

04 AUG 25 PM 3:20

MTT- 63142

Vol M04 Page 56534

RE: Trust Deed from:
Joe T. Brewer & Toni L. Brewer

To

John W. Weil, Successor Trustee
1100 S.W. Sixth, Suite 1507
Portland, Oregon 97204

State of Oregon, County of Klamath
Recorded 08/25/04 3:20 p m
Vol M04 Pg 56534-46
Linda Smith, County Clerk
Fee \$ 51⁰⁰ # of Pgs 7

After recording return to:

John W. Weil
1100 S.W. Sixth, Suite 1507
Portland, Oregon 97204

AFFIDAVIT OF SERVICE AND MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
) ss.
County of Multnomah)

I, John W. Weil, 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 amended notice of sale given under the terms of that certain deed of trust described in the notice of sale and recorded November 1, 1996 in the records of Klamath County, Oregon in Volume M96, Page 34662 and re-recorded on November 26, 1996 in Volume M96, Page 37115.

I hereby certify that I delivered true and correct copies of the attached original Trustee's Notice of Sale to be served upon the occupants of the property described in the Notice of Sale, by posting to the main entrance to the building, and have attached hereto the original proof of service thereof.

I further certify that 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:

| Name | Address |
|----------------|--|
| Joe T. Brewer | 3339 138 th Street Toledo, OR 43611 |
| Joe T. Brewer | 4539 Southside Expressway Klamath Falls, OR 97601 |
| Toni L. Brewer | 4539 Southside Expressway Klamath Falls, OR 97601 |

These persons include (a) the grantors in the trust deed; (b) any successor in interest to the grantors 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.

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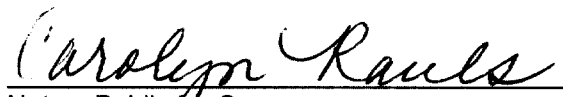
Each of the notices so mailed was certified to be a true copy of the original notice of sale. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited in the United States post office at Portland, Oregon, on March 25, 2004. With respect to each person listed 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.

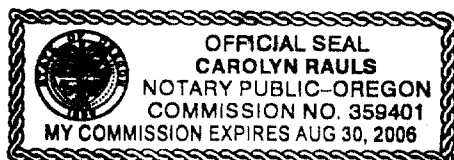
As used herein, the singular includes the plural, "trustee" includes a successor trustee, and "person" includes a corporation and any other legal or commercial entity.


John W. Weil, Successor Trustee

STATE OF OREGON, County of Multnomah) ss.

Subscribed and sworn to before me on August 19, 2004 by John W. Weil.


Notary Public for Oregon
My Commission Expires: 8-30-2006



TRUSTEE'S NOTICE OF SALE

56536

Reference is made to that certain trust deed made by Joe T. Brewer & Toni L. Brewer, husband and wife, as grantors, to John W. Weil, as successor trustee, in favor of Associates Housing Finance, LLC, successor in interest to Ford Consumer Finance Company, Inc., as beneficiary, dated October 10, 1996, recorded November 1, 1996, in the mortgage records of Klamath County, Oregon, in Volume M96, Page 34662 and re-recorded on November 26, 1996 in Volume M96, Page 37115, covering the following described real property situated in said county and state, to-wit:

Tax Account No.: 3909-014CB-02204-000 Key No.: 880801

Lot 1, ELMWOOD PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM that portion conveyed to the United States of America, recorded in Volume 99, Page 481, Deed Records of Klamath County, Oregon. ALSO EXCEPTING THEREFROM that portion conveyed to Klamath County by deed recorded July 6, 1997 in Volume M77, Page 11849, Microfilm Records of Klamath County, Oregon.

Together with the manufactured home located thereon described as a 1997 Ridgedale, Vehicle ID No. 11823821.

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:

Failure to make monthly payments of \$531.28 each due on the 1st day of December, 2002 through February, 2004, and failure to pay monthly insurance payments of \$159.41 beginning February 1, 2003.

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:

\$80,803.63, plus \$7,492.18 interest and late charges through August 13, 2004; plus 6.0% interest thereon; plus \$2,136.55 insurance; plus attorney and trustee's fees and costs; plus \$408.00 foreclosure guarantee; plus unpaid property taxes of \$289.48 for 2001-2002 plus interest and penalties, if any (Account No. 3909-014CB-02204-000); plus unpaid mobile home taxes of \$682.42 for 2001-2002 plus interest and penalties, if any (Account No. M-97-170); plus unpaid property taxes of \$302.41 plus interest and penalties, if any (Account No. 3909-014CB-02204-000); plus unpaid mobile home taxes of \$601.06 for 2002-2003 plus interest and penalties, if any (Account No. M-97-170); plus unpaid property taxes of \$309.46 for 2003-2004 plus interest and penalties, if any (Account No. 3909-014CB-02204-000); plus unpaid mobile home taxes of \$573.32 for 2003-2004 plus interest and penalties, if any (Account No. M-97-170).

