

04 JAN 22 PM 3:18

1st 294270

WHEN RECORDED MAIL TO:

Cal-Western Reconveyance Corporation
P.O. Box 22004
525 East Main Street
El Cajon, CA 92022-9004

Vol M04 Page 04129

State of Oregon, County of Klamath
Recorded 01/22/2004 3:18 p m
Vol M04 Pg 4129-40
Linda Smith, County Clerk
Fee \$ 76.00 # of Pgs 12

2028406

T.S. NO.: 1061173-09
LOAN NO.: 1004016450

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS
COUNTY OF SAN DIEGO }

I, FRANCO CABADING being first duly sworn, depose, 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 his successor in interest named in the attached Notice of Sale given under the terms of that certain trust 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 registered or certified mail and regular mail to each of the following named persons at their last known address, to-wit:

SEE ATTACHED

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by MERLOBEL R CUSTODIO, for CAL-WESTERN RECONVEYANCE CORPORATION, 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 mail in San Diego County, California, on November 20, 2003. 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.

Affiant

FRANCO CABADING

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this NOV 20 day of 2003, 20



[Signature]
Notary Public

TRUSTEE'S NOTICE OF SALE

04130

Loan No: 1004016450
T.S. No: 1061173-09

Reference is made to that certain deed made by
SCOTTY L. HAYTON AND OPA L. A. HAYTON, HUSBAND AND WIFE
as Grantor to
CHICAGO TITLE INSURANCE COMPANY, as Trustee, in favor of

FIRST FRANKLIN FINANCIAL CORPORATION
as Beneficiary,

dated December 08, 1999, recorded December 20, 1999, in official records of KLAMATH County, OREGON in
book/reel/volume No. M99 at
page No. 49797*, fee/file/instrument/microfilm/reception No. XX covering the following described real property
situated in the said County and State, to-wit:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 11, BLOCK 107, BUENA VISTA ADDITION
TO THE CITY OF KLAMATH FALLS, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.
*RE-RECORDED ON 12/27/99, VOL M99 PAGE 50650

Commonly known as:

834 CALIFORNIA AVENUE KLAMATH FALLS OR 97601

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by
said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the
default for which the foreclosure is made is the grantor's:
Failure to pay the monthly payment due June 1, 2003 of principal, interest and impounds and subsequent
installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant
to the terms and conditions of said deed of trust.

Monthly payment \$362.31 Monthly Late Charge \$18.12

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust
immediately due and payable, said sums being following, to-wit; The sum of \$44,318.67 together with interest
thereon at 8.875% per annum from May 01, 2003 until paid; plus all accrued late charges thereon; and all
trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms and conditions of
the said deed of trust.

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION
the undersigned trustee will on March 19, 2004 at the hour of 1:00pm, Standard of Time, as established by
Section 187.110, Oregon Revised Statutes, at
AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE
316 MAIN STREET

City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder
for cash the interest in the said described real property which grantor had or had power to convey at the time of
the execution by him of the said trust deed, together with any interest which the grantor or his successors in
interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the

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TRUSTEE'S NOTICE OF SALE

Loan No: 1004016450
T.S. No: 1061173-09

costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

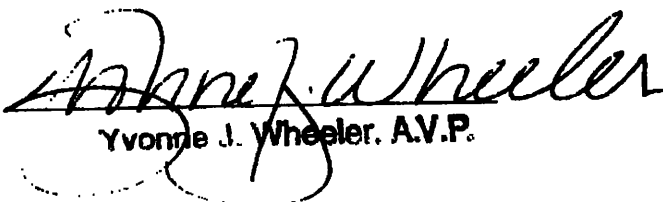
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any.

Dated: November 05, 2003

CAL-WESTERN RECONVEYANCE CORPORATION
525 EAST MAIN STREET
P.O. BOX 22004
EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By:


Yvonne J. Wheeler, A.V.P.

Affidavit of Publication

101992

1061173

04132

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 # 6277

Notice of Sale/Hayton

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

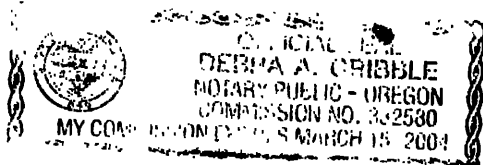
Insertion(s) in the following issues:
December 8, 15, 22, 29, 2003

Total Cost: \$796.50

Larry L. Wells
Subscribed and sworn
before me on: December 29, 2003

Debra A. Griddle
Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S NOTICE OF SALE Loan No: 1004016450 T.S. No.: 1061173-09

