according to the official plat thereof on file in the office of the clerk of Klamath County, Oregon.

Commonly known as:       15507 Riveredge Road  
                                  Klamath Falls, OR 97601

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

Ed Foreman  
290020

Ed Foreman SUBSCRIBED AND SWORN to before me this 28 day of July 2004, by



Sandra C Cox  
Notary Public for Oregon