WHEREFORE, notice hereby is given that the undersigned trustee will on **August 27, 2004, at the hour of 11:00 A.M.**, in accord with the standard of time established by ORS 187.110, **at the main lobby of the Klamath County Courthouse, 316 Main Street, Klamath Falls, OR 97601**, 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 grantors of the said trust deed, together with any interest which the grantors or grantors' 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

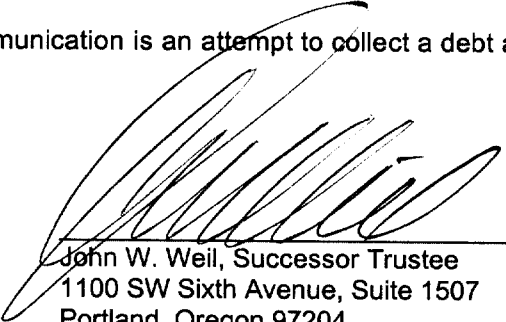
56537

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 "grantors" includes any successor in interest to the grantors 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.

We are a debt collector. This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED: March 25, 2004



John W. Weil, Successor Trustee
1100 SW Sixth Avenue, Suite 1507
Portland, Oregon 97204
Telephone No. (503) 226-0500

STATE OF OREGON)
) ss.
County of Multnomah)

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 Successor 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:

| |
|--|
| |
|--|

RETURN OF SERVICE

56538

STATE OF OREGON)
County of Klamath)

Court Case No.: _____

I HEREBY CERTIFY THAT on

3-30-4

the within:

| | | |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Order |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order | <input checked="" type="checkbox"/> Subpoena |
| <input checked="" type="checkbox"/> Citation | <input type="checkbox"/> Small Claim | <input checked="" type="checkbox"/> Notice |

TRUSTEE NOTICE OF SALE

for service on the within named: _____

☐ SERVED: _____ personally and in person at _____

☐ SUBSTITUTE SERVICE: By leaving a true copy with _____, a person over the age of fourteen years, who resides at the place of abode of the within named _____ at said abode: _____

☐ OFFICE SERVICE: By leaving a true copy with _____ the person in charge of the office maintained for the conduct of business by _____

☐ CORPORATE: By leaving a true copy with _____ of said corporation

☒ OTHER METHOD: POSTED 4539 So Side EXpressway, K. Falls OR 97603

☐ NOT FOUND: After due and diligent search and inquiry, I hereby return that I have been unable to find the within named _____ within Klamath County.

ALL SEARCH AND SERVICE WAS MADE WITHIN KLAMATH COUNTY, STATE OF OREGON

DATE AND TIME OF SERVICE OR NOT FOUND: 3-30-4 AT 8:15 AM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director or employee of, not attorney for any party, corporate or otherwise; that the person, firm or corporation served by me is the identical person, firm or corporation named in the action.

BY:

Dan D.
BASIN PROSERVE

422 N. 6th Street

Klamath Falls, OR 97601

(541) 884-6060

After recording return to:
John W. Weil
1100 S.W. Sixth, Suite 1507
Portland, Oregon 97204

Affidavit of Publication

56539

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 # 6541

Notice of Sale/Brewer

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:
April 7, 14, 21, 28, 2004

Total Cost: \$918.00

Subscribed and sworn
before me on: April 28, 2004

Notary Public of Oregon

My commission expires March 15, 2008

TRUSTEE'S NOTICE OF SALE

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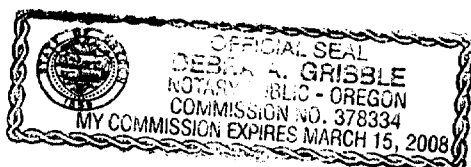
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pal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums 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 "grantors" includes any successor in interest to the grantors 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.

We are a debt collector. This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

DATED: April 1, 2004. John W. Weil,
Successor Trustee,
1100 SW Sixth Avenue, Suite 1507
Portland, OR 97204.
Telephone No.
(503)226-0500.

STATE OF
OREGON)
) ss.
County of
Multnomah)

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
Successor Trustee.
#6541 April 7, 14, 21,
28, 2004.