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State of Oregon, County of Klamath

Recorded 06/26/2002 <u>239</u> P m. Vol M02, Pg <u>36909 - 12</u> Linda Smith. County Clerk Fee <u>36</u> # of Pgs <u>4</u>

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RECORDING COVER SHEET FOR NOTICE OF SALE PROOF OF COMPLIANCE Per ORS 205.234

AFTER RECORDING RETURN TO: FIRST AMERICAN TITLE INSURANCE COMPANY 400 Countrywide Way SV-35 Simi Valley, CA 93065

TS No.: 014964620 / 95932D / K57922

- 1. AFFIDAVIT OF AMENDED MAILING NOTICE OF SALE
- 2. COPY OF AMENDED NOTICE OF SALE

Original Grantor on Trust Deed:

Beneficiary:

COUNTRYWIDE HOME LOANS, INC.

THIS COVER SHEET HAS BEEN PREPARED Y 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.

K36

AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by RAMUS RODGERS, AN UNMARRIED MAN, as grantor(s), to AMERITITLE, as trustee, in favor of NATIONAL FUNDING SERVICE, INC., A OREGON CORPORATION, as beneficiary, dated 03/15/1999, recorded 04/01/1999, in the mortgage records of KLAMATH County, Oregon, in Reel No. M99 at Page No. 11704 as Recorder's fee/file/instrument/microfilm/reception Number 77316 and subsequently assigned to COUNTRYWIDE HOME LOANS, INC. by Assignment recorded 04/01/1999 in Reel No. M99 at Page No. 11712 as Recorder's fee/file/instrument/microfilm/reception No. 77317 covering the following described real property situated in said county and state, to wit:

UNIT 10657 (WRIGHT AVENUE), TRACT 1336 - FALCON HEIGHTS CONDOMINIUMS -STAGE I, ACCORDING TO THE OFFICIAL PLAT THEROF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 10657 WRIGHT AVENUE KLAMATH FALLS, OR 97603

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 \$475.00 beginning 07/01/2001; plus late charges of \$19.00 each month beginning 07/01/2001 plus prior accrued late charges of \$57.00 payment plus advances of \$31.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

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: 56,711.23 with interest thereon at the rate of 7.5 percent per annum beginning 06/01/2001 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interests therein.

The Notice of Default and original Notice of Sale given pursuant thereto stated the property would be sold on Friday, March 22, 2002, at the hour of 10:00 o'clock A.M., in accord with the standard of time of 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: However, subsequent to the recording of said Notice of Default the original proceedings were stayed by order of the court or by proceeding filed under the U.S. Bankruptcy Code or for other lawful reason. Said stay was terminated on 05/15/02.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on 07/08/2002 at the hour of 10:00:00 AM 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 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 the trustee's and attorney's fees not exceeding the amounts provided by OSRS 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.

20 OL Dated

FIRST AMERICAN TITLE INSURANCE COMPANY

For further information, please contact:

TERI L THOMPSON ASSISTANT SECRETARY

FIRST AMERICAN TITLE INSURANCE COMPANY 400 Countrywide Way, SV-35 Foreclosure Department Simi Valley, CA 93065 800-281-8219 TS No. 014964620

STATE OF COUNTY OF (act

This instrument was acknowledged before me on 6-13, 2002FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee.

Notary Public for Co/ My commission expires:

THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.

AFFIDAVIT OF AMENDED MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) ss:

36912

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 California, 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 trust deed described in said notice.

I gave notice of 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:

RAMUS RODGERS 10657 WRIGHT AVENUE

KLAMATH FALLS, OR. 97603 7001 2510 0008 0771 7914

RAMUS RODGERS 79475 POWERLINE RD HERMISTON, OR. 97838 7001 2510 0008 0771 7907

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 FIRST AMERICAN TITLE INSURANCE COMPANY, 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 VENTURA, CALIFORNIA, on ______6/13/02 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 and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

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

Subscribed and sworn to before me on 6/13 AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE **RE:** Trust Deed from Vote Put alifornia Grantor Resi ling at to Commiss expires: FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee TS No. 014964620 GEORGIA HERNANDEZ Commission # 1281192 lotary Public -- California After Recording return to: Ventura County hy Comm. Expires Oct 21, 200

Foreclosure Department FIRST AMERICAN TITLE INSURANCE COMPANY 400 Countrywide Way, SV-35 Simi Valley, CA 93065