

04 APR 19 PM 3:14

Vol M04 Page 22980

Aspen 5/28/14
**RECORDING COVER SHEET FOR NOTICE
OF SALE PROOF OF COMPLIANCE PER
O.R.S. 205.234**

THIS COVER SHEET HAS BEEN PREPARED BY THE
PERSON PRESENTING THE ATTACHED
INTRUMENT 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 04/19/2004 3:14 p m
Vol M04 Pg 22980-89
Linda Smith, County Clerk
Fee \$ 66.00 # of Pgs 10

WHEN RECORDED MAIL TO

REGIONAL TRUSTEE SERVICES CORPORATION, as Trustee
616 1st Avenue, Suite 500
Seattle, WA 98104

Trustee's Sale No: 09-WG-35490



MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on 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.

- ☒ **AFFIDAVIT OF MAILING NOTICE OF SALE** (must have trustee's notice of sale attached)
- ☒ **AFFIDAVIT OF PUBLICATION NOTICE OF SALE**
- ☒ **PROOF OF SERVICE /AFFIDAVIT OF NON-OCCUPANCY**

Original Grantor on Trust Deed

ELIZABETH LAUKEAMANU KAHALEWAI

Beneficiary

LONG BEACH MORTGAGE COMPANY

66.00

REGIONAL TRUSTEE SERVICES CORPORATION
616 1st Avenue, Suite 500
Seattle, WA 98104
Phone: (206) 340-2550 / Fax:

22981

Trustee Sale No.: 09-WG-35490



Affidavit of Mailing Trustee's Notice of Sale

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

The undersigned, being first duly sworn, states that I am now, and at all times herein mentioned was a citizen of the United States a resident of the State of Washington, and over the age of eighteen years, and not the beneficiary or his successor in interest named in the attached original Notice of Sale given under the terms of that certain trust deed described in said Notice.

That 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 addresses, to-wit:

ELIZABETH LAUKEAMANU KAHALEWAI, 144556 BIRCHWOOD ROAD, LAPINE, OR, 97739
PARTIES IN POSSESSION, 144556 BIRCHWOOD RD, LAPINE, OR, 97739
THE SPOUSE OF ELIZABETH LAUKEMANU KAHALEWAI, 144556 BIRCHWOOD ROAD, LAPINE, OR, 97739

Said persons include (a) the grantor in the trust deed, (b) 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 b ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by an authorized representative of 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 Seattle, WASHINGTON, on 12-22-09. 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.

22982

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Ernest Kennedy

On behalf of Regional Trustee Services Corporation

SUBSCRIBED AND SWORN TO before me on

12-22-03

[Signature]

NOTARY PUBLIC for WASHINGTON

My commission expires: 8-28-07

MATTHEW MICHAEL CARLTON

STATE OF WASHINGTON

NOTARY — • — PUBLIC

MY COMMISSION EXPIRES 08-28-07

NOTICE TO BORROWER: YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.
Trustee's Sale No. 09-WG-35490



Reference is made to that certain Deed of Trust made by, ELIZABETH LAUKEAMANU KAHALEWAI, as grantor, to ASPEN TITLE & ESCROW, as Trustee, in favor of LONG BEACH MORTGAGE COMPANY, as beneficiary, dated 8/16/2001, recorded 8/28/2001 in Volume M01, page 43829, of Deeds of Trust, under Instrument No. , records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by WACHOVIA BANK, N.A. (FORMERLY KNOWN AS FIRST UNION NATIONAL BANK), AS TRUSTEE FOR LONG BEACH MORTGAGE LOAN TRUST 2001-4. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

LOT 93, BLOCK 1, TRACT 1060, SUN FOREST ESTATES, IN THE CITY OF KLAMATH, STATE OF OREGON. INCLUDING THAT CERTAIN 1999 OAKWOOD 27 X 60 MOBILE HOME LOCATED ON THE PROPERTY.

The street address or other common designation, if any, of the real property described above is purported to be:

144556 BIRCHWOOD ROAD
LAPINE, OR 97739

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said 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:

	Amount due as of December 19, 2003
Delinquent Payments from September 01, 2002	
13 payments at \$ 624.68 each	\$ 8,120.84
3 payments at \$ 624.67 each	\$ 1,874.01
(09-01-02 through 12-19-03)	
Late Charges:	\$ 486.57
Beneficiary Advances:	\$ 2,701.67
Suspense Credit:	\$ 0.00
TOTAL:	\$ 13,183.09

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in

order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following:

UNPAID PRINCIPAL BALANCE OF \$69,659.29, PLUS Interest thereon at 10.2% per annum from 08/01/02 to 10/1/2003, 10.2% per annum from 10/1/2003, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on April 21, 2004, at the hour of 11:00 AM, in accord with the standard of time established by ORS 187.110, at KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the 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 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 masculine gender includes the feminine and the neuter, 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.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

22985

DATED: December 19, 2003

REGIONAL TRUSTEE SERVICES CORPORATION
Trustee

By

NANCY LAMBERT, AUTHORIZED AGENT
616 1st Avenue, Suite 500, Seattle, WA 98104
Phone: (206) 340-2550
Sale Information: <http://www.rtrustee.com>

STATE OF WASHINGTON

}

COUNTY OF KING

} ss.

