

04 APR 7 PM 3:28

WHEN RECORDED MAIL TO:

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

Vol M04 Page 19969

State of Oregon, County of Klamath  
Recorded 04/07/2004 3:28 p m  
Vol M04 Pg 19969-78  
Linda Smith, County Clerk  
Fee \$ 66.00 # of Pgs 10

2071528

1st 311673

T.S. NO.: 1062506-09  
LOAN NO.: 1004008426

## AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS  
COUNTY OF SAN DIEGO }

I, Nicole James 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 January 06, 2004. 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

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this JAN 06 2004 day of 20



Notary Public

19970

## TRUSTEE'S NOTICE OF SALE

Loan No: 1004008426

T.S. No: 1062506-09

Reference is made to that certain deed made by  
PAUL WILLIAM WARSHAUER, AN UNMARRIED PERSON  
as Grantor to  
AMERITITLE, as Trustee, in favor of

FIRST FRANKLIN FINANCIAL CORPORATION  
as Beneficiary.

dated November 29, 2000, recorded December 15, 2000, in official records of KLAMATH County, OREGON in  
book/reel/volume No. M00 at  
page No. 45193, fee/file/instrument/microfilm/reception No. XX covering the following described real property  
situated in the said County and State, to-wit:

PARCEL 1: BEGINNING AT THE QUARTER CORNER COMMON TO SECTION 31 AND 32, TOWNSHIP  
37 SOUTH, RANGE 9 MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

Commonly known as:

8919 SHADY PINE ROAD 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 September 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 \$391.05      Monthly Late Charge \$19.55

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 \$38,318.60 together with interest  
thereon at 11.750% per annum from August 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  
the said deed of trust.

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION  
the undersigned trustee will on May 06, 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  
costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person

19971

## TRUSTEE'S NOTICE OF SALE

Loan No: 1004008426

T.S. No: 1062506-09

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: December 29, 2003

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By:

  
Wendy V. Perry, A.V.P.

**EXHIBIT "A"****PARCEL 1**

Beginning at the quarter corner common to Sections 31 and 32, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 89 degrees 49' West 1444.55 feet; thence North 1 degree 10' East 20 feet to the Southeast corner of the herein described property; thence North 1 degree 10' East 100 feet; thence North 89 degrees 49' West 735 feet, more or less, to a point on the Easterly right of way line of the Dalles-California Highway; thence Southerly along the Easterly right of way line of the Dalles-California Highway 106 feet, more or less, to a point which is North 89 degrees 49' West of the point of beginning; thence South 89 degrees 49' East 770 feet, more or less, to the point of beginning and being all a part of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

**PARCEL 2**

A strip of ground 20 feet wide, which lies East of the Dalles-California Highway, along the South side of the SW1/4 of NE1/4 of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, beginning at a point which is North 89 degrees 49' West 1444.55 feet from the quarter corner common to Sections 31 and 32, said Township and Range; being a portion of the SW1/4 of NE1/4 of said Section 31.

1/6/2004 10:56:28 AM      Sender:      CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class:      First Class

Type of Mailing:      NOS

Affidavit Attachment: 1062506-09 030 01060814 CWR

Postal Number      Sequence      Recipient Name

11041994141002244681  
1      OCCUPANT

11041994141002244678  
2      PAUL W. WARSHAUER

11041994141002244685  
3      PAUL WILLIAM WARSHAUER

11041994141002244682  
4      PAUL WILLIAM WARSHAUER

11041994141002244708  
5      PAUL W. WARSHAUER

11041994141002244715  
6      PAUL WILLIAM WARSHAUER

11041994141002244722  
7      RACHEL GLENN WARSHAUER

Address Line 1/3

8919 SHADY PINE ROAD

8919 SHADY PINE ROAD

7171 GUNNISON ST #1215

8919 SHADY PINE ROAD

C/O PORTAGE PARK THEATER  
CHICAGO IL 60641

C/O PORTAGE PARK THEATER  
CHICAGO IL 60641

C/O REBECCA WHITNEY-SMITH  
KLAMATH FALLS OR 97801

Address Line 2/4

KLAMATH FALLS OR 97801

KLAMATH FALLS OR 97801

HARWOOD HEIGHTS IL 60706

KLAMATH FALLS OR 97801

4050 N MILWAUKEE

4050 N MILWAUKEE

905 MAIN STREET, SUITE 200

19973

CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Sender:

1/8/2004 10:56:28 AM

Postal Class: Certified - Ret

Type of Mailing: NOS

Affidavit Attachment: 1082508-09 030 01080814 CWR

Postal Number Sequence Recipient Name

71041994141003390376  
1 OCCUPANT

71041994141003390383  
2 PAUL W. WARSHAUER

71041994141003390390  
3 PAUL WILLIAM WARSHAUER

71041994141003390406  
4 PAUL WILLIAM WARSHAUER

71041994141003390413  
5 PAUL W. WARSHAUER

71041994141003390420  
6 PAUL WILLIAM WARSHAUER

71041994141003390437  
7 RACHEL GLENN WARSHAUER

Address Line 1/3

8819 SHADY PINE ROAD

8819 SHADY PINE ROAD

7171 GUNNISON ST #1215

8819 SHADY PINE ROAD

C/O PORTAGE PARK THEATER  
CHICAGO IL 60641

C/O PORTAGE PARK THEATER  
CHICAGO IL 60641

C/O REBECCA WHITNEY-SMITH  
KLAMATH FALLS OR 97801

Address Line 2/4

KLAMATH FALLS OR 97801

KLAMATH FALLS OR 97801

HARWOOD HEIGHTS IL 60708

KLAMATH FALLS OR 97801

4050 N MILWAUKEE

4050 N MILWAUKEE

905 MAIN STREET, SUITE 200

19974

# Affidavit of Publication

103801  
19975

## 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 # 6349

Notice of Sale/Warshauer

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

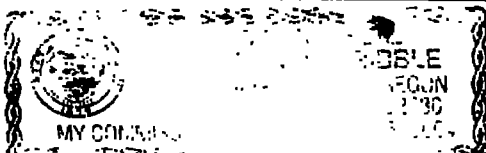
Insertion(s) in the following issues:  
January 23, 30, February 6, 13, 2004

Total Cost: \$837.00

*Larry L. Wells*  
Subscribed and sworn  
before me on: February 13, 2004

*Debra A. Snibbe*  
Notary Public of Oregon

My commission expires March 15, 2004



### TRUSTEE'S NOTICE OF SALE Loan No: 1004008436 T.S. No.: 1062506-09

Reference is made to that certain deed made by, Paul William Warshauer, An Unmarried Person, as Grantor to Amer-Ittle, as Trustee, in favor of First Franklin Financial Corporation, as Beneficiary, dated November 29, 2000, recorded December 15, 2000, in official records of Klamath County, Oregon in book/reel/volume No. M00 at page No. 45193, fee/file/instrument/ micro-film /reception No. xx covering the following described real property situated in said County and State, to-wit:

Parcel 1: Beginning at the quarter corner common to Sections 31 and 32, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 89 degrees 49' West 1444.55 feet; thence North 1 degree 10' East 20 feet to the Southeast corner of the herein described property; thence North 1 degree 10' East 100 feet; thence North 89 degrees 49' West 735 feet, more or less, to a point on the Easterly right of way line of the Dalles-California Highway; thence Southerly along the Easterly right of way line of the Dalles-California Highway 106 feet, more or less, to a point which is North 89 degrees 49' West of the point of beginning; thence South 89 degrees 49' East 770 feet, more or less, to the point of beginning and being all a part of Section 31, Township 37

South, Range 9 East of the Willamette Meridian, Klamath County, Oregon. Parcel 2: A strip of ground 20 feet wide, which lies East of the Dalles-California Highway, along the South side of the SW1/4 of NE1/4 of Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, beginning at a point which is North 89 degrees 49' West 1444.55 feet from the quarter corner common to Sections 31 and 32, said Township and Range; being a portion of the SW1/4 of NE1/4 of said Section 31. Commonly known as: 8919 Shady Pine Road 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 September 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 \$391.05 Monthly Late Charge \$19.55. 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 fol-

Towing, to-wit: The sum of \$38,318.60 together with interest thereon at 11.750% per annum from August 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 May 06, 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: December 29, 2003.

Cal-Western Reconveyance Corporation  
 525 East Main Street, P.O. Box  
 22004 El Cajon, CA  
 92022-9004. Cal-Western Reconveyance Corporation  
 Signature/By: Wendy V. Perry, A.V.P. R-103801  
 01/23/30/04, 02/06/13/04  
 #6349 January 23, 30, February 6, 13, 2004.



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: December 29, 2003. Cal-Western Reconveyance Corporation, 525 East Main Street, P.O. Box 22004 El Cajon, CA 92022-9004. Cal-Western Reconveyance Corporation Signature/By: Wendy V. Perry, A.V.P. R-103801 01/23;30/04, 02/06;13/04 #6349 January 23, 30, February 6, 13, 2004.

103801  
106 2506-09  
19978

**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 8919 Shady Pine Road Klamath Falls, Oregon 97601**

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

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

☐ **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 7th day of January, 2004 I mailed a copy of the Trustee's Notice of Sale addressed to John Doe 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

**8919 Shady Pine Road 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.

January 6, 2004  
**DATE OF SERVICE**

4:45PM  
**TIME OF SERVICE**

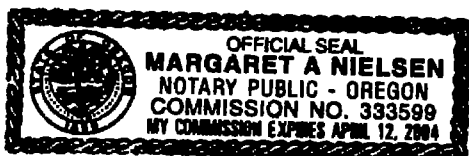
☐ or non occupancy

By:

Cory Dickens

Dated this 7th day of January, 2004

Subscribed and sworn to before me by Cory Dickens



Notary Public for Oregon

103801