

1st 182423

Klamath

First American Title Insurance Company

Vol M03 Page 72866

State of Oregon, County of Klamath
Recorded 09/30/03 3:25 P m
Vol M03 Pg 72866-73
Linda Smith, County Clerk
Fee \$ 6.2 # of Pgs 8

**RECORDING COVER SHEET FOR
NOTICE OF SALE PROOF OF COMPLIANCE
Per ORS 205.234**

1765867

**AFTER RECORDING RETURN TO:
STACY HAUGHAWOUT3355
First American Title Insurance Company
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065**

TS No.: 03 -07413
Doc ID #00026649732005N

- ✓ 1. AFFIDAVIT OF MAILING NOTICE OF SALE
- ✓ 2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
- ✓ 3. AFFIDAVIT OF SERVICE
- 4. COPY OF NOTICE OF SALE

Original Grantor on Trust Deed: **LENNI M KALER and JEROME A FOSTER**

Beneficiary: **FULL SPECTRUM LENDING, INC.**

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.

56 K
710

Affidavit of Publication

72867

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 # 6011

Notice of Sale/Kaler-Foster

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

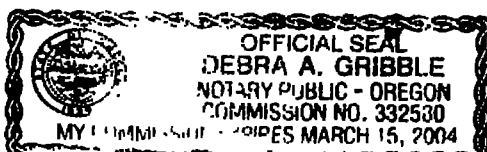
Total Cost: \$783.00

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

Reference is made to that certain trust deed made by Lenni M. Kaler, and Jerome A. Foster, an Estate In Fee Simple Not As Tenants In Common, But Rights Of Survivorship, as grantor(s), to Lucy E. Kivel, Attorney, as trustee, in favor of Full Spectrum Lending, Inc., as beneficiary, dated 01/26/2000, recorded 01/31/2000, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M00 at Page No. 3136 as Recorder's fee/file/instrument/microfilm/reception Number -, and subsequently assigned to BANK OF NEW YORK, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT TRUST SERIES, CWABS #00-01 by Assignment recorded 09/18/2001 in Book/Reel/Volume No. M01 at Page No. 47427 as Recorder's fee/file/instrument/microfilm/reception No., covering the following described real property situated in said county and state, to wit:

Lot 87, Lewis Tracts; according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon. PROPERTY ADDRESS: 4771 Freida Ave., 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 \$475.35 beginning 02/01/2003; plus late charges of \$23.77 each month beginning with the 02/01/2003 payment plus prior accrued late charges of \$.00; plus advances of \$137.50; 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: \$47,113.38 with interest thereon at the rate of 11.5 percent per annum beginning 01/01/2003 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 Tuesday, October 21, 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: June 12, 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. 03-07413. Doc ID #00026649732005N. #6011 July 31, August 7, 14, 21, 2003.

1000.06506/KALER/FOSTER

72869

PROOF OF SERVICE

STATE OF OREGON)
) ss.
 County of Klamath)

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:

4771 FRIEDA AVENUE, KLAMATH FALLS, OREGON 97603, as follows:

Personal service upon Jerome Foster, by delivering said true copy, personally and in person, at the above address on June 24th, 2003 at 4:36 P.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2003 at _____ m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2003 at _____ m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2003 at _____ m.

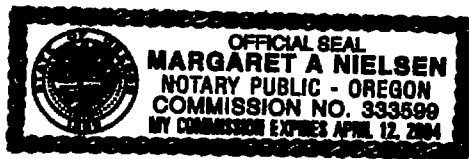
I declare under the penalty of perjury that the above statement is true and correct.

Ed Foreman

Ed Foreman

270191

SUBSCRIBED AND SWORN to before me this 24 day of June, 2003 by Ed Foreman.



Margaret A. Nielsen
 Notary Public for Oregon

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 6/19/03. 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 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.

Maria Aguilar
 Subscribed and sworn to before me on 6/19, 20 03, by Maria Aguilar.
Denise L. Cox
 Notary Public for California
 Residing at Ventura
 My commission expires: 2-23-06

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

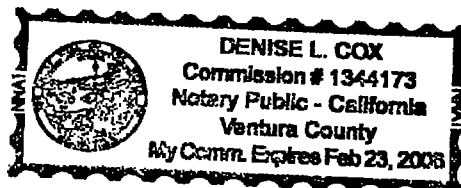
RE: Trust Deed from

Grantor

LENNI M KALER and JEROME A FOSTER

First American Title Insurance Company
 Trustee TS No. 03-07413

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



72871

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

TS No. 03-07413

LENNI M KALER
4771 FRIEDA AVE
KLAMATH FALLS, OR 97603
7187 7930 3131 0252 0573

JEROME A FOSTER
4771 FRIEDA AVE
KLAMATH FALLS, OR 97603
7187 7930 3131 0252 0580

STATE OF OREGON
EMPLOYMENT DEPARTMENT
875 UNION ST. NE
SALEM, OR 97311-0040
7187 7930 3131 0252 0597

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Lemmi M Kaler, And Jerome A Foster, An Estate In Fee Simple Not As Tenants In Common, But Rights Of Survivorship, as grantor(s), to Lucy E Kivel, Attorney, as trustee, in favor of Full Spectrum Lending, Inc., as beneficiary, dated 01/26/2000, recorded 01/31/2000, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M00 at Page No. 3136 as Recorder's fee/file/instrument/microfilm/reception Number -, and subsequently assigned to BANK OF NEW YORK, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT TRUST SERIES, CWABS #00-01 by Assignment recorded 09/18/2001 in Book/Reel/Volume No. M01 at Page No. 47427 as Recorder's fee/file/instrument/microfilm/reception No. , covering the following described real property situated in said county and state, to wit:

LOT 87, LEWIS TRACTS; ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 4771 FRIEDA AVE
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 \$475.35 beginning 02/01/2003; plus late charges of \$23.77 each month beginning with the 02/01/2003 payment plus prior accrued late charges of \$.00; plus advances of \$137.50; 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: \$47,113.48 with interest thereon at the rate of 11.5 percent per annum beginning 01/01/2003 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 Tuesday, October 21, 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

72873

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 12/2/03, 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 -07413
Doc ID #00026649732005N

STATE OF CA
 COUNTY OF Orange ss.

On 12/2/03, before me, MARISA HERRERA, personally appeared LUIS CERDA, ASSIST. SEC., 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 _____
 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.