}

I certify that I am an authorized representative of trustee, and the foregoing is a complete and exact copy of the original trustee's notice of sale.

Authorized Representative of Trustee

22986

**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 144556 Birchwood Drive LaPine, Oregon 97739

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

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

☐ **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 9th day of January, 2004 I mailed a copy of the Trustee's Notice of Sale addressed to Elizabeth Laukeamanu Kahalewai 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 Bakle

144556 Birchwood Drive LaPine, Oregon 97739

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 8, 2004

6:20PM

DATE OF SERVICE

TIME OF SERVICE

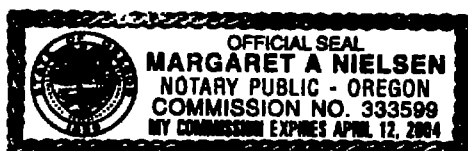
☐ or non occupancy

By: _____

Cory Dickens

Dated this 9th day of January, 2004.

Subscribed and sworn to before me by Cory Dickens



Margaret A. Nielsen
Notary Public for Oregon

22987

FORECLOSURE/EVICTION REPORT

On your first attempt to serve, please provide the following:

Property: _____ **Client#:** _____
Address: 144556 Birchwood Rd **Client#:** 09-WG-35490
Laping OR

Mobile Home: Yes ☒ No ☐
Property is: Occupied ☒ Unoccupied ☐ Unknown ☐
* If Unoccupied, Take Photo Of Property

Photo of property: Yes ☒ No ☐

Non Occupancy/Non Service Due Diligence requires statement from 2 people who may or may not have information to verify non occupancy or your attempt(s) to serve/locate defendants. Only include actual names, addresses and phone numbers of any leads in your report:

Completed By: Rob Girard
Date: 1-31-03 **Time:** 9:30am

**PLEASE RETURN THIS SHEET TO GARY'S PROCESS
SERVICE ALONG WITH YOUR AFFIDAVIT(S)**

Affidavit of Publication

22988

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 # 6326

Notice of Sale/Kahalewai

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

Four

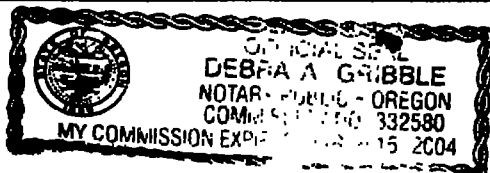
Insertion(s) in the following issues:
January 2, 9, 16, 23, 2004

Total Cost: \$972.00

Larry L. Wells
Subscribed and sworn
before me on: January 23, 2004

Debra A. Snibbe
Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S
NOTICE OF SALE
Pursuant to ORS
86.705 et seq. and
ORS 79.5010, et seq.
Trustee's Sale No.
09-WG-35490

Notice To Borrower:
You should be aware that the undersigned is attempting to collect a debt and that any information obtained will be used for that purpose.

Reference is made to that certain Deed of Trust made by ELIZABETH LAU-KEAMANU KAHALEWAI, as grantor, to ASPEN TITLE & ESCROW, as Trustee in favor of Long Beach Mortgage Company, as beneficiary, dated 8/16/2001, recorded 8/28/2001 in Volume M01, page 43829, of Deeds of Trust, under Instrument No., records of Klamath County, Oregon. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by WACHOVIA BANK, N.A. (formerly known as First Union National Bank), as Trustee for Long Beach Mortgage Loan Trust 2001-4. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

Lot 93, Block 1, Tract 1060, Sun Forest Estates, in the City of Klamath, State of Oregon, including that certain 1999 Oakwood 27 x 60 mobile home located on the property. The street address or other common designation, if any, of the real property described above is purported to be: 14455 Birchwood Road, Lapine,

OR 97739. The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said 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:

Amount due as of December 19, 2003. Delinquent Payments from September 01, 2002; 13 payments at \$624.68 each \$8,120.84; 3 payments at \$624.67 each (09-01-02 through 12-19-03) \$1,874.01; Late Charges: \$486.57; Beneficiary Advances: \$2,701.67; Suspense Credit: \$0.00; TOTAL: \$13,183.09.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following:

UNPAID PRINCIPAL BALANCE OF \$69,459.29, PLUS interest thereon at 10.2% per annum from 08/01/02 to 10/01/2003, 10.2% per annum from 10/01/2003, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on April 21, 2004, at the hour of 11:00 AM in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse, 316 Main Street, Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the 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 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 masculine gender includes the feminine and the neuter, 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.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

Dated: December 19, 2003. Regional Trustee Services Corporation, Trustee. By: Nanci Lambert, Authorized Agent; 616 1st Avenue, Suite 500, Seattle, WA 98104. Phone: (206) 340-2550. Sale Information: <http://www.rtrustee.com>. #6326 January 2, 9, 16, 23, 2004.