

03 OCT 31 AM 9:22

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**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 10/31/03 9:22 a m

Vol M03 Pg 80914-18

Linda Smith, County Clerk

Fee \$ 46.00 # of Pgs 5

**AFTER RECORDING RETURN TO:**

**Klein Smith & Associates P.C.**

**6035 Erin Park Drive Suite 203**

**Colorado Springs, Co 80918-5411**

**Attn: LeeAnn Finnell**

**ORDER # 241257**

**MARK NAME(S) OF ALL THE TRANSACTIONS described in the attached instrument. 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.**

**X** **AFFIDAVIT OF MAILING NOTICE OF SALE** (must have  
Trustee's Notice of Sale attached)

   **AFFIDAVIT OF PUBLICATION OF NOTICE OF SALE**

**X** **PROOF OF SERVICE**

**Original Grantor on Trust Deed:**

*Carl McConathy*

*Palmyre McConathy*

**Beneficiary:**

*United Panam Mortgage*

*K41.75*

This space is for recording data

246257

AMENDED  
FORECLOSURE  
NOTICES OF:

- (1) DEFAULTS;
- (2) RIGHT TO CURE;
- (3) ELECTION TO SELL; AND
- (4) SALE

YOU ARE NOTIFIED THAT:

All words and phrases herein which have the first letters thereof capitalized are defined on the attached Identifying Data of Mortgage or Deed of Trust, consisting of one page.

(1) NOTICE OF DEFAULTS. Certain Defaults Causing Foreclosure have occurred on the Deed of Trust or Mortgage Being Foreclosed.

(2) NOTICE OF RIGHT TO CURE. You have a right to stop all actions to collect this debt. To do so you must pay money (including but not limited to delinquent payments, costs, attorneys fees and trustee's fees) and/or perform certain acts. If you wish to know exactly what money must be paid and/or what actions need to be performed, please call the undersigned's office at the phone number stated.

Your cure or reinstatement rights and your redemption rights are attached to the copies hereof that are mailed, served, and posted.

(3) NOTICE OF ELECTION TO SELL. Because of those Defaults Causing Foreclosure, the undersigned has elected and intends to sell or cause to be sold the Real Estate. The effect of such a sale will be to deprive all persons who claim an interest in the Real Estate of any right thereto, except as otherwise provided by law. This election will be nullified if the above right to cure is properly exercised.

(4) SALE. Because of the Defaults Causing Foreclosure, to partially or fully pay the debt secured by the Deed of Trust or Mortgage Being Foreclosed, and pursuant to the power of sale therein, the Real Estate will be sold at public auction without warranties or guarantees at the following date, time and place:

Date of Sale: March 25, 2004

Place of Sale: 2nd Floor Lobby of the Klamath County Courthouse, 316 Main Street, Klamath Falls, OR

Time of Sale: 10am

(5) GOVERNMENTAL CLAIMS. To the copies of these Notices which are mailed, served or posted, there are attached copies of the written recorded claim of any governmental agency against the Real Estate and the independent notices which the law requires to be mailed to any such governmental agency to terminate their rights to the Real Estate.

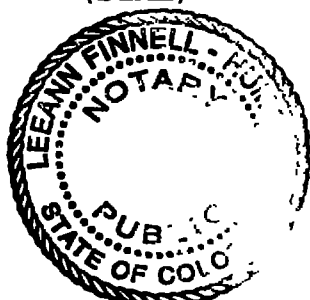
  
Philip M. Kleinsmith

Attorney for Present Mortgagee(s)  
and/or Substitute Trustee  
Oregon Attorney  
Registration No. 89399  
6035 Erin Park Drive, Ste. 203  
Colorado Springs, CO 80918  
1-800-842-8417

State of Colorado )  
County of El Paso )

On 10/28/2003, before me, personally appeared Philip M. Kleinsmith, as said attorney and/or Substitute Trustee, personally known to me and/or proven to be said person whose name is subscribed to this Foreclosure Notices of: (1) Defaults; (2) Right to Cure; (3) Election to Sell; and (4) Sale consisting of four or more pages in total: two pages of Notices of: (1) Defaults; (2) Right to Cure; (3) Election to Sell; and (4) Sale, one page of Identifying Data of Mortgage or Deed of Trust and one or more pages of Cure or Reinstatement Rights and Redemption Rights. That person acknowledged to me that said person executed the same in said person's authorized capacity and that by said person's signature on said instrument, the person or the entity on behalf of which the person acted, executed said instrument. Witness my hand and official seal.

(SEAL)



My Commission Expires 8-2-2005

  
Signature of Notary

Typed Name and Address of  
Notary:

LeeAnn Finnell-Humpal  
6035 Erin Park Drive  
Colorado Springs, Co 80918

Identifying Data of Mortgage  
or Deed of Trust\*

Defaults Causing Foreclosure: Non-payment of periodic payments  
since:01/01/2003

<u>Estimated Total Amount Owed On</u>	<u>Principal:</u> . . . . \$68,605.88
<u>Deed of Trust or Mortgage*</u>	<u>Estimated Interest:</u> \$ 5,028.44
<u>Being Foreclosed on the</u>	<u>Estimated Costs:</u> . \$ 1,800.00
<u>Estimated Date of Foreclosure</u>	<u>Estimated Total:</u> . \$75,434.32
<u>Sale</u>	

Real Estate\*\* to be Sold:

Common Description: . . . . .:1924 Mano Court  
Chiloquin, OR 97624

Assessor's Tax Parcel No. . . . . .:Unknown

Legal Description. . . . . .:  
LOT 20 IN BLOCK 3 OR TRACT NO. 1065, IRISH BEND, ACCORDING TO THE  
OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF  
KLAMATH COUNTY, OREGON

Identifying Data of Deed of Trust or  
Mortgage\* Being Foreclosed Per Real  
Estate Records of County Stated  
in Legal Description:

Dated:09/02/1999

Recorded:10/08/1999

Recording Data:Book M99 Page 40221

Original Principal Balance:\$69,750.00

Original Trustee:Amerititle

Original Mortgagee(s)\*\*\*Name(s):United Panam Mortgage, a  
Division of Pan American  
Bank, fsb

Address(es):625 The City Dr. Ste 490  
Orange, CA 92868

Present Mortgagee(s)\*\*\*Name(s):Mortgage Electronic  
Registration Systems, Inc.

Address(es):c/o SN Servicing Corp.  
323 Fifth Street  
Eureka, CA 95502

Original Mortgagor(s)\*\*\*\*Name(s):Carl McConathy  
Palmyre McConathy

Address(es):1924 Mano Court  
Chiloquin, OR 97624

Present Owner(s) Name(s):Carl McConathy  
Palmyre McConathy

Address(es):1924 Mano Court  
Chiloquin, OR 97624

\* Sometimes named "Trust Indenture"

\*\* Sometimes named "Mortgaged Property" or "Trust Property" or  
"Property"

\*\*\* Sometimes named "Beneficiary"

\*\*\*\* Sometimes named "Grantor" or Trustor"

Oregon Cure or Re-instatement Right

Under ORS 86.753 you have the right to have these proceedings dismissed and the trust deed reinstated by payment of the entire amount then due, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this notice at any time prior to five days before the date last set for sale.

Oregon Redemption Right

Under ORS 86.770, there is no redemption right after the foreclosure sale.