

05 JAN 21 PM 1:13

ASPEN 55578

After recording return to:

Bishop, White, Miersma & Marshall, P. S. fka Bishop, Lynch & White, P.S.

720 Olive Way, #1301

Seattle, WA 98101-1801

Attn:

Crighton, 349-X3663.01

Recorded herewith are the following:

☐ Affidavit(s) of Mailing # _____

☐ Proof(s) of Service # _____

☐ Affidavit of Publication

☐ Certificate(s) of Mailing # _____

☐ Affidavit of Non-Occupancy

State of Oregon, County of Klamath
Recorded 01/21/05 1:13P m
Vol M05 Pg 04676-82
Linda Smith, County Clerk
Fee \$ 51 # of Pgs 7

NOTICE: WE ARE ATTEMPTING TO COLLECT A DEBT, ANY INFORMATION OBTAINED WILL BE USED FOR PURPOSES OF DEBT COLLECTING.

AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by GEORGE CRIGHTON and PAULA CRIGHTON, husband and wife, as grantor, to TODD NEWITZ, as trustee, in favor of UNITED COMPANIES FUNDING, INC., as beneficiary, dated April 14, 1998, recorded April 15, 1998, in the mortgage records of Klamath County, Oregon, in Volume M-98, Page 12498, covering the following described real property situated in said county and state, to-wit:

Lot 4, EVERGREEN MEADOWS-TRACT 1302, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Together with the following described manufactured home:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Size</u>	<u>Serial Number</u>
98	Redman	Wynnewood	28x56	

which has been affixed to the real estate described herein with the mortgagor's intent that it become part of the real estate conveyed hereby and subject to the lien of this Mortgage.

Both the beneficiary and the trustee, Jennifer L. Aspaas, 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:

1.

Monthly Payments:

Delinquent monthly payments from December 15, 2003 through November 15, 2004

12	Payment(s) at	\$712.29	\$8,547.48
----	---------------	----------	------------

Late Charges:

12	Late Charge(s) at	5.00	
	for each monthly payment not		
	made within 15 days of its due		60.00
	date:		

5100 A

Past Due Late Charges	13.02
Inspections Fees:	76.05
Previous Foreclosure Fees:	1,676.54
Bankruptcy Fees:	1,186.00
Corporate Advances:	1,066.23
Lender Other Fees:	1,224.90
TOTAL MONTHLY PAYMENTS AND LATE CHARGES	\$13,850.22
2. Delinquent Real Property Taxes, if any.	

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:

Unpaid balance is \$120,190.84 as of December 10, 2004.

In addition there are attorney's fees and foreclosure costs which as of the date of this notice are estimated to be \$2,500.00. Interest, late charges and advances for the protection and preservation of the property may accrue after the date of this notice.

The Notice of Default and the original Notice of Sale given pursuant thereto stated that the property would be sold on June 09, 2004, at the hour of 11:00 AM, as established by Section 187.110, Oregon Revised Statutes at the front entrance of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, of Klamath County, State of Oregon, however, subsequent to the recorded of said Notice of default the original sale proceedings were stayed by order of the Court of by proceedings under the National Bankruptcy Act or for other lawful reasons, the beneficiary did not participate in obtaining such stay. Said stay was terminated November 10, 2004.

WHEREFORE, notice hereby is given that the undersigned trustee, Jennifer L. Aspaas will on February 01, 2005, at the hour of 11:00 a.m. in accord with the standard of time established by ORS 187.110, at the front entrance to the County Courthouse, located at 316 Main Street, Klamath Falls, of Klamath County, 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 grantor of the said trust deed together with any interest which the grantor or grantor's 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), paying all advances authorized under the trust deed, including all costs and expenses incurred in enforcing the obligation and trust deed, and by curing

any other default complained of therein 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 "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.

