Vol\_M03 Page 00515

RECORDING COVER SHEET
FOR NOTICE OF SALE PROOF
OF COMPLIANCE, PER ORS 205.234
THIS COVER SHEET HAS BEEN PREPARED BY THE
PERSON PRESENTING THE ATTACHED INSTRUMENT FOR
RECORDING. ANY ERRORS IN THIS COVER SHEET
DO NOT AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.

State of Oregon, County of Klamath Recorded 01/03/2003 2:56 Pm.
Vol M03 Pg 005/55-24
Linda Smith, County Clerk
Fee \$ 8 1.00 # of Pgs / 0

#### AFTER RECORDING RETURN TO:

ORDER # STOST

MARK NAME(S) OF ALL THE TRANSACTIONS described in the attached instument. Fill in the Original Grantor on the Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or affidavit of Publication Notice of Sale or Proof of Service will be considered a transaction.

- AFFIDAVIT OF MAILING NOTICE OF SALE (must have Trustee's Notice of Sale attached)
- \_X TRUSTEES NOTICE OF SALE
- X AFFIDAVIT OF PUBLICATION
- \_X\_ AFFIDAVIT OF NON-OCCUPANCY

**Original Grantor on Trust Deed:** 

Beneficiary:

K66. - +15.

Cal-Western Reconveyance Corporation P.O. Box 22004 525 East Main Street El Cajon, CA 92022-9004

T.S. NO.: 1033491-09 LOAN NO.: 154259

## AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA **COUNTY OF SAN DIEGO** 

}SS

FRANCO CABADING

being first duly sworn, depose, 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 Notice of Sale given under the 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 registered or certified mail and regular mail to each of the following named persons at their last known address, to-wit:

#### SEE ATTACHED

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by MERLOBEL R CUSTODIO, for CAL-WESTERN RECONVEYANCE CORPORATION, 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 mail in San Diego County, California, on November 01, 2002. 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.

SUBSCRIBED AND SWORN to me this / 51 day of

#### TRUSTEE'S NOTICE OF SALE

Loan No: 154259 T.S. No: 1033491-09

Reference is made to that certain deed made by AUBREY DALE HARRIS GINGER LEE HARRIS as Grantor to ASPEN TITLE & ESCROW, as Trustee, in favor of

THE CIT GROUP/CONSUMER FINANCE, INC. as Beneficiary,

dated January 24, 2000, recorded January 28, 2000, in official records of KLAMATH County, OREGON in book/reel/volume No. M00 at

page No. 3005, fee/file/instrument/microtīlm/reception No. XX covering the following described real property situated in the said County and State, to-wit:

A PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 22, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A. \*\*LIMITED PARTNERSHIP, ITS SUCCESSORS AND ASSIGNS

Commonly known as:

#### 1515 OLD FORT ROAD KLAMATH FALLS OR 97601

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's:

Failure to pay the monthly payment due January 28, 2001 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust.

Monthly payment \$2,066.88 Monthly Late Charge \$103.35

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust immediately due and payable, said sums being following, to-wit; The sum of \$205,967.13 together with interest thereon at 11.620% per annum from December 28, 2000 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of the said deed of trust.

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on March 04, 2003 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at

AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE 316 MAIN STREET

City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had power to convey at the time of the 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

#### TRUSTEE'S NOTICE OF SALE

Loan No: 154259 T.S. No: 1033491-09

costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes 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" includes their respective successors in interest, if any.

Dated: October 17, 2002

CAL-WESTERN RECONVEYANCE CORPORATION 525 EAST MAIN STREET P.O. BOX 22004 EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By:

A part of the SE ¼ of the SW ¼ of Section 22, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the quarter section corner common to sections 22 and 27, Township 38 South, Range 9 East of the Willamette Meridian; thence West along said Section line 160 feet to a steel rod, which is the true point of beginning of the tract herein described; thence North 23 degrees 55' West 359.06 feet to a steel rod on the South boundary of the Old Fort Road; thence South 80 degrees 30' West 713 feet, more or less, to a steel rod on the angle corner on the South boundary of the Old Fort Road; thence 22 and 27, Township 38 South, Range 9 East of the Willamette Meridian; thence East along said Section line to the point of beginning.

CODE 156 MAP 3809-2200 TL 1400

KLAMATH FALLS OR 97601 KLAMATH FALLS OR 97601 KLAMATH FALLS OR 97601 KLAMATH FALLS OR 97603 KLAMATH FALLS OR 97601 KLAMATH FALLS OR 97601 MEDFORD OR 97501-8176 1818 E. MCANDREWS RD. Address Line 2/4 C/O GRANTLANT, BLODGETT & SHAW, LLP MEDFORD OR 97504 1515 OLD FORT ROAD 1515 OLD FORT ROAD 1515 OLD FORT ROAD 1925 MCKENZIE DR. 6407 HARVEY DR Address Line 1/3 525 MAIN ST **525 MAIN ST** DANIEL LEE EDDY C/O ASPEN TITLE & ESCROW LISA MARIE HANSCOM C/O ASPEN TITLE & ESC RUTH E. WOOLHISER, TRUSTEE RUTH WOOLHISER, TRUSTEE Affidavit Attachment: 1033491-09 030 11010713 CWR **LISA MARIE HANSCOM** AUBREY DALE HARRIS **GINGER LEE HARRIS** Postal Number Sequence Recipient Name OCCUPANT 11041994141001213415 11041994141001213422 3 11041994141001213446 5 11041994141001213439 11041994141001213453 8 11041994141001213460 9 Type of Mailing: NOS 11041994141001213484 11041994141001213477