Reference is made to that certain deed made by, Scotty L. Hayton and Opal A. Hayton, husband and wife, as Grantor to Chicago Title Insurance Company, as Trustee, in favor of First Franklin Financial Corporation, as Beneficiary, dated December 08, 1999, recorded December 20, 1999, in official records of Klamath County, Oregon in book/reel /volume No. M99 at page No. 49797, re-recorded on 12/27/99, Vol M99 page 50650, fee/file/ instrument/micro-film/reception No. xx (Indicated which), covering the following described real property situated in said County and State, to-wit: Beginning at the most southerly corner of lot 11, block 107, Buena Vista Addition to the City of Klamath Falls, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon; thence in a Northwesterly direction along the boundary line of said Lot 11 and Gobi Street a distance of 125.37 feet; thence in a Northeasterly direction 38 feet to a point 112 feet in a Northwesterly direction from a point on the West boundary of California Avenue 42.8 feet from said most Southerly corner of said Lot 11, measured along the West boundary line of said California Avenue from said corner; thence in a Southeasterly direction 112 feet to said point on said California Avenue 42.8 feet from said most Southerly corner of

said Lot 11; thence along the West boundary of California Avenue 42.8 feet to the place of beginning.

Commonly known as: 834 California Avenue Klamath Falls OR 97601.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's: Failure to pay the monthly payment due June 1, 2003 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Monthly payment \$362.31 Monthly Late Charge \$18.12.

By this reason of said default the beneficiary has declared all obligations secured by said Deed of Trust immediately due and payable, said sums being the following, to-wit: The sum of \$44,318.67 together with interest thereon at 8.875% per annum from May 01, 2003 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of said Deed of Trust.

Whereof, notice hereby is given that, Cal-Western Reconveyance Corporation the undersigned trustee will on March 19, 2004 at the hour of 1:00 pm, Standard of Time, as established by

Section 187.110, Oregon Revised Statutes, At the Main Street entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expense of sale, including a reasonable charge by the trustee.

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the

grantor as well as any other persons owning an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any.

Dated: November 05, 2003. Cal-Western Reconveyance Corporation, 525 East Main Street, P.O. Box 22004, El Cajon, CA 92022-9004. SIGNATURE/BY: Cal-Western Reconveyance Corporation. Yvonne J. Wheeler, A.V.P. R-101992 12/08;15;22;29/2003. #6277 December 8, 15, 22, 29, 2003.

04134

grantor as well as any other persons owning an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any.

Dated: November 05, 2003. Cal-Western Reconveyance Corporation, 525 East Main Street, P.O. Box 22004, El Cajon, CA 92022-9004. SIGNATURE/BY: Cal-Western Reconveyance Corporation. Yvonne J. Wheeler, A.V.P. R-101992 12/08;15;22;29/2003. #6277 December 8, 15, 22, 29, 2003.

04135 / 01/992
1061173-09

**PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS**

STATE OF: OREGON
COUNTY OF: KLAMATH

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: TRUSTEE'S NOTICE OF SALE

FOR THE WITHIN NAMED: Occupants of 834 California Avenue, Klamath Falls, Oregon 97601

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to Scott Hayton at the address below.

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Scott Hayton, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Donna Hayton

☐ **OTHER METHOD:** By leaving an Original or True Copy with _____.

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on _____ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the 18th day of November, 2003 I mailed a copy of the Trustee's Notice of Sale addressed to Donna Hayton and all other occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed _____

Mary Bakie

834 California Avenue, Klamath Falls, Oregon 97601

ADDRESS OF SERVICE

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

November 17, 2003 7:16PM

DATE OF SERVICE **TIME OF SERVICE**

☐ or non occupancy

By: _____

Ed Forman

Dated this 17th day of November, 2003.

Subscribed and sworn to before me by Ed Forman



Margaret A. Nielsen
Notary Public for Oregon

101992

11/20/2003 11:02:12 AM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: NOS

Affidavit Attachment: 1061173-09 030 11200756 CWR

Postal Number Sequence Recipient Name

11041994141002146835
1 OCCUPANT

11041994141002146842
2 SCOTTY L. HAYTON

11041994141002146859
3 OPAL A. HAYTON

11041994141002146866
4 CREDIT AUTO FINANCE, CO.

11041994141002146873
5 CARTER JONES COLLECTION SERVICE, INC.