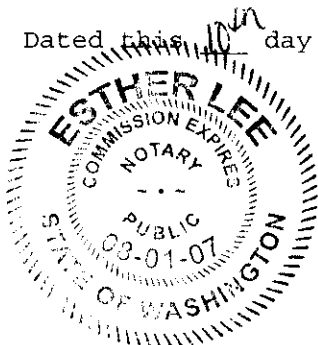
DATED: December 10th, 2004.

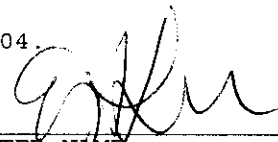

Jennifer L. Aspaas Trustee

State of Washington)
) ss.
County of King)

I certify that I know or have satisfactory evidence that Jennifer L. Aspaas is the person who appeared before me, and said person acknowledged that she signed the attached Trustee's Notice of Sale and acknowledged it to be her free and voluntary act and deed and for the uses and purposes mentioned in the instrument.

Dated this 10th day of December, 2004.




PRINTED NAME:
Notary Public in and for the
State of Washington, residing at
Seattle.
My Commission Expires:

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

APPLE JADE YANG

For Information Contact:
Bishop, White, Miersma & Marshall, P. S. fka Bishop, Lynch & White,
P.S.
720 Olive Way, #1301
Seattle, WA 98101-1801
(206) 622-7527
Ref: Crighton, 349-X3663.01

AFFIDAVIT OF MAILING
Amended Trustee's Notice of Sale

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I, Apple Yang , being first duly sworn, depose, 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 addresses, to-wit:

SEE Exhibit "A" Attached hereto and incorporated herein by this reference.

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 by Jennifer L. Aspaas, trustee named in said notice; each such copy was contained in a sealed envelope, 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 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.

Apple Yang

SUBSCRIBED AND SWORN TO before me this 10th day of December, 2004.

PRINTED NAME:

Esther Lee

NOTARY PUBLIC in and for the State of
Washington residing at Shaw
My Appointment Expires: 8-1-07

AFTER RECORDING RETURN TO:

Bishop, White, Miersma & Marshall, P. S. fka Bishop, Lynch & White, P.S.
720 Olive Way, Suite 1301
Seattle, WA 98101-1801
Attn:

FORBASE\OREGON\NOD.FRM REV 12/10/04

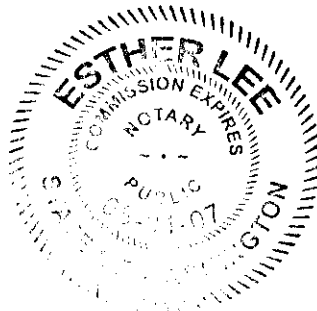


EXHIBIT A

GRANTORS and ALL OTHER PARTIES:

George Crighton
4820 Sayler St.
Klamath Falls, OR 97603

Paula Crighton
4820 Sayler St.
Klamath Falls, OR 97603

Occupants of the Premises
4820 Sayler St.
Klamath Falls, OR 97603

George Crighton
Lot 4 Sayler Street
Klamath Falls, OR 97603

Paula Crighton
Lot 4 Sayler Street
Klamath Falls, OR 97603

Occupants of the Premises
Lot 4 Sayler Street
Klamath Falls, OR 97603

City of Klamath Falls
Dept of Finance/Liens
500 Klamath Ave.
Klamath Falls, OR 97601

TMS Mortgage Inc.
1 Embarcadero Cntr #1120
San Francisco, CA 94111

TMC Mortgage Inc
c/o Homeq Servicing
4837 Watt Ave.
North Highlands CA 95660

TMS Mtg Inc & HmQ Servcing Corp
c/o Corp Service Co.
285 Liberty St. NE
Salem OR 97301

Fred Long
POB 467
Eugene, OR 97440

Sherman Acquisition L.P.
c/o Outsource Solutions
4345 Gaultier Street
Shoreview, MN 55126
Attn: Legal Dept.

