

F334239

1st 564020

TRUSTEE'S NOTICE OF SALE

WHIDBEY ISLAND BANK

vs

KENNETH T. BROWN ETAL F334239

STATE OF OREGON

COUNTY OF MULTNOMAH

SS.

ORIGINAL

AFFIDAVIT/PROOF OF ~~SERVING~~
Client # 729043W

State Of Oregon, County Of Klamath

M05-61303

08/05/2005 11:59:20 AM

Of Pages 14 Fee: \$86.00

I hereby certify that on the 15th day of April, 2005, at the hour of 4PM, a copy of a TRUSTEE'S NOTICE OF SALE was served to all occupant(s) located at 6150 Teal Drive, Bonanza, OR 97623. ✓

THE OCCUPANTS WERE SERVED IN THE FOLLOWING MANNER:

I served Occupant(s), Pamela Brown by PERSONAL SERVICE

I served All Occupants over 18 years old by SUBSTITUTE SERVICE TO Pamela Brown, a person over the age of 14 and who is an occupant of the described residence.,

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.

SHERIFF Server

Capitol Investigation Co., LTD.

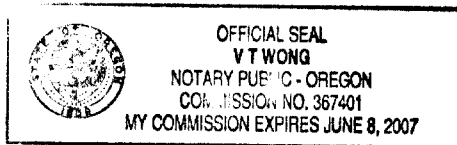
I HEREBY CERTIFY that I completed substitute service, as required by law, by depositing with the United States Post Office by regular mail a properly addressed, postage prepaid envelope containing a copy of the TRUSTEE'S NOTICE OF SALE to all other occupants 18 years or older at 6150 Teal Drive, Bonanza, OR 97623 on

MAY 02 2005

Signed:

[Signature]

Subscribed to and sworn to before me this
2nd day of May, 2005 by *S. Cumy*



[Signature]
Notary for the State of Oregon

JM
5.9.05

82F

Affidavit of Publication

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 # 7625

Notice of Sale/Kenneth T & Pam S Brown

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:
July 4, 11, 18, 25, 2005

Total Cost:

Subscribed and sworn

before me on: July 25, 2005

Notary Public of Oregon

My commission expires March 15, 2008

OREGON
TRUSTEE'S
NOTICE OF SALE
Loan #: 2519886/
BROWN Title #: 2619883 TD#:
F334239 OR Unit
Code: F AP No:
R466416

Reference is made to that certain Trust Deed made by KENNETH T. BROWN, PAMELA S. BROWN as Grantor, to ASPEN TITLE & ESCROW as Trustee, in favor of WHIDBEY ISLAND BANK as Beneficiary. Dated June 24, 2003, Recorded June 30, 2003 as Instr. No. 44881 of Official Records in the office of the Recorder of KLAMATH County, OREGON covering the following described real property situated in said county and state, to wit: LOT 8, BLOCK 45, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

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: 8 PYMTS FROM 09/01/04 TO 04/01/05 @ 1.13725 \$9,358.00 7 L/C FROM 09/16/04 TO 03/16/05 @ 42.02 \$294.14 MISCELLANEOUS FEES \$34.00 Sub-

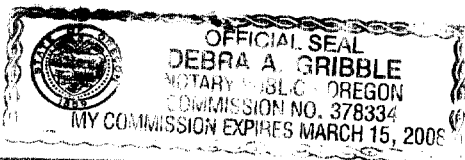
Total of Amounts in Arrears: \$9,606.14 Together with any default in the payment of recurring obligations as they become due.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Trust Deed, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee. The street or other common designation if any, of the real property described above is purported to be: 6150 TEAL DRIVE, BONANZA, OR 97623. The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

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: Principal \$141,985.61, together with interest as provided in the note

or other instrument secured from 8/01/04, and such other costs and fees 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 August 19, 2005, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, AT THE MAIN STREET ENTRANCE, KLAMATH COUNTY COURTHOUSE, KLAMATH FALLS, County of KLAMATH, State of OREGON, (which is the new date, time and place set for said sale) 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 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. Notice is further given that any person named in O.R.S. 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 herein that is capable of being cured by tendering the performance required under the obligation of the 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 pay off 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 a 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 suc-

cessors in interest, if any.

