

04FEB2011:26

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Vol M04 Page 06301

RECORDING COVER SHEET
Pursuant to ORS 205.234

State of Oregon, County of Klamath
Recorded 02/02/2004 11:26 a m
Vol M04 Pg 6301-08
Linda Smith, County Clerk
Fee \$ 71.00 # of Pgs 8

After recording return to:

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

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

Original Grantor(s) on Trust Deed: Michael Dela Cueva, an unmarried man

Beneficiary: First Horizon Home Loan Corporation

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.

5/6
x/5
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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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.

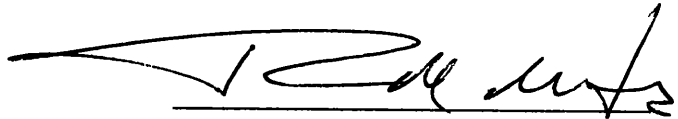
I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known address, to-wit:

Michael Dela Cueva
5765 Burgdorf Road
Bonanza, OR 97623

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 10-1-03. 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.

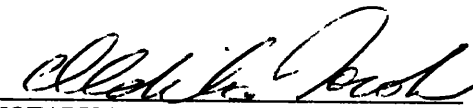


STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

Tim Murta

I certify that I know or have satisfactory evidence that Tim Murta 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: 10/1/03


NOTARY PUBLIC in and for the State of
Washington, residing at Shelburne
My commission expires 6/28/04

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Dela Cueva, Michael

Grantor

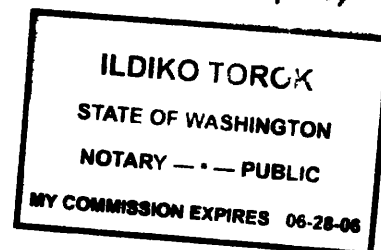
to

Northwest Trustee Services, PLLC,

Trustee

File No. 7037.10252

After recording return to:
Northwest Trustee Services, PLLC
(fka Northwest Trustee Services, LLC)
Attn: Becky Baker
P.O. Box 4143
Bellevue, WA 98009-4143



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Michael Dela Cueva, an unmarried man, as grantor, to Amerititle, as trustee, in favor of First Horizon Home Loan Corporation, as beneficiary, dated 09/17/01, recorded 09/24/01, in the mortgage records of Klamath County, Oregon, as Vol. M01, page 48440 and subsequently assigned to Chase Mortgage Company by Assignment recorded as Vol M-02, page 48963, covering the following described real property situated in said county and state, to wit:

See Exhibit "A" attached hereto and incorporated herein.

PROPERTY ADDRESS: 5765 Burgdorf Road
Bonanza, OR 97623

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 \$919.08 beginning 06/01/03; plus late charges of \$38.34 each month beginning 06/16/03; plus prior accrued late charges of \$0.00; plus advances of \$18.00; 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: \$103,074.14 with interest thereon at the rate of 8 percent per annum beginning 05/01/03; plus late charges of \$38.34 each month beginning 06/16/03 until paid; plus prior accrued late charges of \$0.00; plus advances of \$18.00; 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 **January 30, 2004** 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.

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: 10/1, 2003

By Rebecca A. Bub

Authorized Signature

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

For further information, please contact:

Becky Baker
Northwest Trustee Services, PLLC
(fka Northwest Trustee Services, LLC)
P.O. Box 4143
Bellevue, WA 98009-4143
(425) 586-1900
File No.7037.10252/Dela Cueva, Michael

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.

06305Trustee's Sale Guarantee
TI 158 OLTA Form 9Guarantee No.: 7829-267520
Page 8 of 8**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

A tract of land situated in the E 1/2 of Section 19, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:
Beginning at the Northeast corner of said Section 19; thence South 00°14'22" West 1109.83 feet; thence South 13°07'17" West 87.28 feet; thence South 11°36'09" West 207.42 feet; thence South 07°34'59" West 346.39 feet; thence South 06°34'14" East 635.41 feet to a 5/8 inch iron pin on the West bank of Lost River and the true point of beginning of this description; thence South 06°34'14" East along said West bank 70.67 feet to a 5/8" iron pin; thence South 14°09'29" West along said West bank 240.37 feet to a 5/8" iron pin; thence South 23°11'27" West along said West bank 32.33 feet to a 5/8" iron pin; thence North 87°07'34" West 732.17 feet to a 5/8" iron pin on the East right of way line of the County Road; thence North 34°16'09" East along said East line 118.57 feet to a 5/8" iron pin; thence along said East line on the Arc of a curve to the left (central angle = 23°22'45" and radius = 530 feet) 216.26 feet to a 5/8" iron pin; thence East 645.45 feet to the true point of beginning of this description.

Tax Parcel Number: R608042

7037.10252/CUEVA

06306

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:

5765 BURGDORF ROAD, BONANZA, OREGON 97623, as follows:

Personal service upon Michael Dela Cueava, by delivering said true copy, personally and in person, at the above address on October 21, 2003 at 11:15 a.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.


 Rob Girard

275760

SUBSCRIBED AND SWORN to before me this 2nd day of October, 2003 by Rob Girard.




 Notary Public for Oregon

**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 # 6234

Sale/Cueva Trustee's Notice

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

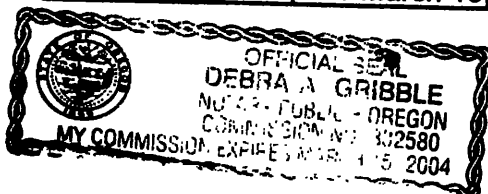
Insertion(s) in the following issues:
November 6, 13, 20, 27, 2003

Total Cost: \$1,012.50

Debra A. Shibble
Subscribed and sworn
before me on: January 27, 2004

Debra A. Shibble
Notary Public of Oregon

My commission expires March 15, 2004



**TRUSTEE'S
NOTICE OF SALE**

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Tax Parcel Number: R608042.

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(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.

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Dated: October 1, 2003. By: Rebecca A. Baker, Authorized Signature.
Northwest Trustee Services, PLLC was formerly known as Northwest Trustee Services, LLC. For further information, please contact: Becky Baker, Northwest Trustee Services, PLLC, (fka Northwest Trustee Services, LLC) PO Box 4143, Bellevue, WA 98009-4143. (425) 586-1900. 2 File No. 7037.1025/Dela Cueva, Michael.
#6234 November 6, 13, 20, 27, 2003.