

03 JAN 9 PM 3:04

Vol M03 Page 01651

RECORDING COVER SHEET
Pursuant to ORS 205.234

K58129
After recording return to:

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

State of Oregon, County of Klamath
Recorded 01/09/2003 3:04 p m.
Vol M03 Pg 01651-55
Linda Smith, County Clerk
Fee \$ 46.00 # of Pgs 5

1. AMENDED TRUSTEE'S NOTICE OF SALE
2. AMENDED AFFIDAVIT OF MAILING

Original Grantor(s) on Trust Deed: Francis R. Snyder Sr. and Irma L. Snyder

Beneficiary: First Horizon Home Loan 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.

K41-55-

AMENDED TRUSTEE'S NOTICE OF SALE

01652

Reference is made to that certain trust deed made by Francis R. Snyder Sr. and Irma L. Snyder, as grantor, to First American Title Insurance Company, as trustee, in favor of First Horizon Home Loan Corporation, as beneficiary, dated 07/13/00, recorded 07/31/00, in the mortgage records of Klamath County, Oregon, in Volume M00, Page 27768, and subsequently assigned to First Horizon Home Loan Corporation by Assignment recorded as Volume M02 Page 28560, covering the following described real property situated in said county and state, to wit:

Lot 2 in Block 42 of Klamath Falls Forest Estates, Highway 66 Unit, Plat No. 2, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 6569 Bufflehead Drive Bonanza, OR 97623

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 \$369.46 beginning 09/01/01; plus late charges of \$18.47 each month beginning 09/16/01; plus prior accrued late charges of \$0.00; plus advances of \$2,138.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$47,149.71 with interest thereon at the rate of 8.625 percent per annum beginning 08/01/01; plus late charges of \$18.47 each month beginning 09/16/01 until paid; plus prior accrued late charges of \$0.00; plus advances of \$2,138.50; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

The Notice of Default and original Notice of Sale given pursuant thereto stated the property would be sold on Friday, 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; However, subsequent to the recording of said Notice of Default the original proceedings were stayed by order of the court or by proceedings filed under the U.S. Bankruptcy Code or for other lawful reason. Said stay was terminated effective December 23, 2002.

WHEREFORE, notice hereby is given that the undersigned trustee will on **January 31, 2003** 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.

Dated:

1/2, 2003

Northwest Trustee Services, LLC

By

Vonnie Nave

Authorized Signature

For further information, please contact:

Vonnie Nave
Northwest Trustee Services, LLC
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900

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

AMENDED TRUSTEE'S NOTICE OF SALE

**RE: Trust Deed from
Francis R. Snyder Sr. and Irma L. Snyder
Grantor**

**to
Northwest Trustee Services, LLC
Trustee**

File No. 7043.22228

After recording return to:

**Northwest Trustee Services, LLC
Attn: Vonnie Nave
P.O. Box 4143
Bellevue, WA 98009-4143**

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

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:

Francis Snyder
6569 Bufflehead Drive
Bonanza, OR 97623

Irma Snyder
6569 Bufflehead Drive
Bonanza, OR 97623

Conseco Bank, Inc.
7360 S. Kyrene Road
Tempe, AZ 85283

DW Acceptance Corp.
3350 S. 6th Street
Klamath Falls, OR 97603

Conseco Bank, Inc.
c/o NTC Attn: Darrell Colon
101 N. Brand Blvd., Suite 1800
Glendale, CA 91203

Conseco Bank, Inc.
Cottonwood Corporate Center
2825 E. Cottonwood Prky 230
Salt Lake City, UT 84121

DW Acceptance Corp.
c/o Wilson C. Muhlheim, Reg. Agent
800 Willamette Street #700
Eugene, OR 97401

Douglas V. Osborne, Attorney at Law
439 Pine Street
Klamath Falls, OR 97601

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 1/2/03. 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.

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that JEANENE BAUTISTA 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: January 2, 2003

RHEA S. PRE
STATE OF WASHINGTON
NOTARY --- PUBLIC
MY COMMISSION EXPIRES 4-22-06

[Signature]
NOTARY PUBLIC in and for the State of
Washington, residing at Renton
My commission expires 4-22-06

01655

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Francis R. Snyder Sr. and Irma L. Snyder

Grantor

to

Northwest Trustee Services, LLC

Trustee

File No.7043.22228

After recording return to:

Northwest Trustee Services, LLC

Attn: Vonnice Nave

P.O. Box 4143

Bellevue, WA 98009-4143