We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: 714/480-5690 or you may access sales information at www.ascentex.com/websales. DATED: 06/28/05. DAVID A. KUBAT, OSBA #84265, By DAVID A. KUBAT, ATTORNEY AT LAW. DIRECT INQUIRIES TO: T.D. SERVICE COMPANY, FORECLOSURE DEPARTMENT, 1820 E. FIRST ST., SUITE 210, P.O. BOX 11988, SANTA ANA, CA 92711-1988 800/843-0260 / TAC# 730580W PUB: 7/04/05, 7/11/05, 7/18/05, 7/25/05. #7625-July 4, 11, 18, 25, 2005.

10-0111-1-14107

After recording Mail to

**T.D. SERVICE COMPANY
1820 E. FIRST ST., SUITE 210
P.O. BOX 11988
SANTA ANA, CA 92711-1988**

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

T.S. No: OR Unit Code: F Loan No:

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, SUSAN EARNEST, 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 address, 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.

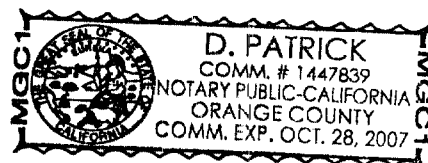
Each of the notices so mailed was certified to be a true copy of the original notice of sale by David Kubat, OSBA No. 84265, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Santa Ana, CA on July 29, 2005. 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 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.

By: [Signature]

Subscribed and sworn before me this 28th day of July 2005
WITNESS my hand and official seal.

[Signature]



Notary Public for California
My Commission Expires:

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# F 334239

Date:

7-28-05

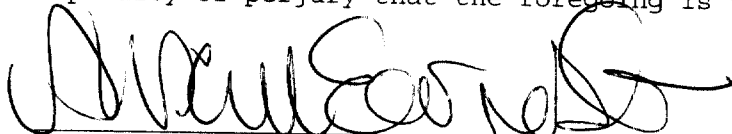
HIGHLAND BRANCH SOFCU
RE: CASE #0500498CV
3737 SHASTA WAY
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0168 7417
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.



AFFIDAVIT OF MAILING
BY FIRST CLASS MAIL

T.S.# F 334239

Date:

7-29-05

STATE OF CALIFORNIA
COUNTY OF ORANGE

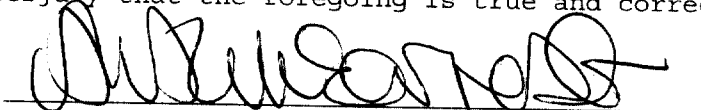
SS.

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:

HIGHLAND BRANCH SOFCU
RE: CASE #0500498CV
3737 SHASTA WAY
KLAMATH FALLS, OR 97603

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

A handwritten signature in black ink, appearing to be "D. J. [unclear]", written over a horizontal line.

After recording Mail to

**T.D. SERVICE COMPANY
1820 E. FIRST ST., SUITE 210
P.O. BOX 11988
SANTA ANA , CA 92711-1988**

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

T.S. No: F334239 OR Unit Code: F Loan No: 2519886/BROWN

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, Susan Farnes, 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 address, 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 April 21, 2005. 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 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.

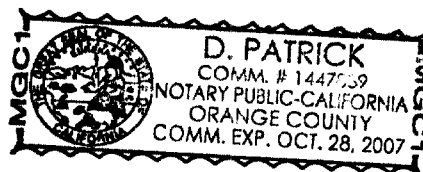
T.S. No: F334239 Unit Code: F Loan No: 2519886/BROWN

By: [Signature]

Subscribed and sworn before me this 21st day of April 2005
WITNESS my hand and official seal.

[Signature]

Notary Public for California
My Commission Expires: 10/28/07



DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

T.S.# F 334239

Date: 04/21/05

/ U.S. BANK, NATIONAL ASSOCIATION
4325 17TH AVE., S.W.
FARGO, ND 58103

CERTIFIED 7105 2257 2920 0159 7860
RETURN RECEIPT REQUESTED

/ U.S. BANK, NATIONAL ASSOCIATION
C/O U.S. RECORDINGS, INC.
2925 COUNTRY DR., STE. #201
ST. PAUL, MN 55117

CERTIFIED 7105 2257 2920 0159 7877
RETURN RECEIPT REQUESTED

/ KENNETH T. BROWN
6150 TEAL DR.
BONANZA, OR 97623

CERTIFIED 7105 2257 2920 0159 7884
RETURN RECEIPT REQUESTED

/ PAMELA S. BROWN
6150 TEAL DR.
BONANZA, OR 97623

CERTIFIED 7105 2257 2920 0159 7891
RETURN RECEIPT REQUESTED

/ OCCUPANT
6150 TEAL DR.
BONANZA, OR 97623

CERTIFIED 7105 2257 2920 0159 7907
RETURN RECEIPT REQUESTED

/ KENNETH T. BROWN
4342 SUMMERS LN.
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0159 7914
RETURN RECEIPT REQUESTED

