

03 SEP 23 PM 2:04

RECORDING COVER SHEET
Pursuant to ORS 205.234

90145

After recording return to:

Northwest Trustee Services, PLLC
Attention: Shannon Blood
P.O. Box 4143
Bellevue, WA 98009-4143

Vol M03 Page 72370

State of Oregon, County of Klamath
Recorded 09/29/03 2:04 P m
Vol M03 Pg 72370-76
Linda Smith, County Clerk
Fee \$ 51.00 # of Pgs 7

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

Original Grantor(s) on Trust Deed: Ronnie Nelson and Christina M. Nelson

Beneficiary: Bank of America, N.A.

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.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

72371

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:

Bank of America
101 East Main Street, Suite 400
Louisville, KY 40232

Ronnie Nelson
28315 Spruce Avenue
Klamath Falls, OR 97601

Christina M. Nelson
28315 Spruce Avenue
Klamath Falls, OR 97601

Ronnie Nelson
803 Birch Street
Los Banos, CA 93635

Christina M. Nelson
803 Birch Street
Los Banos, CA 93635

Lars T Fuller, Atty
12 South 1st Street #711
San Jose, CA 95113

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 6/25/03. 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)

COUNTY OF KING)

) ss.

Sokhun Meas

I certify that I know or have satisfactory evidence that Sokhun Meas 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: 6/25/03

NOTARY PUBLIC in and for the State of
Washington, residing at ISC 011
My commission expires 02/26/07

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Nelson, Ronnie and Christina M.
Grantor

to

Northwest Trustee Services, PLLC,
Trustee

File No. 7445.20679

After recording return to:

Northwest Trustee Services, PLLC
(fka Northwest Trustee Services, LLC)
Attn: Shannon Blood
P.O. Box 4143
Bellevue, WA 98009-4143

JOANNETTE JAMES

STATE OF WASHINGTON

NOTARY — — PUBLIC

MY COMMISSION EXPIRES 02-26-07

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Ronnie Nelson and Christina M. Nelson, as grantor, to First American Title Insurance Company, as trustee, in favor of Bank of America, N.A., as beneficiary, dated 07/24/02, recorded 07/29/02, in the mortgage records of Klamath County, Oregon, as Volume M02 Page 42569 and subsequently assigned to by Assignment recorded as , covering the following described real property situated in said county and state, to wit:

Lots 6 and 7 Block 4 Fox Hollow, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

PROPERTY ADDRESS: 28315 Spruce Avenue
Klamath Falls, OR 97601

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 \$1,345.40 beginning 09/01/02; plus late charges of \$67.27 each month beginning 09/16/02; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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: \$176,000.00 with interest thereon at the rate of 6.875 percent per annum beginning 08/01/02; plus late charges of \$67.27 each month beginning 09/16/02 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 24, 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.

72373

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.

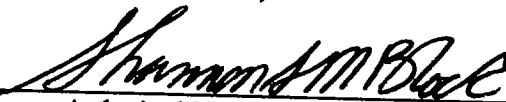
The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

Northwest Trustee Services, PLLC*

Dated:

6/16, 2003

By



Authorized Signature

*Northwest Trustee Services, PLLC was formerly known as Northwest Trustee Services, LLC

For further information, please contact:

Shannon Blood
Northwest Trustee Services, PLLC
(fka Northwest Trustee Services, LLC)
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No. 7445.20679/Nelson, Ronnie and Christina M.

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.

7445.20679/Nelson

72374

AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON)
) ss.
County of Klamath)

I, Cory Dickens, 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 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 25 day of June 2003, after personal inspection, I found the following described real property to be unoccupied:

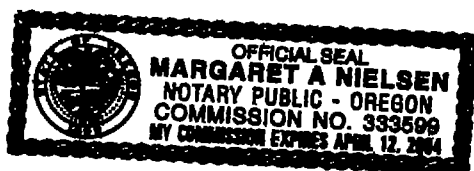
Lots 6 and 7 Block 4 Fox Hollow, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Commonly known as: 28315 Spruce Avenue
Klamath Falls, OR 97601

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


Cory Dickens 270788

SUBSCRIBED AND SWORN to before me this 27th day of June 2003, by Cory Dickens.



Margaret A. Nielsen
Notary Public for Oregon

Affidavit of Publication

72375

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 # 6006

Notice of Sale/Nelson

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)
Four

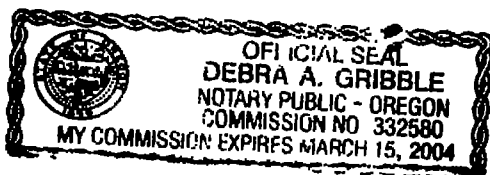
Insertion(s) in the following issues:
July 31, August 7, 14, 21, 2003

Total Cost: \$796.50

Subscribed and sworn
before me on: August 21, 2003

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S NOTICE OF SALE

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Lots 6 and 7 Block 4 Fox Hollow, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. PROPERTY ADDRESS: 28315 Spruce Avenue, Klamath Falls, OR 97601.

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 \$1,345.40 beginning 09/01/02; plus late charges of \$67.27 each month beginning 09/16/02; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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: \$176,000.00 with interest thereon at the rate of 6.875 percent per annum beginning 08/01/02; plus late charges of \$67.27 each month beginning 09/16/02 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; 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.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 24, 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 high-

est 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 succe-

72376

REC'D AUG 28 2003

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

The trustee's rules of auction may be accessed at www.northwest-trustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

Dated: June 16, 2003. By: Shannon Blood, Authorized Signature, Northwest Trustee Services, PLLC was formerly known as Northwest Trustee Services, LLC. For further information, please contact: Shannon Blood, Northwest Trustee Services, PLLC, (fka Northwest Trustee Services, LLC), PO Box 4143, Bellevue, WA 98009-4143. (425) 586-1900. File No. 7445.20679/ Nelson, Ronnie and Christina M. #6006 July 31, August 7, 14, 21, 2003.