

04 JUL 13 AM 10:45

WHEN RECORDED MAIL TO:

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

Vol M04 Page 45551

State of Oregon, County of Klamath  
Recorded 07/13/2004 10:46 A m  
Vol M04 Pg 45551-59  
Linda Smith, County Clerk  
Fee \$ 61.00 # of Pgs 9

3410413  
T.S. NO.: 1065413-09  
LOAN NO.: 0432143014

ASPEN 58389  
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 March 22, 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.

[Signature]  
Affiant

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this        day of MAR 22 2004, 20      

[Signature]  
Notary Public



W1-A

## TRUSTEE'S NOTICE OF SALE

45552

Loan No: 0432143014

T.S. No: 1065413-09

Reference is made to that certain deed made by  
GERALD JOSEPH NELSON AND TERRY J. NELSON, HUSBAND AND WIFE  
AS TENANTS BY THE ENTIRETY as Grantor to  
PAUL S. COSGROVE, as Trustee, in favor of

AAMES FUNDING CORPORATION  
as Beneficiary,

dated June 13, 2000, recorded June 26, 2000, in official records of KLAMATH County, OREGON in  
book/reel/volume No. M00 at  
page No. 23032, fee/file/instrument/microfilm/reception No. XX covering the following described real property  
situated in the said County and State, to-wit:

A PORTION OF LOTS 10 AND 11, BLOCK 5, BUENA VISTA ADDITION TO THE CITY OF MORE  
COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

Commonly known as:

805 WOCUS STREET 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 October 1, 2003 of principal and interest 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 \$443.23      Monthly Late Charge \$22.16

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 \$49,582.62 together with interest  
thereon at 9.990% per annum from September 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 July 23, 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

**TRUSTEE'S NOTICE OF SALE**

Loan No: 0432143014

T.S. No: 1065413-09

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.

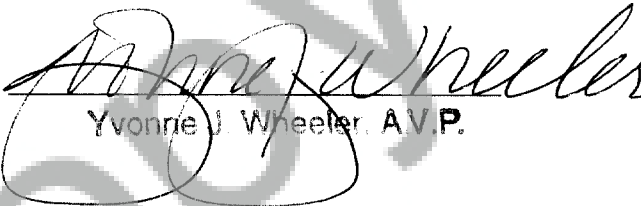
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words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

Dated: March 13, 2004

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.

## EXHIBIT "A"

TS#1065413-09

A portion of Lots 10 and 11, Block 5, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon, described as follows:

Beginning at the most Easterly corner of Lot 10 in Block 5 of BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, running thence Northwesterly along the Southerly line of Crater Street to the most Northerly corner of Lot 11 of said Block 5; thence Southwesterly along the line between Lots 11 and 12 of said Block 5, a distance of 75 feet; thence Southeasterly parallel to Crater Street, to the Northerly line of Wocus Street; thence Northeasterly along the said line of Wocus Street, 75 feet to the point of beginning..

3/22/2004 12:06:12 PM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: NOS

Affidavit Attachment: 1065413-09 030 03191448 CWR

Postal Number Sequence Recipient Name

11041994141002427576  
1 OCCUPANT

11041994141002427583  
2 GERALD J NELSON

11041994141002427590  
3 TERRY J NELSON

Address Line 1/3

805 WOCUS STREET

805 WOCUS STREET

805 WOCUS STREET

Address Line 2/4

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

45555

3/22/2004 12:06:13 PM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: NOS

Affidavit Attachment: 1065413-09 030 03191448 CWR

Postal Number Sequence Recipient Name

71041994141003669847  
1 OCCUPANT

71041994141003669854  
2 GERALD J NELSON

71041994141003669861  
3 TERRY J NELSON

Address Line 1/3

805 WOCUS STREET

805 WOCUS STREET

805 WOCUS STREET

Address Line 2/4

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

45556

106642

## Affidavit of Publication

45557

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 # 6551

Notice of Sale/Nelson

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:

April 13, 20, 27, May 4, 2004

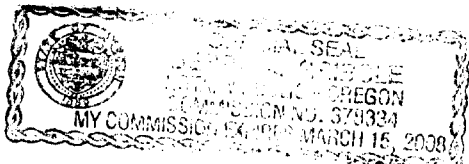
Total Cost: \$756.00

Subscribed and sworn

before me on: May 4, 2004

Notary Public of Oregon

My commission expires March 15, 2008

TRUSTEE'S  
NOTICE OF SALE  
Loan No: 0432143014  
T.S. No.: 1065413-09

Reference is made to that certain deed made by, Gerald Joseph Nelson and Terry J. Nelson, Husband And Wife As Tenants By The Entirety, as Grantor to Paul S. Cosgrove, as Trustee, in favor of Aames Funding Corporation, as Beneficiary, dated June 13, 2000, recorded June 26, 2000, in official records of Klamath County, Oregon in book/reel/volume No. M00 at page No. 23032, fee/file/Instrument/microfilm/reception No. xx covering the following described real property situated in said County and State, to-wit: A portion of Lots 10 and 11, Block 5, Buena Vista Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon described as follows: Beginning at the most Easterly corner of Lot 10 in Block 5 of Buena Vista Addition to the City of Klamath Falls, Oregon, running thence Northwesterly along the Southerly line of Crater Street to the most Northerly corner of Lot 11 of said Block 5; thence Southwesterly along the line between Lots 11 and 12 of said Block 5, a distance of 75 feet; thence Southeasterly parallel to Crater Street, to the Northerly line of Wocus Street; thence Northeasterly along the said line of Wocus Street, 75 feet to the point of beginning. Commonly known as: 805 Wocus Street 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 October 1, 2003 of principal and interest 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 \$443.23 Monthly Late Charge \$22.16.

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 \$49,582.62 together with interest thereon at 9.990% per annum from September 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 July 23, 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: March 13, 2004. 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. R-106642.  
4/13; 20; 27; 5/04.  
#6551 April 13, 20, 27,  
May 4, 2004.



106642  
1065413-09

**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 805 Wocus Street, Klamath Falls, Oregon 97601

**X PERSONALY SERVED:** Original or True Copy to within named, personally and in person to Joseph Nelson at the address below.

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

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

**X SUBSTITUTE SERVICE MAILER:** That on the 22<sup>nd</sup> day of March, 2004 I mailed a copy of the Trustee's Notice of Sale addressed to Terry Nelson 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: Evelyn Mitts  
Evelyn Mitts

805 Wocus Street 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.

March 19, 2004 1:22 p.m.  
**DATE OF SERVICE TIME OF SERVICE**

☐ or not found

By: Ed Foreman  
Ed Foreman

Dated this 22<sup>nd</sup> day of March, 2004.

Subscribed and sworn before me by Ed Foreman

Margaret A. Nielsen  
Notary Public for Oregon