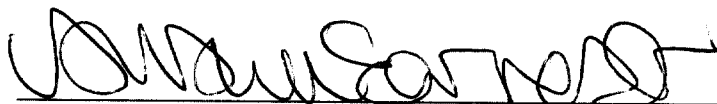
/ PAMELA S. BROWN
4342 SUMMERS LN.
KLAMATH FALLS, OR 97603

CERTIFIED 7105 2257 2920 0159 7921
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.



AFFIDAVIT OF MAILING
BY FIRST CLASS MAIL

T.S.# F 334239

Date: 04/21/05

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:

U.S. BANK, NATIONAL ASSOCIATION
4325 17TH AVE., S.W.
FARGO, ND 58103

U.S. BANK, NATIONAL ASSOCIATION
C/O U.S. RECORDINGS, INC.
2925 COUNTRY DR., STE. #201
ST. PAUL, MN 55117

KENNETH T. BROWN
6150 TEAL DR.
BONANZA, OR 97623

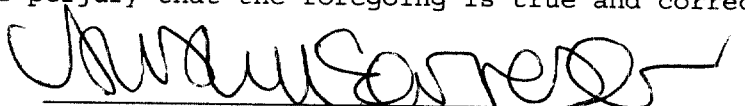
PAMELA S. BROWN
6150 TEAL DR.
BONANZA, OR 97623

OCCUPANT
6150 TEAL DR.
BONANZA, OR 97623

KENNETH T. BROWN
4342 SUMMERS LN.
KLAMATH FALLS, OR 97603

PAMELA S. BROWN
4342 SUMMERS LN.
KLAMATH FALLS, OR 97603

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



T.D. SERVICE COMPANY

and when recorded mail to

**T.D. SERVICE COMPANY
1820 E. FIRST ST., SUITE 210
P.O. BOX 11988
SANTA ANA, CA 92711-1988**

OREGON TRUSTEE'S NOTICE OF SALE

Loan #: 2519886/BROWN Title #: 2619383
TD#: F334239 OR Unit Code: F
AP No: R468416

Reference is made to that certain Trust Deed made by KENNETH T. BROWN, PAMELA S. BROWN as Grantor, to ASPEN TITLE & ESCROW as Trustee, in favor of WHIDBEY ISLAND BANK as Beneficiary.

Dated June 24, 2003, Recorded June 30, 2003 as Instr. No. --- in Book M03
Page 44881 of Official Records in the office of the Recorder of KLAMATH County, OREGON

covering the following described real property situated in said county and state, to wit:

LOT 8, BLOCK 45, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

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:

8 PYMTS FROM 09/01/04 TO 04/01/05 @ 1,157.25	\$9,258.00
7 L/C FROM 09/16/04 TO 03/16/05 @ 42.02	\$294.14
MISCELLANEOUS FEES	\$54.00
Sub-Total of Amounts in Arrears:	\$9,606.14

Together with any default in the payment of recurring obligations as they become due.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Trust Deed, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to

T.S. No: F334239 Unit Code: F Loan No: 2519886/BROWN

reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

The street or other common designation if any, of the real property described above is purported to be :
6150 TEAL DRIVE, BONANZA, OR 97623

The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

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: Principal \$141,985.61, together with interest as provided in the note or other instrument secured from 8/01/04, and such other costs and fees 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 August 19, 2005, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, AT THE MAIN STREET ENTRANCE KLAMATH COUNTY COURTHOUSE KLAMATH FALLS , County of KLAMATH, State of OREGON, (which is the new date, time and place set for said sale) 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 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.

Notice is further given that any person named in O.R.S.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 herein that is capable of being cured by tendering the performance required under the obligation of the 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.

T.S. No: F 334239

Loan No: 2519886

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.

We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: (714)480-5690 or you may access sales information at www.ascentex.com/websales/.

DATED: 4-11-05

DAVID A. KUBAT, OSBA #84265

By 
DAVID A. KUBAT, ATTORNEY AT LAW

DIRECT INQUIRIES TO:

**T.D. SERVICE COMPANY
FORECLOSURE DEPARTMENT
1820 E. FIRST ST., SUITE 210
P.O. BOX 11988
SANTA ANA, CA 92711-1988
(800)843-0260**