

02 AUG 26 PM 1:52

Vol M02 Page 48064

RECORDING COVER SHEET
Pursuant to ORS 205.234

State of Oregon, County of Klamath
Recorded 08/26/2002 1:52 p.m.
Vol M02, Pg 48064-70
Linda Smith, County Clerk
Fee \$ 51.⁰⁰ # of Pgs 7

After recording return to:

Northwest Trustee Services, LLC
Attention: Kathy Taggart
P.O. Box 4143
Bellevue, WA 98009-4143

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

Original Grantor(s) on Trust Deed: Joaquin H. Torres and Tanya G. Hernandez, husband and wife as tenants by the entirety

Beneficiary: Southern Pacific Funding Corporation, a California corporation

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.

S/A

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

48065

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:

Joaquin H. Torres
409 Water Street
Merrill, OR 97633

Joaquin H. Torres
P.O. Box 257
Merrill, OR 97633

Tanya G. Hernandez
409 Water Street
Merrill, OR 97633

Tanya G. Hernandez
P.O. Box 257
Merrill, OR 97633

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 5/19/02. 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.

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

[Handwritten signature of Jessica K. May]

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Jessica K. May 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: 8/23/02

[Handwritten signature of Tonia L. Masania]
NOTARY PUBLIC in and for the State of
Washington, residing at King County
My commission expires 5-9-05

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
RE: Trust Deed from
Torres, Joaquin H. and Hernandez, Tanya G.
Grantor
to
Northwest Trustee Services, LLC,
Trustee File No. 7069.23437



After recording return to:
Northwest Trustee Services, LLC
Attn: Kathy Taggart
P.O. Box 4143
Bellevue, WA 98009-4143

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Joaquin H. Torres and Tanya G. Hernandez, husband and wife as tenants by the entirety, as grantor, to Amerititle, as trustee, in favor of Southern Pacific Funding Corporation, a California corporation, as beneficiary, dated 02/02/98, recorded 02/11/98, in the mortgage records of Klamath County, Oregon, as 53010, Vol. M98, Page 4431, covering the following described real property situated in said county and state, to wit:

Parcel 2 of Land Partition 56-97 being Lots 4 and 5 of Tract 1142-Burke Place, situated in the NE1/4 NE1/4 of Section 11, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

PROPERTY ADDRESS: 409 Water Street
Merrill, OR 97633

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 \$586.52 beginning 02/01/02; plus late charges of \$27.78 each month beginning 01/16/02; plus prior accrued late charges of \$0.00; plus advances of \$396.33; 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.

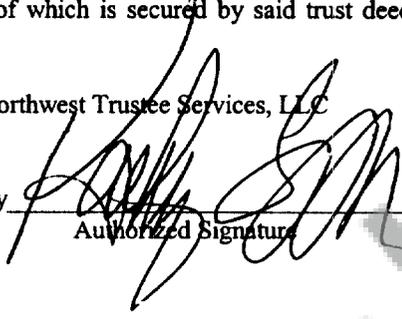
By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$62,986.06 with interest thereon at the rate of 8.25 percent per annum beginning 01/01/02; plus late charges of \$27.78 each month beginning 01/16/02 until paid; plus prior accrued late charges of \$0.00; plus advances of \$396.33; together with title expense, costs, trustee's fees and attorneys 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.

WHEREFORE, notice hereby is given that the undersigned trustee will on **September 20, 2002** 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 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.

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.

Northwest Trustee Services, LLC

Dated: 5 14, 2007

By  _____
Authorized Signature

For further information, please contact:

