

1st 125244
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) 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 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:

See attached Exhibit A for all the mailing address(es).

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 7/28/2003. 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 7/28, 2003, by Chantal Mokherdian

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

and VALERIE CHAVARRIA-DUFFY

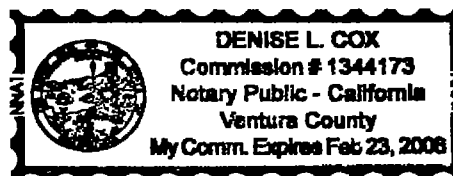
Notary Public for California

Residing at

My commission expires: 7-23-06

First American Title Insurance Company
Trustee TS No. 03-03713

After Recording return to:
400 COUNTRYWIDE WAY SV-35
First American Title Insurance Company
SIMI VALLEY, CA 93065



State of Oregon, County of Klamath
Recorded 08/15/2003 3:45 pm
Vol M03 Pg 59836-44
Linda Smith, County Clerk
Fee \$ 61.00 # of Pgs 9

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"

TS No. '03-03713

KLAMATH IRRIGATION DISTRICT
6640 KID LANE
KLAMATH FALLS, OR 97603
7187 7930 3131 0267 2630

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) 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 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:

See attached Exhibit A for all the mailing address(es).

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 4/28/2003. 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

4/28

2003

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

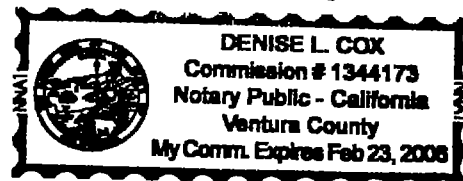
Grantor

and VALERIE CHAVARRIA-DUFFY

First American Title Insurance Company
Trustee TS No. 03-03713

After Recording return to:
400 COUNTRYWIDE WAY SV-35
First American Title Insurance Company
SIMI VALLEY, CA 93065

Chantal Mekhadjian
Notary Public for California
Residing at Ventura
My commission expires: 2-23-06



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"

TS No. 03-03713

VALERIE CHAVARRIA-DUFFY
PO BOX 178
KENO, OR 97627
7187 7930 3131 0231 7159

VALERIE CHAVARRIA-DUFFY
3111 LAVERNE STREET
KLAMATH FALLS, OR 97603
7187 7930 3131 0231 7166

VALERIE CHAVARRIA-DUFFY
3111 LAVERNE
KLAMATH FALLS, OR 97603
7187 7930 3131 0231 7173

CAPITAL ONE BANK
2001 MAYWILL STREET
RICHMOND, VA 23230
7187 7930 3131 0231 7180

CAPITAL ONE BANK
C/O DERRICK E. MC GAVIC
ATTORNEY AT LAW
941 WEST THIRD AVE. P.O. BOX 10163
EUGENE, OR 97440
7187 7930 3131 0231 7197

1000.06267/Chavarria-Duffy

59840

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath Falls)

I, Rob Girard, 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 Klamath Falls County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 25th day of April, 2003 after personal inspection, I found the following described real property to be unoccupied:

**LOT 10, BLOCK 3, THIRD ADDITION TO ALTAMONT ACRES, IN THE COUNTY OF
KLAMATH, STATE OF OREGON**

Commonly known as: 3111 LAVERNE STREET
KLAMATH FALLS, OREGON 97603

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

Rob Girard

267160

SUBSCRIBED AND SWORN to before me this 29 day of April, 2003, by Rob Girard.



Margaret C. Nelson
Notary Public for Oregon

Affidavit of Publication

59841

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 # 5867

Notice of Sale/Chavarria-Duffy

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 5, 12, 19, 26, 2003

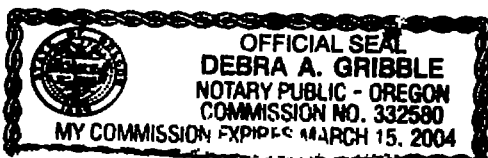
Total Cost: \$756.00

Subscribed and sworn

before me on: June 26, 2003

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 Valerie Chavarria-Duffy, as grantor(s), to Aspen Title & Escrow, as trustee, in favor of Columbia River Bank Mortgage Group, as beneficiary, dated 08/14/1998, recorded 08/24/1998, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M98 at Page No. 30951 as Recorder's fee/file/instrument/microfilm/reception Number 64994, and subsequently assigned to COUNTRYWIDE HOME LOANS, INC. by Assignment recorded 02/24/1999 in book/reel/volume no. M99 at page no. 6498 as Recorder's fee/file/instrument/microfilm/reception no. , covering the following described real property situated in said county and state, to wit:

Lot 10, Block 3, Third Addition to Al-tamont Acres, in the County of Klamath, State of Oregon. PROPERTY ADDRESS: 3111 Laverne Street, 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 \$580.00 beginning 09/01/2002; plus late charges of

\$23.19 each month beginning with the 09/01/2002 payment plus prior accrued late charges of \$46.38; plus advances of \$0.00; 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: \$63,600.38 with interest thereon at the rate of 7.25 percent per annum beginning 08/01/2002 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.

WHEREFORE, notice hereby is given that FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on Thursday, August 28, 2003 at the hour of 10:00 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 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: April 18, 2003. First American Title Insurance Company. For further information, please contact: First American Title Insurance Company, 400 Countrywide Way SV-35, Simi Valley, CA 93065. (800) 669-6650. TS
No. 03-03713. Doc ID #00044700272005N
#5867 June 5, 12, 19, 26, 2003.

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Valerie Chavarria-Duffy, as grantor(s), to Aspen Title & Escrow, as trustee, in favor of Columbia River Bank Mortgage Group, as beneficiary, dated 08/14/1998, recorded 08/24/1998, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M98 at Page No. 30951 as Recorder's fee/file/instrument/microfilm/reception Number 64994, and subsequently assigned to COUNTRYWIDE HOME LOANS, INC. by Assignment recorded 02/24/1999 in Book/Reel/Volume No. M99 at Page No. 6498 as Recorder's fee/file/instrument/microfilm/reception No. , covering the following described real property situated in said county and state, to wit:

LOT 10, BLOCK 3, THIRD ADDITION TO ALTAMONT ACRES, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

PROPERTY ADDRESS: 3111 LAVERNE STREET
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 \$580.00 beginning 09/01/2002; plus late charges of \$23.19 each month beginning with the 09/01/2002 payment plus prior accrued late charges of \$46.38; plus advances of \$0.00; 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: \$63,600.38 with interest thereon at the rate of 7.25 percent per annum beginning 08/01/2002 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.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on Thursday, August 28, 2003 at the hour of 10:00 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.

Dated 4/18/03, 2003 [Signature]

FIRST AMERICAN TITLE INSURANCE COMPANY

For further information, please contact:

FIRST AMERICAN TITLE INSURANCE COMPANY
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065
(800) 669 6650
TS No. 03 -43713
Doc ID #00044700272005N

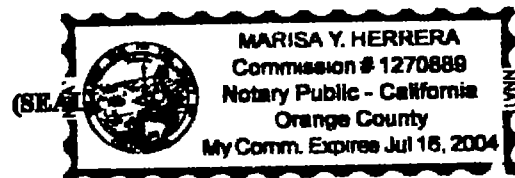
STATE OF GA
COUNTY OF Cherokee) ss.

MARISA HERRERA

On 4/18/03 before me, Luis Cerda, ASST. SEC., personally appeared [Signature], personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public for [Signature]
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.