

04 MAY 13 PM 3:36

Klam

First American Title Insurance Company

Vol M04 Page 29745

2104170 / 1st 323107

**RECORDING COVER SHEET FOR
NOTICE OF SALE PROOF OF COMPLIANCE
Per ORS 205.234**

State of Oregon, County of Klamath
Recorded 05/13/2004 3:36 p m
Vol M04 Pg 29745-29753
Linda Smith, County Clerk
Fee \$ 76.00 # of Pgs 9

**AFTER RECORDING RETURN TO:
J.PISCITELLO 98-5319
First American Title Insurance Company
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065**

TS No.: 04 -00679
Doc ID #000202360032005N

- 1. AFFIDAVIT OF MAILING NOTICE OF SALE
- 2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
- 3. AFFIDAVIT OF SERVICE
- 4. COPY OF NOTICE OF SALE

Original Grantor on Trust Deed: **DANNY L JOHNSON and BRENDA K. JOHNSON**

Beneficiary: **KLAMATH FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION**

**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.**

61
+15.00 F

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) 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 California, a competent person over the age of eighteen years and not the beneficiary or the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of 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:

See attached Exhibit A for all the mailing address(es).

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 by First American Title Insurance Company, 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 VENTURA, CALIFORNIA, on 2-2-04. 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 and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale. As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before me on Feb 2, 2004 by Maria Aguilar.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

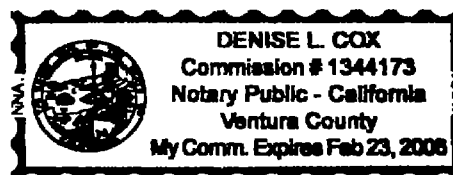
Grantor

DANNY L JOHNSON and BRENDA K. JOHNSON

Denise L. Cox
Notary Public for California
Residing at _____
My commission expires: 2-23-08

First American Title Insurance Company
Trustee TS No. 04-00679

After Recording return to:
400 COUNTRYWIDE WAY SV-35
First American Title Insurance Company
SIMI VALLEY, CA 93065





29747

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"**

TS No. 04-00679

**DANNY L JOHNSON
2109 NW 6TH AVE
BATTLE GROUND, WA 98604
7187 7930 3131 0342 9363**

**DANNY L JOHNSON
1321 SUMMERS LANE
KLAMATH FALLS, OR 97603
7187 7930 3131 0342 9370**

**BRENDA K. JOHNSON
2109 NW 6TH AVE
BATTLE GROUND, WA 98604
7187 7930 3131 0342 9387**

**BRENDA K. JOHNSON
1321 SUMMERS LANE
KLAMATH FALLS, OR 97603
7187 7930 3131 0342 9394**

**ROSSLARE FUNDING, INC.
1105 EAST COMMONWEALTH AVENUE
SUITE A
FULLERTON, CA 92831
7187 7930 3131 0342 9400**

**ROSSLARE FUNDING, INC.
1105 E. COMMONWEALTH AVE. #A
FULLERTON, CA 92632
7187 7930 3131 0342 9424**

**TRIPOINT CAPITAL CORP.
2121 EAST PACIFIC COAST HIGHWAY #200
CORONA DEL MAR, CA 92625
7187 7930 3131 0342 9431**

**TRIPOINT CAPITAL CORP.
C/O ROSSLARE FUNDING, INC.
1105 EAST COMMONWEALTH AVENUE
SUITE A
FULLERTON, CA 92831
7187 7930 3131 0342 9448**



**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"**

TS No. 04-00679

**EMPIRE FUNDING CORP.
7000 N. MOPAC EXPRESSWAY, 2ND FLOOR
AUSTIN, TX 78731
7187 7930 3131 0342 9455**

**CHALLENGE REALTY, INC.
407 WEKIVA SPRINGS ROAD, SUITE 100
LONGWOOD, FL 32779
7187 7930 3131 0342 9462**

**CHALLENGE REALTY, INC.
6380 S. EASTERN AVENUE SUITE 3
LAS VEGAS, NV 89119
7187 7930 3131 0342 9479**

**CHALLENGE REALTY, INC.
2450 CHANDLER AVE. #4
LAS VEGAS, NV 89120
7187 7930 3131 0342 9486**

**CHALLENGE REALTY INC.
P.O. BOX 916314
LONGWOOD, FL 32791
7187 7930 3131 0342 9493**

**CHALLENGE REALTY INC.
LLC, SERVICER
P.O. BOX 916314
C/O CHALLENGE FINANCIAL SERVICES,
LONGWOOD, FL 32791
7187 7930 3131 0342 9509**

**ADVANTA I ASSET POOL, LLC
2450 CHANDLER AVE, #4
LAS VEGAS, NV 89120
7187 7930 3131 0342 9523**

**EMPIRE FUNDING CORP. DBA
OKLAHOMA EMPIRE FUNDING CORP.
C/O CHALLENGE REALTY, INC. / ATTN: KIM
P.O. BOX 916314
LONGWOOD, FL 32791
7187 7930 3131 0342 9530**

PROOF OF SERVICE

29749

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:

1321 SUMMERS LANE, KLAMATH FALLS, OREGON 97603, as follows:

Personal service upon Joan Dean, by delivering said true copy, personally and in person, at the above address on January 29, 2004 at 3:45 p.m.

I declare under the penalty of perjury that the above statement is true and correct.