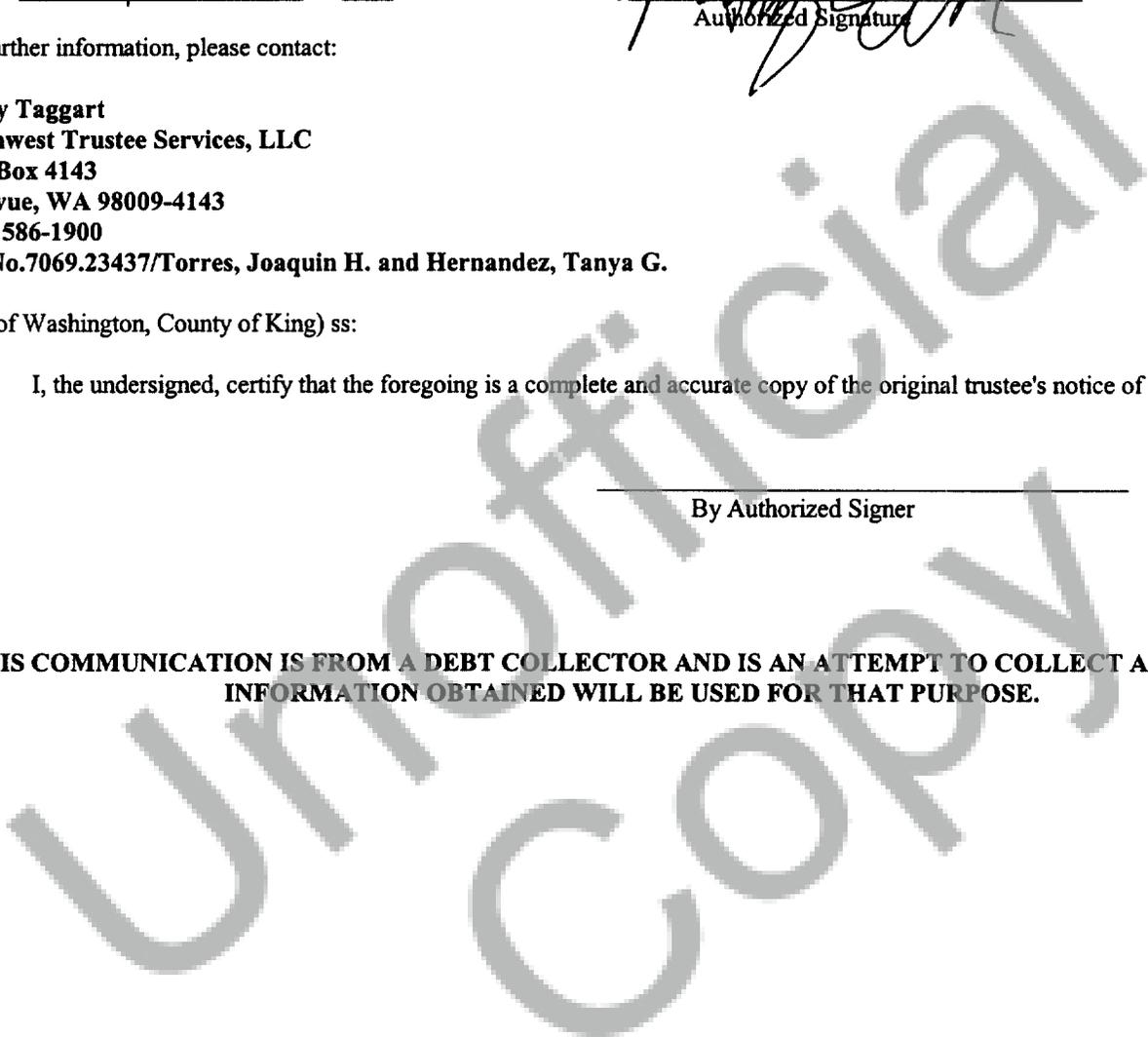
Kathy Taggart
Northwest Trustee Services, LLC
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No.7069.23437/Torres, Joaquin H. and Hernandez, Tanya G.

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.



069.23437/TORRES

48068

PROOF OF SERVICE

STATE OF OREGON)
)
County of KLAMATH) ss.

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, along with the Notice Under the Federal Fair Debt Collection Practices Act, upon an OCCUPANT at the following address:

409 WATER STREET, MERRILL, OREGON 97633, as follows:

Personal service upon Joaquin Hernandez, by delivering said true copy, personally and in person, at the above address on May 17th, 2002 at 2:20 P.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at _____ m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at _____ m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2002 at _____ m.

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

[Signature]
Dave Shuck 246560

SUBSCRIBED AND SWORN to before me this 20 day of May, 2002 by Dave Shuck



[Signature]
Margaret A. Nielsen
Notary Public for Oregon

STATE OF OREGON,
COUNTY OF KLAMATH

I, Larry L. Wells, 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 the

Legal # 4991
Notice of Sale/Torres-Herdandez

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:
June 27, July 4, 11, 18, 2002