11041994141002146880
6 RUSSELL MAILLOUX

11041994141002146897
7 LARRY W. CALDWELL

11041994141002146903
8 RUSSELL MAILLOUX

11041994141002146910
9 LARRY W. CALDWELL

11041994141002146927
10 RUSSELL MAILLOUX

11041994141002146934
11 LARRY W. CALDWELL

11041994141002146941
12 RUSSELL MAILLOUX

11041994141002146958
13 LARRY W. CALDWELL

Address Line 1/3

834 CALIFORNIA AVENUE

834 CALIFORNIA AVENUE

834 CALIFORNIA AVENUE

P.O. BOX 7416

1143 PINE STREET

C/O AMERITITLE
KLAMATH FALLS OR 97601

C/O AMERITITLE
KLAMATH FALLS OR 97601

5728 N ASH ST

5728 N ASH ST

P.O. BOX 9845

P.O. BOX 9845

P.O. BOX 5080

P.O. BOX 5080

Address Line 2/4

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97602

KLAMATH FALLS OR 97601-0375

222 SOUTH 6TH STREET

222 SOUTH 6TH STREET

SPOKANE WA 99205-6806

SPOKANE WA 99205-6806

SPOKANE WA 99209-9845

SPOKANE WA 99209-9845

KLAMATH FALLS OR 97601-0212

KLAMATH FALLS OR 97601-0212

04136

11041994141002146965
14

RUSSELL MAILLOUX

2033 HERBERT ST

KLAMATH FALLS OR 97601-4102

11041994141002146972
15

LARRY W. CALDWELL

2033 HERBERT ST

KLAMATH FALLS OR 97601-4102

11041994141002146989
16

RUSSELL MAILLOUX

500 N 9TH ST

KLAMATH FALLS OR 97601-2807

11041994141002146996
17

RUSSELL MAILLOUX

648 PRESCOTT ST

KLAMATH FALLS OR 97601-1736

04137

11/20/2003 11:02:13 AM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: NOS

Affidavit Attachment: 1061173-09 030 11200756 CWR

Postal Number Sequence Recipient Name

71041994141003244570
1 OCCUPANT

71041994141003244587
2 SCOTTY L. HAYTON

71041994141003244594
3 OPAL A. HAYTON

71041994141003244600
4 CREDIT AUTO FINANCE, CO.

71041994141003244617
5 CARTER JONES COLLECTION SERVICE, INC.

71041994141003244624
6 RUSSELL MAILLOUX

71041994141003244631
7 LARRY W. CALDWELL

71041994141003244648
8 RUSSELL MAILLOUX

71041994141003244655
9 LARRY W. CALDWELL

71041994141003244662
10 RUSSELL MAILLOUX

71041994141003244679
11 LARRY W. CALDWELL

71041994141003244686
12 RUSSELL MAILLOUX

71041994141003244693
13 LARRY W. CALDWELL

Address Line 1/3

834 CALIFORNIA AVENUE

834 CALIFORNIA AVENUE

834 CALIFORNIA AVENUE

P.O. BOX 7416

1143 PINE STREET

C/O AMERITITLE
KLAMATH FALLS OR 97601

C/O AMERITITLE
KLAMATH FALLS OR 97601

5728 N ASH ST

5728 N ASH ST

P.O. BOX 9845

P.O. BOX 9845

P.O. BOX 5080

P.O. BOX 5080

Address Line 2/4

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97602

KLAMATH FALLS OR 97601-0375

222 SOUTH 6TH STREET

222 SOUTH 6TH STREET

SPOKANE WA 99205-6806

SPOKANE WA 99205-6806

SPOKANE WA 99209-9845

SPOKANE WA 99209-9845

KLAMATH FALLS OR 97601-0212

KLAMATH FALLS OR 97601-0212

04138

71041994141003244709
14

RUSSELL MAILLOUX

2033 HERBERT ST

KLAMATH FALLS OR 97601-4102

71041994141003244716
15

LARRY W. CALDWELL

2033 HERBERT ST

KLAMATH FALLS OR 97601-4102

71041994141003244723
16

RUSSELL MAILLOUX

500 N 9TH ST

KLAMATH FALLS OR 97601-2807

71041994141003244730
17

RUSSELL MAILLOUX

648 PRESCOTT ST

KLAMATH FALLS OR 97601-1736

04139

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Beginning at the most Southerly corner of Lot 1, Block 107, BUENA VISTA ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence in a Northwesterly direction along the boundary line of said Lot 11 and Jobi Street a distance of 125.37 feet; thence in a Northeasterly direction 38 feet to a point 112 feet in a Northwesterly direction from a point on the West boundary of California Avenue 42.8 feet from said most Southerly corner of said Lot 11, measured along the West boundary line of said California Avenue from said corner; thence in a Southeasterly direction 112 feet to said point on said California Avenue 42.8 feet from said most Southerly corner of said Lot 11; thence along the West boundary of California Avenue 42.8 feet to the place of beginning.