

NY



# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Martin D. Alter

M06-03004

Klamath County, Oregon

02/16/2006 08:34:46 AM

Pages 4 Fee: \$36.00

To

Grantor

William M. Ganong

Trustee

After recording, return to (Name, Address, Zip):

William M. Ganong

Attorney at Law

514 Walnut Avenue

Klamath Falls OR 97601

By \_\_\_\_\_, Deputy

STATE OF OREGON, County of Klamath ) ss:

I, William M. Ganong

, being first duly sworn, depose, and say that:

At all times hereinafter mentioned, 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in the notice of sale.

I gave notice of the sale of the real property described in the attached trustee's Notice of Sale by mailing copies 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:

NAME  
Martin D. Alter, Grantor

ADDRESS  
115 N 5th Street  
Klamath Falls OR 97601

Christy Alter

8900 S W Sweek Drive, Apt 518  
Tualatin OR 97062

Ruth Daggett Lyras

11230 Sierra Pass Place  
Chatsworth CA 91311

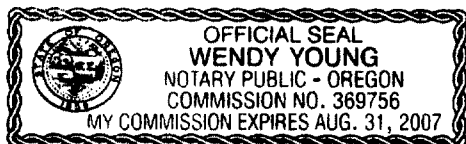
These persons include (a) the grantor in the trust deed; (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice; (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 set forth in ORS 86.785.\*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by \_\_\_\_\_

William M. Ganong

\_\_\_\_\_, attorney for the trustee named in the notice. Each such copy was mailed in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on October 21, 2005, 19\_\_\_\_. 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, with postage thereon in an amount sufficient to accomplish the same. Each such notice was mailed after the Notice of Default and Election to Sell described in the notice of sale was recorded.

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



Subscribed and sworn to before me on February 14, 2006, 19\_\_\_\_

Wendy Young  
Notary Public for Oregon

My commission expires

8.31.2007

### TRUSTEE'S NOTICE OF SALE

YOU ARE GIVEN NOTICE: THAT THE BENEFICIARY AND TRUSTEE HAVE ELECTED TO SELL THE PROPERTY DESCRIBED BELOW TO SATISFY THE FOLLOWING DESCRIBED OBLIGATION:

1.   A.   Grantor:       Martin D. Alter  
      B.   Trustee:     William M. Ganong  
      C.   Beneficiary: Connie Worrell
2.   The legal description of the property covered by the subject Trust Deed is:

Lot 7 in Block 6, Tract 1140 - LYNNEWOOD FIRST ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Klamath County Assessor's Account No.  
3808-025DD-06800

The book, page number, and the date the subject Trust Deed was recorded in the Mortgage Records of Klamath County, Oregon are:

Book: M00           Page: 45483       Date Recorded: December 19, 2000

3.   The default for which the foreclosure is made is the Grantor's failure to make installment payments in the sum of \$238.43 each due since July 15, 2003 and Grantor's failure to pay the real property taxes and assessments levied against the property before they became delinquent.
4.   The principal and interest owing on the obligation secured by the subject Trust Deed as of June 4, 2003 is \$24,728.64, plus interest at the note rate of 9.0% from June 4, 2003 until paid. Also owing on the obligation are real property taxes for 2004-2005 in the sum of \$352.60, plus interest.
5.   The Beneficiary and the Trustee have elected to foreclose the above referenced Trust Deed pursuant to the provisions of Oregon Revised Statutes 86.705 to 86.795.
6.   The Trustee will conduct a sale of the above described property at 10:00 a.m. on the 27th day of February, 2006 at the front entrance to the office of William M. Ganong at 514 Walnut Avenue, Klamath Falls, Oregon.

7. Pursuant to ORS 86.753, the Grantor, the Grantor's successor in interest to all or any part of the above described property, any beneficiary under a subordinate Trust Deed, or any person having a subordinate lien or encumbrance of record on the property, may cure the default or defaults at any time prior to five days before the above said date of sale by paying the entire amount due at the time of cure under the terms of the obligation, other than such portion as would not then be due had no default occurred. In addition, the person affecting the cure shall pay all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and attorney's fees specified in the said statute.

In construing this instrument, 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 persons owing an obligation, the performance of which is secured by said Trust Deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated this 21 day of October, 2005.

  
\_\_\_\_\_  
William M. Gahong, Trustee

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION  
PRACTICES ACT, 15 U. S. C. § 1692**

This is an attempt to collect a debt and any information obtained will be used for that purpose.

1. The amount of the debt is stated in the Trustee's Notice of Sale attached hereto.
2. The beneficiary named in the attached Trustee's Notice of Sale is the creditor to whom the debt is owed.
3. The debt described in the Trustee's Notice of Sale attached hereto will be assumed to be valid by the trustee unless the debtor, within 30 days after the receipt of this notice, disputes the validity of the debt or some portion of it.
4. If the debtor notifies the trustee in writing within 30 days of receipt of this notice that the debt or any portion thereof is disputed, the trustee will provide verification of the debt, and a copy of the verification will be mailed to the debtor by the trustee.
5. If the creditor named as beneficiary in the attached Trustee's Notice of Sale is not the original creditor, and if the debtor makes a written request to the trustee within 30 days from receipt of this notice, the name and address of the original creditor will be mailed to the debtor by the trustee.
6. Written requests or objections should be addressed to: William M. Ganong, Attorney at Law, 514 Walnut Avenue, Klamath Falls, Oregon 97601.