

04 OCT 1 AM 11:32

Vol M04 Page 66421

RECORDING COVER SHEET

FOR CONVEYANCES PER ORS 205.234

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

State of Oregon, County of Klamath
Recorded 10/01/04 11:32 a m
Vol M04 Pg 66421-29
Linda Smith, County Clerk
Fee \$ 61⁰⁰ # of Pgs 9

AFTER RECORDING RETURN TO:

Described in the attached instrument. Required by ORS 205.234(a)

1st 386 230

TD SERVICE COMPANY
1820 EAST FIRST ST SUITE 210
SANTA ANA, CA 92705

NAME(S) OF THE TRANSACTIONS, described in the attached instrument and required by ORS
205.234(a)

AFFIDAVIT ~~PAGE~~ *Publication*

GRANTOR, as described in ORS 205.160

KAY GIBB

612

Affidavit of Publication

66422

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 # 6902

Notice of Sale/Gibb

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:
August 18, 25, September 1, 8, 2004

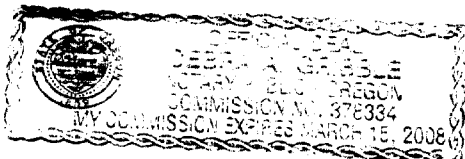
Total Cost:

Subscribed and sworn

Before me on: September 8, 2004

Notary Public of Oregon

My commission expires March 15, 2008



OREGON
TRUSTEE'S
NOTICE OF SALE
RE: Loan #: 4047395
Title #
386230/1953096
UTC #: 0L-11514 TO:
KAY I. GIBB

Reference is made to that certain deed of trust made by KAY I. GIBB, as grantor, AMERITILE, as trustee, in favor of WILMINGTON FINANCE, INC. as beneficiary, dated NOVEMBER 07, 2002, recorded NOVEMBER 13, 2002, in the mortgage records of KLAMATH County, Oregon, in book/reel /volume No. M02 at page 65810-24, (fee/file/instrument No.) covering the following described real property situation in said county and state, to wit: LOT 10 IN BLOCK 12 OF HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS. ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. MORE COMMONLY KNOWN AS: 1152 CRESCENT AVENUE, 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 deed of trust and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735; the default for which the foreclosure is made is grantor's failure to pay when due the following sums: 4

LATE CHARGE(S) OF \$27.94 FROM 02/16/04 \$111.76 4 Payments of \$640.11 from 02/01/04, \$2,560.44 RECOVERABLE CORP. ADVANCE \$19.70 ACCRUED LATE FEES \$27.94, SUBTOTAL OF AMOUNTS IN ARREARS: \$2,719.84.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said deed of trust immediately due and payable, said sums being the following, to wit: Principal \$79,197.03 together with interest as provided in the note or other instrument secured from the 1ST day of JANUARY, 2004, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

Wherefore, notice is hereby given that the undersigned trustee will on OCTOBER 08, 2004 at the hour of 10:00 AM, o'clock, Standard Time, as established by ORS 187.110, at MAIN STREET EN-TRANCE, 316 MAIN STREET, KLAMATH CO. COURT-HOUSE, 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 had or had power to convey at the time of the execution by him of the 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 obliga-

tions 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 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. It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check. The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

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.

Dated: MAY 21,
2004. David A. Kubat,
OSBA#84265
(Successor Trustee).
By: David A. Kubat.
DIRECT INQUI-
RIES TO: DAVID
A. KUBAT C/O T.D.
SERVICE COMPA-
NY, 1820 EAST
FIRST STREET,
SUITE 210, SANTA
ANA, CA 92705.
(800) 843-0260.
SALES LINE 800 843
0260 EXT 5690. TAC:
498089W. PUB: 8/18,
8/25, 9/1, 9/8.
#6902 August 18, 25,
September 1, 8, 2004.

66424

IN THE _____ COURT OF THE STATE OF _____
 COUNTY OF _____ : COURT CASE NO. _____

OC-11514

PROOF OF SERVICE

STATE OF OREGON

County of KLAMATH) SS.

I hereby certify that on the 27TH day of MAY, 2004, at the hour of 6:45 PM
 I served _____ by _____

Personal Service (personally and in person)_____
Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)_____
Office Service (by serving the person apparently in charge)_____
By posting (said residence)

A certified/true copy of:

Summons_____
Motion_____
Complaint_____
Petition_____
Other: __________
Writ of Garnishment_____
Order_____
Citation_____
Notice_____
Small Claims_____
Affidavit_____
Subpoena_____
Decree

Together with a copy of _____

To VACANT HOUSE At 1152 CRESCENT AVE
K. FALLS OR 97601

NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20____
 and after due and diligent search and inquiry, I have been unable to locate _____
 within the county of _____ Dated this _____ day of _____, 20____

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF _____

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

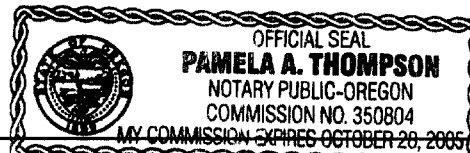
Subscribed to and sworn to before me this

27 day of MAY, 2004

Basin Pro Serve
 (541) 884-6060

Papers
 Received From

Prompt Process
5906 N GREELEY AVE
PORTLAND OR
97217



Remit to: BASIN PRO SERVE	Service Fee	\$ <u>300.00</u>
422 N. 6th Street	Mileage	\$
Klamath Falls, OR 97601	Rush/Emergency	\$
Date: <u>5-27-4</u>	Incorrect Add.	\$
Client No. <u>OC-11514</u>		\$
	Amount Paid	\$
	TOTAL DUE	\$ <u>300.00</u>

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

66425

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, Vanessa Varelas, 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 California a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under terms of that certain trust 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 addresses, attached hereto.

