

05 MAR 28 PM 3:42

Vol M05 Page 20587

RECORDING COVER SHEET
Pursuant to ORS 205.234

State of Oregon, County of Klamath
Recorded 03/28/2005 3:42 p m
Vol M05 Pg 20587-93
Linda Smith, County Clerk
Fee \$ 66⁰⁰ # of Pgs 7

After recording return to:

Northwest Trustee Services, Inc.
Attention: Chris Ashcraft
P.O. Box 997
Bellevue, WA 98009-0997

1st 490302

1. AFFIDAVIT OF MAILING
2. TRUSTEE'S NOTICE OF SALE
3. PROOF OF SERVICE
4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Jamie R. Duffy and Brenda L. Duffy, husband and wife

Beneficiary: Washington Mutal Bank

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

*51 F
+15*

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

20588

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, 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 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 address, to-wit:

Jamie R. Duffy
610 North 11th Street
Klamath Falls, OR 97601

Occupant(s)
610 North 11th Street
Klamath Falls, OR 97601

Jamie R. Duffy
c/o Gary L. Hedlund, Atty
303 Pine St
Klamath Falls, OR 97601

Jamie R. Duffy
4621 Crosby Avenue
Klamath Falls, OR 97603

Brenda L. Duffy
610 North 11th Street
Klamath Falls, OR 97601

Cavalry SPV I, LLC
c/o Nancy A. Smith
2121 SW Broadway, Suite #100
Portland, OR 97201

Brenda L. Duffy
c/o Sam A. McKeen, Atty
4819 Climax Ave
Klamath Falls, OR 97603

Jamie R. Duffy
3950 Homedale Road, #57
Klamath Falls, OR 97603-7573

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.

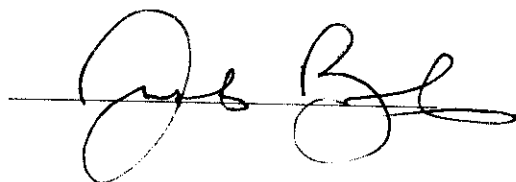
Each of the notices so mailed was certified to be a true copy of the original notice of sale, each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Bellevue, Washington, on 12/14/04. With respect to each person 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 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.

STATE OF WASHINGTON)

COUNTY OF KING)

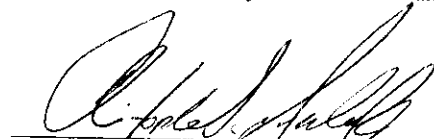
) ss.



I certify that I know or have satisfactory evidence that Justin Botchek is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/14/04

CHRISTOPHER S. ASHCRAFT
STATE OF WASHINGTON
NOTARY --- PUBLIC
MY COMMISSION EXPIRES 3-09-06


NOTARY PUBLIC in and for the State of
Washington, residing at Seattle
My commission expires 3-9-06

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE	
RE: Trust Deed from	
Duffy, Jamie R. and Brenda L.	
Grantor	
to	
Northwest Trustee Services, Inc.,	Trustee
File No. 7763.20779	

After recording return to:
Northwest Trustee Services, Inc.
Successor by merger to Northwest Trustee Services, PLLC
(formerly known as Northwest Trustee Services, LLC)
Attn: Chris Ashcraft
P.O. Box 997
Bellevue, WA 98009-0997

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Jamie R. Duffy and Brenda L. Duffy, husband and wife, as grantor, to Aspen Title & Escrow Co., An Oregon Corporation, as trustee, in favor of Washington Mutal Bank, as beneficiary, dated 03/06/95, recorded 03/08/95, in the mortgage records of Klamath County, Oregon, as Volume M95, Page 5220, covering the following described real property situated in said county and state, to wit:

The North 48 feet of Lot 1 and all of Lot 2, except a portion deeded to United States of America by the Klamath Canal Co., in Block 61, Nichols Addition to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. And all the following portion of Lot 1 and 2, Block 61 of Nichols Addition to the City of Klamath Falls, (formerly Linkville), Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County Oregon, as follows: Beginning at the most Easterly corner of said Block 61; thence Northwest along the line of Eleventh Street 72 feet; thence at right angles with Eleventh Street in a Southwesterly direction 69 feet, more or less to the line of the U.S. Government Canal right of way; thence in a Southeasterly direction along the line of said right of way to line of Lincoln (formerly Washington) Street; thence Northeasterly along Lincoln Street, 41.6 feet, more or less to place of beginning. More accurately described as: Lots 1 and 2 in Block 61, Nichols 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. Except any portion of the "A" Canal deeded to the United States of America by the Klamath Canal Co.

PROPERTY ADDRESS: 610 North 11th Street
Klamath Falls, OR 97601

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: monthly payments of \$676.84 beginning 04/01/04; plus late charges of \$25.27 each month beginning 04/16/04; plus prior accrued late charges of \$0.00; plus advances of \$200.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$53,116.37 with interest thereon at the rate of 9.875 percent per annum beginning 03/01/04; plus late charges of \$25.27 each month beginning 04/16/04 until paid; plus prior accrued late charges of \$0.00; plus advances of \$200.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on **April 22, 2005** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of 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 described real property 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 sale, including a reasonable charge by the trustee. Notice is further given that for reinstatement or payoff quotes requested pursuant to pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

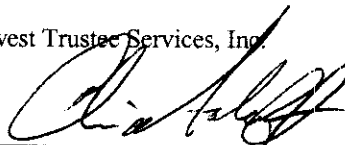
In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

Northwest Trustee Services, Inc.

