

04 SEP 9 PM 2:32

Aspen: 58761

AFTER RECORDING RETURN TO:
Shapiro & Kreisman
201 NE Park Plaza Drive, #150
Vancouver, WA 98684
04-17536

Vol M04 Page 60334

State of Oregon, County of Klamath
Recorded 09/09/04 2:32 p m
Vol M04 Pg 60334-45
Linda Smith, County Clerk
Fee \$ 76.00 # of Pgs 12

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:

John S. Anderson
6445 Hwy 97, S.
Klamath Falls, OR 97601

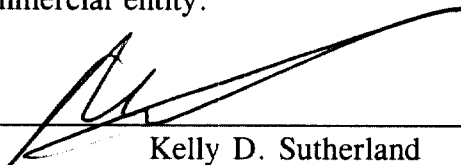
Dinah L. Anderson
6445 Hwy 97, S.
Klamath Falls, OR 97061

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 March 9, 2004. 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.

76*

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

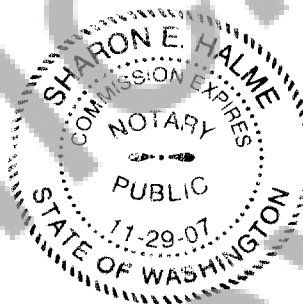
State of Washington)

County of Clark)

On this 9th day of March, in the year 2002, 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 #: 12682217

AFTER RECORDING RETURN TO:

Shapiro & Kreisman
201 NE Park Plaza Drive, Suite 150
Vancouver, Washington 98684
04-17536

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:

John Anderson
2030 S 6th Street
Klamath Falls, 97603

Dinah L. Anderson
2030 S 6th Street
Klamath Falls, 97603

South Valley Bank & Trust
Po Box 5210
Klamath Falls, 97601

Oregon Dept. Of Revenue
P.O. Box 14725
Salem, Or 97309

Highland Community Federal Credit Union
3737 Shasta Way
Klamath Falls, Or

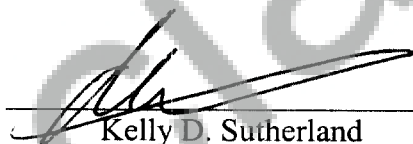
Neal G. Buchanan
435 Oak Avenue
Klamath Falls, 97601

Klamath Co. Tax Collector
Po Box 340
Klamath Falls, Or 97601

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 March 16, 2004. 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

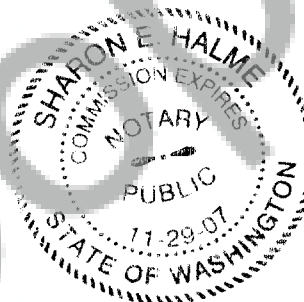
State of Washington)

County of Clark)

On this 16th day of March, in the year 2004, 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



AFTER RECORDING RETURN TO:
Shapiro & Sutherland, LLC
12500 SE 2nd Circle, Suite 120
Vancouver, WA 98684
04-17536

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:

John S. Anderson
96523 Jerrys Flat Road
Gold Beach, OR 97444

John S. Anderson
P.O. Box 157
Gold Beach, OR 97444

John S. Anderson
31084 Crabapple #16
Gold Beach, OR 97444

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 & Sutherland, LLC, 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 June 7, 2004. 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.

60339

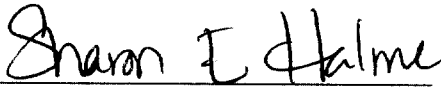
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.


Kelly D. Sutherland

State of Washington)
)
County of Clark)

On this 7th day of June, in the year 2004, 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



04-17536

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by John S. Anderson and Dinah L. Anderson, tenants by the entirety, as grantor, to Aspen Title Company, as Trustee, in favor of Washington Mutual Bank, as Beneficiary, dated July 13, 1998, recorded July 23, 1998, in the mortgage records of Klamath County, Oregon, in Book No. Volume No. M98, at Page 26854, covering the following described real property:

See complete Legal Description attached hereto as exhibit "A"
COMMONLY KNOWN AS: 6445 Highway 97 South, Klamath Falls, OR 97601

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 \$1,551.02 from November 1, 2003, and monthly payments in the sum of \$1,529.38 from February 1, 2004, 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:

\$149,992.12, together with interest thereon at the rate of 7.87500% per annum from October 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 July 14, 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 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 3/5/04

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 #: 12682217

60342

26856

EXHIBIT "A"

A tract of land situated in Section 19 and 20, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Commencing at a 5/8 inch iron pin at the intersection of the Northerly right of way line of Joe Wright Road (County) with the Easterly right of way line of the Dalles-California Highway, U.S. 97 in the NE 1/4 NE 1/4 of Section 19, Township 39 South, Range 9 East of the Willamette Meridian, the true point of beginning; thence North 03 degrees 38' 00" East 568.68 feet to a point being a 1/2 inch iron pin; thence East 679.56 feet to a point being a 1/2 inch iron pin; thence South 789.22 feet to a 1/2 inch iron pin on the Northerly right of way line of Joe Wright Road; thence South 89 degrees 20' 26" West 272.50 feet along the Northerly right of way of Joe Wright Road to a 5/8 inch iron pin on the Northerly right of way line of Joe Wright Road; thence North 63 degrees 09' 32" West 496.60 feet along the Northerly right of way line of Joe Wright Road to said 5/8 inch iron pin being the point of beginning.