Affidavit of Publication

04681

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 # 7136

Notice of Sale/George & Paula Crighton

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:
December 16, 23, 30, 2004, January 6, '05

Total Cost: \$1,148.00

Jeanine P. Day
Subscribed and sworn
before me on: January 6, 2005

Debra A. Smith
Notary Public of Oregon

My commission expires March 15, 2008

NOTICE: WE ARE ATTEMPTING TO COLLECT A DEBT, ANY INFORMATION OBTAINED WILL BE USED FOR PURPOSES OF DEBT COLLECTING.

AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by GEORGE CRIGHTON and PAULA CRIGHTON, husband and wife, as grantor, to TODD NEWITZ, as trustee, in favor of UNITED COMPANIES FUNDING, INC., as beneficiary, dated April 14, 1998, recorded April 15, 1998, in the mortgage records of Klamath County, Oregon, in Volume: M-98 Page: 12498; covering the following described real property situated in said county and state, to-wit:

Lot 4, Tract No. 1302, EVERGREEN MEADOWS-TRACT 1302, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

Together with the following described manufactured home:

Year: 98
Make: Redman
Model: Wynnewood
Size: 28x56
Serial Number

which has been affixed to the real estate described herein with the mortgagor's intent that it become part of the real estate conveyed hereby and subject to the lien of this Mortgage.

Both the beneficiary and the trustee, Jennifer L. Aspaas,

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:

1. Monthly Payments:

Delinquent monthly payments from December 15, 2003 through November 15, 2004

12 Payment (s) at \$712.29 \$8,547.48

Late Charges:

12 Late Charge (s) at \$5 for each monthly payment not made within 15 days of its due date: \$60.00

Past Due Late Charges \$13.02
Inspection Fees: \$76.05

Previous Foreclosure Fees: \$1,676.54

Bankruptcy Fees: \$1,186.00

Corporate Advances: \$1,066.23

Lender Other Fees: \$1,224.90

TOTAL MONTHLY PAYMENTS AND LATE CHARGES \$13,850.22

2. Delinquent Real Property Taxes, if any.

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:

Unpaid balance is \$120,190.84 as of December 10, 2004. In addition there are attorney's fees and foreclosure costs

which as of the date of this notice are estimated to be \$2,500.00. Interest, late charges and advances for the protection and preservation of the property may accrue after the date of this notice.

The Notice of Default and the original Notice of Sale given pursuant thereto stated that the property would be sold on June 09, 2004 at the hour of 11:00 a.m. as established by Section 187.110. Oregon Revised Statutes at the front entrance of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, of Klamath County, State of Oregon, however, subsequent to the recording of said Notice of default the original sale proceedings were stayed by order of the Court of by proceedings under the National Bankruptcy Act or for other lawful reasons, the beneficiary did not participate in obtaining such stay. Said stay was terminated November 10, 2004.

WHEREFORE, notice hereby is given that the undersigned trustee, Jennifer L. Aspaas will on February 01, 2005, at the hour of 11:00 a.m. in accord with the standard of time established by ORS 187.110, at the front entrance to the County Courthouse, located at 316 Main Street, Klamath Falls, of Klamath County, 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 grantor of the said trust deed together with any interest which the grantor or grantor's successors in interest acquired after the interest which the grantor or grantor's 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), paying all advances authorized under the trust deed, including all costs and expenses incurred in enforcing the obligation and trust deed, and by curing any other default complained of therein 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 85.753.

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.

DATED: December 10th, 2004

Jennifer L. Aspaas,
Trustee

State of Washington
County of King) ss.

I certify that I know or have satisfactory evidence that Jennifer L. Aspaas is the person who appeared before me, and said person acknowledged that she signed the attached Trustee's Notice of Sale and acknowledged it to be her free and voluntary act and deed and for the uses and purposes mentioned in the instrument.

Dated this 10th day
of December 10, 2004
PRINTED NAME:
Esther Lee

For Information
Contact:

Bishop, White,
Miersma & Marshall, P. S. fka Bishop, Lynch & White,
P. S.
720 Olive Way #1301
Seattle, WA
98101-1801
(206) 622-7527
Ref: Crighton, 349-
X3663.01
#7136 December 16,
23, 30, 2004 January
6, 2005