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 of 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 of 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 by David Kubat, OSBA No. 84265, the trustee named in said notice; 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 Santa Ana, CA on June 9, 2004. With respect to each person listed on the attached, 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.

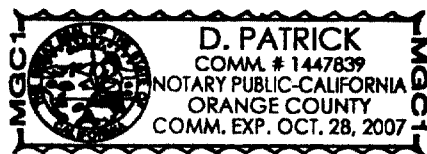
Vanessa Varelas
VANESSA VARELAS

Subscribed and sworn before me this 9th day of June, 2004

WITNESS my hand and official seal.

[Signature]

D. PATRICK
Notary Public for California
My Commission Expires: 10-28-2007



AFTER RECORDING RETURN TO:

T.D. SERVICE COMPANY
1820 EAST FIRST STREET, SUITE 210
SANTA ANA, CA 92705

TD# 0611514

66426

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# O 11514 L

Date: 06/09/04

KAY I. GIBB
1152 CRESCENT AVENUE
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0132 1236
RETURN RECEIPT REQUESTED

SPOUSE OF KAY I. GIBB
1152 CRESCENT AVENUE
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0132 1243
RETURN RECEIPT REQUESTED

OCCUPANT
1152 CRESCENT AVENUE
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0132 1250
RETURN RECEIPT REQUESTED

KAY I. GIBB
951 WEST 290 SOUTH
OREM, UT 84058-4203
3

CERTIFIED 7105 2257 2920 0132 1267
RETURN RECEIPT REQUESTED

3

SPOUSE OF KAY I. GIBB
951 WEST 290 SOUTH
OREM, UT 84058-4203

CERTIFIED 7105 2257 2920 0132 1274
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.

Vanessa Varelas

AFFIDAVIT OF MAILING
BY FIRST CLASS MAIL

66427

T.S.# O 11514 L

Date: 06/09/04

STATE OF CALIFORNIA
COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

KAY I. GIBB
1152 CRESCENT AVENUE
KLAMATH FALLS, OR 97601

SPOUSE OF KAY I. GIBB³
1152 CRESCENT AVENUE
KLAMATH FALLS, OR 97601

OCCUPANT
1152 CRESCENT AVENUE
KLAMATH FALLS, OR 97601

KAY I. GIBB
951 WEST 290 SOUTH
OREM, UT 84058-4203

SPOUSE OF KAY I. GIBB
951 WEST 290 SOUTH
OREM, UT 84058-4203

I declare under penalty of perjury that the foregoing is true and correct.

Vanessa Carolas

RE: Loan #: 4047395
Title #: 386230/1953096
UTC #: 0L-11514

**OREGON
TRUSTEE'S NOTICE OF SALE**

TO: KAY I. GIBB

Reference is made to that certain deed of trust made by KAY I. GIBB

AMERITITLE
in favor of WILMINGTON FINANCE, INC.

, as grantor,
, as trustee,

as beneficiary,

dated NOVEMBER 07, 2002, recorded NOVEMBER 13, 2002, in the
mortgage records of KLAMATH, County, Oregon, in book/reel/
volume No. M02 at page 65810-24, (fee/file/instrument No.)
covering the following described real property situated in said county and state, to wit:

LOT 10 IN BLOCK 12 OF HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS. ACCORDING TO
THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH
COUNTY, OREGON.

MORE COMMONLY KNOWN AS: 1152 CRESCENT AVENUE, 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 deed of trust and a notice of default has been recorded pursuant to Oregon Revised Statutes
86.735; the default for which the foreclosure is made is grantor's failure to pay when due the following
sums:

4 Late Charge(s) of \$27.94 from 02/16/04	111.76
4 Payments of \$640.11 from 02/01/04	2,560.44
RECOVERABLE CORP. ADVANCE	19.70
ACCRUED LATE FEES	27.94

SUB-TOTAL OF AMOUNTS IN ARREARS:	2,719.84

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said deed
of trust immediately due and payable, said sums being the following, to wit: Principal \$ 79,197.03,
together with interest as provided in the note or other instrument secured from the 1ST day of
JANUARY, 2004 and such other costs and fees as are due under the note or other instrument
secured, and as are provided by statute.

Wherefore, notice is hereby given that the undersigned trustee will on OCTOBER 08, 2004,
at the hour of 10 : 00 AM, o'clock, Standard Time, as established by ORS 187.110, at MAIN
STREET ENTRANCE, 316 MAIN STREET, KLAMATH CO. COURTHOUSE 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 had or had power to convey at the time of the execution
by him of the 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.

66429

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.

It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check.

The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

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.

DATED: 5/2/01

David A. Kubat, OSBA# 84265
(Successor Trustee)

BY: 

DIRECT INQUIRIES TO:

DAVID A. KUBAT
c/o T.D. Service Company
1820 East First Street, Suite 210
Santa Ana, CA 92705

800 843 0260
Sales Line 800 843 0260 Ext 5690