CODE 164 MAP 3909-1900 TL 200

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 23rd
of July A.D. 19 98 at 11:15 o'clock A M., and duly recorded in Vol. M98
of Mortgages on Page 26854
By Bernetha G. Jetch County Clerk
FILE \$30.00

**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: Occupant of 6445 Highway 97 South Klamath Falls, Oregon 97601

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

X SUBSTITUTE SERVICE: By delivering an Original or True Copy to Kevin Anderson, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Matt Anderson

☐ **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.

X SUBSTITUTE SERVICE MAILER: That on the 12th day of March, 2004 I mailed a copy of the Trustee's Notice of Sale addressed to Matt Anderson and all other occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed Mary Bakie
Mary Bakie

6445 Highway 97 South Klamath Falls, Oregon 97601

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.

March 10, 2004

5:25 PM

DATE OF SERVICE

TIME OF SERVICE

☐ or non occupancy

By: Rob Girard
Rob Girard

Dated this 12 day of March, 2004.

Subscribed and sworn to before me by Rob Girard



OFFICIAL SEAL
SANDRA C COX
NOTARY PUBLIC - OREGON
COMMISSION NO. 336597
MY COMMISSION EXPIRES OCT. 31, 2004

Sandra C Cox
Notary Public for Oregon

**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 # 6635

Notice of Sale/Anderson

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)
Four

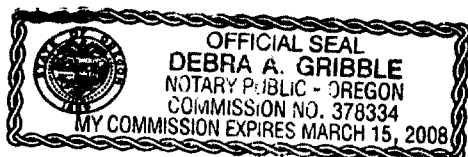
Insertion(s) in the following issues:
May 5, 12, 19, 26, 2004

Total Cost: \$1,012.50

Jeanine P. Day
Subscribed and sworn
before me on: May 26, 2004

Debra A. Grizzle
Notary Public of Oregon

My commission expires March 15, 2008



**TRUSTEE'S
NOTICE OF SALE**

A default has occurred under the terms of a trust deed made by John S. Anderson and Dinah L. Anderson, tenants by the entirety, as grantor, to Aspen Title Company, as Trustee, in favor of Washington Mutual Bank, as Beneficiary, dated July 13, 1998, recorded July 23, 1998, in the mortgage records of Klamath County, Oregon in Book No. Volume No. M98, at Page 26854, covering the following described real property:

EXHIBIT "A"

A tract of land situated in Section 19 and 20, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Commencing at a 5/8 inch iron pin at the intersection of the Northerly right of way line of Joe Wright Road (county) with the Easterly right of way line of the Dalles-California Highway, U.S. 97 in the NE 1/4 NE 1/4 of Section 19, Township 39 South, Range 9 East of the Willamette Meridian, the true point of beginning; thence North 03 degrees 38' 00" East 568.68 feet to a point being a 1/2 inch iron pin; thence East 679.56 feet to a point being a 1/2 inch iron pin; thence South 789.22

feet to a 1/2 inch iron pin on the Northerly right of way line of Joe Wright Road; thence South 89 degrees 28' 26" West 272.50 feet along the Northerly right of way of Joe Wright Road to a 5/8 inch iron pin on the Northerly right of way line of Joe Wright Road; thence North 63 degrees 09' 52" West 496.60 feet along the Northerly right of way line of Joe Wright Road to said 5/8 inch iron pin being the point of beginning.

CODE 164 MAP 3909-1900 TL 200.

State of Oregon: County of Klamath: ss. filed for record at request of Ameri-title the 23rd of July, AD, 1998 at 11:15 AM and duly recorded in Vol M98 of Mortgages on Page 26854. Fee \$30.00 By: Bernetha Letsch, County Clerk.

COMMONLY KNOWN AS: 6445 Highway 97 South, Klamath Falls, OR 97601.

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 \$1,551.02 from November 1, 2003 and monthly payments in the sum of \$1,529.38 from February 1, 2004, 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:

\$149,992.12, together with interest thereon at the rate of 7.87500% per annum from October 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 July 14, 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 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 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.

Dated: March 05, 2004. By: Kelly D. Sutherland, Successor Trustee. 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 #12682217. #6635 May 5, 12, 19, 26, 2004.