Rob Girard

281603

SUBSCRIBED AND SWORN to before me this 9th day of February, 2004 by Rob Girard.


Notary Public for Oregon



2104170

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Danny L. Johnson And Brenda K. Johnson, as grantor(s), to William L. Sisemoro, as Trustee, in favor of Klamath First Federal Savings And Loan Association, as Beneficiary, dated 05/05/1998, recorded 05/07/1998, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M98 at Page No. 15338 as Recorder's fee/file/instrument/microfilm/reception Number 57734, and subsequently assigned to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. by Assignment recorded 06/25/2002 in Book/Reel/Volume No. M02 at Page No. 36526 as Recorder's fee/file/instrument/microfilm/reception No. , covering the following described real property situated in said county and state, to wit:

THE SOUTHERLY 40.9' OF LOT 18 AND THE NORTHERLY 56.83' LOT 19, BLOCK 3, SHADOW HILLS NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 1321 SUMMERS LANE
KLAMATH FALLS, OR 97603

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 \$765.00 beginning 09/01/2003; plus late charges of \$30.60 each month beginning with the 09/01/2003 payment plus prior accrued late charges of \$121.22; plus advances of \$37.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

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: \$80,882.57 with interest thereon at the rate of 7.5 percent per annum beginning 08/01/2003 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned Trustee will on Thursday, June 03, 2004 at the hour of 10:00 AM 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 the Trustee's and attorney's fees not exceeding the amounts provided by OSRS 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.

Dated 1/23, 2004

FIRST AMERICAN TITLE INSURANCE COMPANY

For further information, please contact:

FIRST AMERICAN TITLE INSURANCE COMPANY
 C/O CTC REAL ESTATE SERVICES
 5898 CONDOR DRIVE, MP-88
 MOORPARK, CA 93021
 (800)-281-8219
 TS No. 04 -00679
 Doc ID #000202360032005N

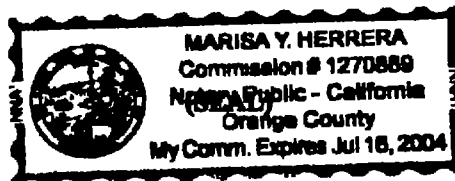
STATE OF CA
 COUNTY OF Orange

MARISA HERRERA

On 1/23/04, before me, _____, personally appeared
LAURA M. SOZA, ASSIST. SEC., personally known to me (or proved to me on the basis of satisfactory
 evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that
 he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
 instrument the person(s), or the entity upon behalf of which the
 person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]
 Notary Public for _____
 My commission expires: _____



THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR
 THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING
 DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN
 ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE
 PROPERTY.

Affidavit of Publication

7590
29752

STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, 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 I know from my personal knowledge that the

Legal # 6463

Notice of Sale/Johnson

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:
March 11, 18, 25, April 1, 2004

Total Cost: \$823.50

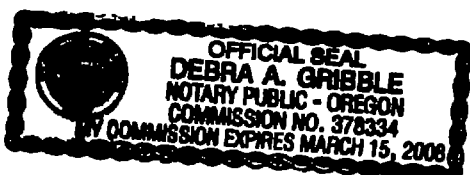
Jeanine P. Day

Subscribed and sworn

Before me on: April 1, 2004

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE 2104170

Reference is made to that certain Trust Deed made by Danny L. Johnson and Brenda K. Johnson, as grantor(s), to William L. Sizemore, as Trustee, in favor of Klamath First Federal Savings and Loan Association, as Beneficiary, dated 05/05/1998, recorded 05/07/1998, in the mortgage records of Klamath County, Oregon in Book/Reel/Volume No. M98 at Page No. 15338 as Recorder's fee/file/instrument/microfilm/reception Number 57734, and subsequently assigned to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. by Assignment recorded 06/25/2002 in Book/Reel/Volume No. M02 at Page No. 34526 as Recorder's fee/file/instrument/microfilm/reception No., covering the following described real property situated in said county and state, to wit:

The Southerly 48.9' of Lot 18 and the Northerly 54.83' Lot 19, Block 3, Shadow Hills No. 1, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon. PROPERTY ADDRESS: 1321 Summers Lane, Klamath Falls, OR 97603.

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 94.736(3), the default for which the

foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$745.00 beginning 09/01/2003; plus late charges of \$38.40 each month beginning with the 09/01/2003 payment plus prior accrued late charges of \$121.22; plus advances of \$37.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

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: \$80,882.57 with interest thereon at the rate of 7.5 percent per annum beginning 08/01/2003 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned Trustee will on Thursday, June 03, 2004 at the hour of 10:00 AM in accord with the standard of time established by ORS 167.110 at the following place: inside the 1st floor lobby

by 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 by payment to the Beneficiary of the entire amount then due (other than such portion of the principal as would not then be 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 of Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure the default by payment of the

ing all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with the Trustee's and Attorney's fees and exceeding the amounts provided by OSRS 86.753

In construing this notice, the singular included 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.

Dated: January 23, 2004. First American Title Insurance Company. For further information, please contact: First American Title Insurance Company, C/O CTC Real Estate Services, 5898 Condor Drive, MP-88, Moorpark, CA 93021. (800) 281-8219. TS No. 04-00679. Doc. ID #000202360032005N. #6443 March 11, 18, 25, April 1, 2004.