Total Cost: \$715.50

Subscribed and sworn
before me on: July 18, 2002

Notary Public of Oregon

My commission expires March 15, 2004

TRUSTEE'S
NOTICE OF SALE

Reference is made
to that certain trust
deed made by Joa-
quin H. Torres and
Tanya G. Hernan-
dez, husband wife as
tenants by the en-
tirely, as grantor, to
Amerititle, as trust-
ee, in favor of South-
ern Pacific Funding
Corporation, a Cali-
fornia corporation,
as beneficiary, dat-
ed 02/02/98, record-
ed 02/11/98, in the
mortgage records of
Klamath County,
Oregon, as 53010,
Vol. M98, Page 4431,
covering the follow-
ing described real
property situated in
said county and
state, to wit:
Parcel 2 of Land
Partition 56-97 being
Lots 4 and 5 of Tract
1142-Burke Place,
situated in the NE
1/4 NE 1/4 of Sec-
tion 11, Township 41
South, Range 10
East of the Willam-
ette Meridian, Klamath County, Ore-
gon. Property Ad-
dress: 409 Water
Street, Merrill, OR
97633.

Both the beneficia-
ry and the trustee
have elected to sell
the real property to
satisfy the obliga-
tions secured by the
trust deed and a no-
tice of default has
been recorded pur-
suant to Oregon Re-
vised Statutes
86.735(3); the de-
fault for which the
foreclosure is made
is grantor's failure
to pay when due the
following sums:
monthly payments
of \$586.52 beginning
02/01/02; plus late
charges of \$27.78
each month begin-
ning 01/16/02; plus
prior accrued late
charges of \$0.00;
plus advances of
\$396.33; together
with title expense,
costs, trustee's fees

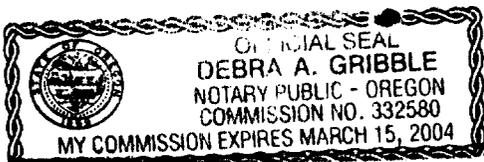
and attorney's fees
incurred herein by
reason of said de-
fault; and any fur-
ther sums advanced
by the beneficiary
for the protection of
the above described
real property and its
interest therein.

By reason of said
default the benefi-
ciary has declared
all sums owing on
the obligation se-
cured by the trust
deed immediately
due and payable,
said sums being the
following, to wit:
\$62,986.06 with inter-
est thereon at the
rate of 8.25 percent
per annum begin-
ning 01/01/02; plus
late charges of
\$27.78 each month
beginning 01/16/02
until paid; plus pri-
or accrued late
charges of \$0.00;
plus advances of
\$396.33; together
with title expense,
costs, trustee's fees
and attorney's fees
incurred herein by
reason of said de-
fault; and any fur-
ther sums advanced
by the beneficiary
for the protection of
the above described
real property and its
interest therein.

WHEREFORE,
notice hereby is giv-
en that the under-
signed trustee will
on September 20,
2002 at the hour of
10:00 AM in accord
with the standard of
time established by
ORS 187.110, at the
following place: in-
side the 1st floor lob-
by of the Klamath
County Courthouse,
316 Main Street, in
the City of Klamath
Falls, County of Klamath, State of Ore-
gon, sell at public
auction to the high-
est bidder for cash
the interest in the
described real prop-
erty which the gran-
tor had or had pow-
er to convey at the
time of the execu-

tion by grantor of
the trust deed, to-
gether with any in-
terest which the
grantor or grantor's
successors in inter-
est acquired after
the execution of the
trust deed, to satisfy
the foregoing obliga-
tions thereby se-
cured and the costs
and expenses of
sale, including a
reasonable charge
by the trustee. No-
tice 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 foreclo-
sure proceeding dis-
missed and the trust
deed reinstated by
payment to the ben-
eficiary of the entire
amount then due
(other than such
portion of the princi-
pal as would not
then be due had no
default occurred)
and by curing any
other default com-
plained of herein
that is capable of
being cured by ten-
dering the perform-
ance required under
the obligation or
trust deed, and in
addition to paying
said sums or tender-
ing the performance
necessary to cure
the default, by pay-
ing all costs and ex-
penses actually in-
curred 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 succes-
sor 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"



48070

and "beneficiary" include their respective successors in interest, if any.

Dated: May 14, 2002.

By: Kathy Taggart,
Authorized Signature.

For further information, please contact: Kathy Taggart, Northwest

Trustee Services, LLC, PO Box 4143, Bellevue, WA 98009-4143, (425) 586-1900.

File No. 7069.23437/
Torres, Joaquin H. and Hernandez, Tanya G.

#4991 June 27, July 4, 11, 18, 2002.

Unofficial
Copy