CalWestern Reconveyance 525 E Main El Cajon CA 92030

Sender:

11/1/2002 12:17:51 PM

First Class

Postal Class:

	Address Line 2/4	KLAMATH FALLS OR 97601	KLAMATH FALLS OR 97601	KLAMATH FALLS OR 97601	KLAMATH FALLS OR 97601	KLAMATH FALLS OR 97603	KLAMATH FALLS OR 97601	1818 E. MCANDREWS RD.	MEDFORD OR 97501-8176
	Address Line 1/3	1515 OLD FORT ROAD	1515 OLD FORT ROAD	525 MAIN ST	525 MAIN ST	6407 HARVEY DR	1515 OLD FORT ROAD	C/O GRANTLANT, BLODGETT & SHAW, LLP MEDFORD OR 97504	1925 MCKENZIE DR.
Affidavit Attachment: 1033491-09 030 11010713 CWR	Sequence Recipient Name	GINGER LEE HÄRRIS	OCCUPANT	LISA MARIE HANSCOM C/O ASPEN TITLE & ESC	DANIEL LEE EDDY C/O ASPEN TITLE & ESCROW	LISA MARIE HANSCOM	AUBREY DALE HARRIS	RUTH E. WOOLHISER, TRUSTEE	RUTH WOOLHISER, TRUSTEE
Affidavit Attachment: 1033	Postal Number Sequenc	71041994141001839440 2	71041994141001839457 3	71041994141001839464 4	71041994141001839471 5	71041994141001839488 8	71041994141001839495 9	71041994141001839501 10	71041994141001839518 11

CalWestern Reconveyance 525 E Main El Cajon CA 92030

11/1/2002 12:17:53 PM Sender:

Certified - Ret

Postal Class:

Type of Mailing: NOS

### 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 # 5329
Notice of Sale/Harris
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:
November 18, 25, December 2, 9, 2002
Total Cost: \$810.00
A
Jan & will
Subscribed and sworn
before me on: December 9, 2002
<b>^</b>
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Notari Biblio Ca XX (M) C
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made by AUBREY East along saids set TARRIS, and Inc. 100 line to the point. The point of beginning.

RISG SEG Gramotic to ASPEN. TITLES ESCROW, as a mast set in 100 line to the point. The set in 100 line to the made by AUBREY State Flowit: 1971 with 1972 with 19 North 23 de: West 357.08 teel#od/oh/ Old Fort Ses 3070West

TRUSTER'S on the arigle corner TICE OF SALES on the South boun-sale No: 181259 dary of the Old Fee trustee's fees, costs any sums advance by the beneficiary Roads the common to the common pursuant is to lith terms and condi-tions of the said deed of trust. Whereof, notice hereby is given that, CAL-WESTERN TO A RECONVEYANCE CORPORATION THE undersigned ., trustee Will on March 04, 2003 at the hour of 11:00 PM; Standard of Time, as established by Section 187,110, Oregon Revised: Statutes, at THESE OF MAIN EN: TRANCE TO KLA MATH W COUNTY COURTHOUSE, 1916 MAIN STREET, City of KLAMATH FALIS, County will FALIS, County will FALIS, County will FALIS, County will KMAMATH FALIS, County will cheepen sell at public, auction to the highest bidder for cash the interest in the said dear field real property which grantor had or had power to convey at the time of the wall cutton by him of the said frust deed a potent with any interest which it was the said frust deed a potent with any interest. gerner with any in-terest which; me grantor or his ever cessors in interest acquired after the executions of sale it us deed to satisfy the foregoing tabliga-tions thereby as cured and the costs and expense of sale. including a red ble charge by the pentire dian then due (other lich portion of

principal as would not then be due had

My commission expires March 15, 2004

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#### JEFFERSON STATE ADJUSTERS RECOVERY IS OUR BUSINESS

00524

1135 Pine Street Klamath Falls, Oregon 97601 Phone: (541) 882-8036 Fax: (541) 883-2129

#### AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON COUNTY OF KLAMATH

I, <u>Dave Shuck</u>, being first duly sworn, depose and say: That I am and have been at all material times hereto, a competent person over the age of eighteen years and a resident of the county of <u>Klamath</u>, State of Oregon. I am not a party to, an attorney for, or interested in any suit or action involving the property described below.

That on the 30<sup>th</sup> day of October 2002, after personal inspection, I found the following described real property to be unoccupied.

Commonly described as (Street address) 1515 Old Fort Road
Klamath Falls, Oregon 97601

I declare under the penalty of perjury that the above statements are true and correct.

(Signed and Dated)

Subscribed and Sworn to before me this

NOTARY PUBLIC OF OREGON

MY COMMISSION EXPIRES:

4-12-04