Dated: December 13, 2004

By



Assistant Vice President

Northwest Trustee Services, Inc. is successor by merger to
Northwest Trustee Services, PLLC (formerly known as
Northwest Trustee Services, LLC)

For further information, please contact:

Chris Ashcraft
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900
File No. 7763.20779/Duffy, Jamie R. and Brenda L.

State of Washington, County of King) ss:

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

By Authorized Signer

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

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

20591

ASPEN TITLE & ESCROW CO

vs

JAMIE R DUFFY AND BRENDA L DUFFY

PROOF OF SERVICE

STATE OF OREGON)

) SS.

County of _____ KLAMATH _____

I hereby certify that on the _____ 15 _____ day of _____ December _____, 2004 _____, at the hour of _____ 0715 _____
I served _____ OCCUPANTS (BRENDA ATCHLEY, JOHN ATCHLEY) _____ by _____

- ☒ XX 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:

- | | | |
|--|--|---------------------------------------|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Order | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Citation | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Notice | <input type="checkbox"/> Decree |
| <input checked="" type="checkbox"/> X Other: _____ TRUSTEES NOTICE OF SALE _____ | | |

Together with a copy of _____

To _____ BRENDA AND JOHN ATCHLEY _____ At _____ 610 N 11TH ST _____
_____ KLAMATH FALLS, OR. 97601 _____

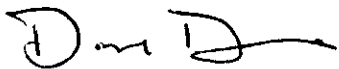
NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20 _____
and after due and diligent search and inquiry, I have been unable to locate _____
within the county of _____ Dated this _____ day of _____, 20 _____

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF _____ KLAMATH _____

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.

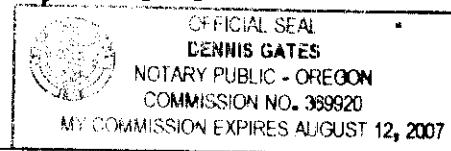
Subscribed to and sworn to before me this

_____ 15 _____ day of _____ DEC. 2004 _____



DAVE DAVIS (#16)

Cleveland Legal Support Service
(541) 665-5162



Papers

Received From _____ FEI LLC _____
_____ PO BOX 219 _____
_____ BELLEVUE _____
_____ WA _____ 98009-0219 _____

425-458-2112

Remit to: CLSS, Inc.	Service Fee	\$ 40.00
P.O. Box 5358	Mileage	\$
Central Point, OR 97502	Rush/Emergency	\$
Date: 12-15-2004	Incorrect Add.	\$
CLSS File No. 7150-K		\$
Client No. 3763-20379	Amount Paid	\$ 0.00
	TOTAL DUE	\$ 40.00

Affidavit of Publication

20592

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 # 7208

Notice of Sale/Jamie R. & Brenda L. Duffy

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:
January 27, February 3, 10, 17, 2005

Total Cost: \$1,249.50

Jeanine P. Day
Subscribed and sworn
before me on: February 17, 2005

Debra A. Scribble
Notary Public of Oregon

My commission expires March 15, 2008

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Jamie R. Duffy and Brenda L. Duffy, husband and wife, as grantor, to Aspen Title & Escrow, Co., An Oregon Corporation, as trustee, in favor of Washington Mutual Bank, as beneficiary, dated 03/06/95, recorded 03/08/95, in the mortgage records of Klamath County, Oregon, as Volume M95, Page 5220, covering the following described real property situated in said county and state, to wit:

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Lincoln (formerly Washington) Street; thence Northeasterly along Lincoln Street, 41.6 feet, more or less to place of beginning. More accurately described as: Lots 1 and 2 in Block 61, Nichols 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. Except any portion of the 'A' Canal deeded to the United States of America by the Klamath Canal Co.

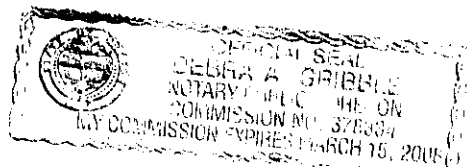
PROPERTY ADDRESS: 610 North 11th Street, Klamath Falls, OR 97601.

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By reason of said default the benefi-

ciary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$53,116.37 with interest thereon at the rate of 9.875 percent per annum beginning 03/01/04; plus late charges of \$25.27 each month beginning 04/16/04 until paid; plus prior accrued late charges of \$0.00; plus advances of \$200.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 22, 2005 at the hour of 10:00 AM in accordance with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of 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 described real property 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 sale, including a reasonable charge by the trustee. Notice is further given that for reinstatement or payoff quotes requested pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan docu-

ments.

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.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

Dated: December 13, 2004. By: Chris Ashcraft, Assistant Vice President. Northwest Trustee Services, Inc. is successor by merger to Northwest Trustee Services, PLLC (formerly known as Northwest Trustee Services, LLC). For further information, please contact: Chris Ashcraft, Northwest Trustee Services, Inc., PO Box 997, Bellevue, WA 98009-0997. (425) 586-1900. File No. 7763.20779/Duffy, Jamie R. and Brenda L. #7208 January 27, February 3, 10, 17, 2005.