

04 AUG 12 PM 1:32

Vol M04 Page 52958

1st 375490

When recorded mail to:

State of Oregon, County of Klamath

Recorded 08/12/04 1:32 p.m.

Vol M04 Pg 52958-1.9

Linda Smith, County Clerk

Fee \$ 8.00 # of Pgs 10

Law Offices of Steven J. Melmet, Inc.
2912 South Daimler Street
Santa Ana, CA 92705

2247535

The space above line is for recorder's use only

T.S. No. 200401337 - 19510

Loan No. 2000385727

**AFFIDAVITS OF MAILING, PUBLICATION, AND SERVICE
OF NOTICE OF DEFAULT AND ELECTION TO SELL
AND TRUSTEE'S NOTICE OF SALE**

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TRUSTEE'S NOTICE OF SALE**Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq.****Trustee No.: 200401337 - 19510**

Reference is made to that certain Trust Deed made by Daniel Bassa, an individual as Trustor, in which Silver Sierra Mortgage, Inc. is named as Beneficiary and Aspen Title & Escrow, Inc. as Trustee and recorded 09/09/2003, in Book M03, on Page 66818, in Official Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Lot 5, Block 8, Wagon Trail Acreages No. One, Second Addition, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

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

152224 Silver Spur Road, La Pine, Oregon 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:

| | |
|--|-------------------|
| Total payments from 12/1/2003 through 09/13/2004 | \$6,896.20 |
| Total late charges | \$200.25 |
| Total advances | \$25.00 |
| TOTAL DUE THE BENEFICIARY | \$6,921.45 |

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:

The unpaid principal balance of **\$92,588.82** together with interest thereon at the current rate of 6 per cent per annum from 11/01/2003 until paid, plus all accrued late charges, escrow advances, attorney's fees and costs, and any other sums incurred or advanced by the beneficiary pursuant to the terms and conditions of said deed of trust.

WHEREFORE, notice hereby is given that the undersigned trustee will, on 09/13/2004, at the hour of 10:00 a.m. in accord with the standard of time established by O.R.S. 187.110 at the following place:

At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR

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 has or had power to convey at the

time of execution by him of the said Trust Deed, together with any interest which the Grantor 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 reasonable charge by the trustee.

Notice is further given that any person named in O.R.S. 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 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.

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 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.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

Dated: 4/27/2004

First American Title Insurance Company

By 
MARIA DELATORRE

State of CA
 County of Orange ss.

I certify that I, **MARIA DELATORRE** am an authorized representative of First American Title Insurance Company, Trustee, and that the foregoing is a complete and exact copy of the original trustee's notice of sale.


 Authorized Representative of Trustee

For further information please contact:

The Law Offices of Steven J. Melmet
 Foreclosure Department
 2912 South Daimler Street
 Santa Ana, CA 92705
 949-263-1000

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

State of Texas)
) ss
County of Denton _____)

On 4/19/04 before me, the undersigned Notary Public, personally
appeared

John Maxwell, Vice President
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 Jennifer Harrison (Seal)



TS: 200401337 - 19510

Date: 5/11/2004

Page 1

AFFIDAVIT OF MAILING NOTICE OF SALE

State Of California

County Of Orange

I, Teri Von Achen, 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 true copy of the recorded original notice of sale given under the terms of that certain trust deed described in said notice.

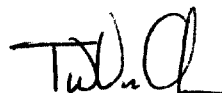
I gave notice of sale of the real property described in the attached notice of sale by mailing a true copy of the recorded original thereof by registered or certified mail and regular mail to each of the following named person's at their last known address:

See exhibit - Mailing Addresses - attached hereto and made a part hereof

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of records or 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 were certified to be a true copy of the original notice of sale by Maria De La Torre, for 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 Santa Ana, CA on May 11, 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.

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



Teri Von Achen

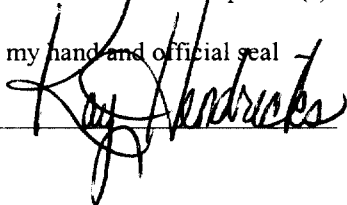
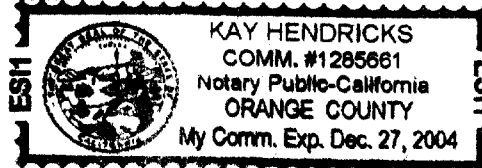
State Of California

County Of Orange

On May 11, 2004 before me, the undersigned, A Notary Public in and for said State, personally appeared Teri Von Achen 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

TS: 200401337 - 19510

Date: 5/11/2004

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Exhibit - Mailing Addresses

Daniel Bassa
152224 Silver Spur Road
La Pine, OR 97739
FIRST CLASS

THE WAGON TRAIL RANCH
PROPERTY OWNERS ASSOCIATION
C/O ELLEN WEDUM
152900 HACKAMORE LANE
LA PINE, OR 97739
FIRST CLASS

THE WAGON TRAIL RANCH
PROPERTY OWNERS ASSOCIATION
C/O FRIEDA GARRETT
152519 WAGON TRAIL ROAD
LA PINE, OR 97739
FIRST CLASS

THE WAGON TRAIL RANCH
PROPERTY OWNERS ASSOCIATION
C/O ELLEN WEDUM
153665 WAGON TRAIL ROAD
LA PINE, OR 97739
FIRST CLASS

THE WAGON TRAIL RANCH
HOMEOWNERS ASSOCIATION
C/O ELLEN WEDUM
152900 HACKAMORE LANE
LA PINE, OR 97739
FIRST CLASS

THE WAGON TRAIL RANCH
HOMEOWNERS ASSOCIATION
C/O FRIEDA GARRETT
152519 WAGON TRAIL ROAD
LA PINE, OR 97739
FIRST CLASS

THE WAGON TRAIL RANCH
HOMEOWNERS ASSOCIATION
C/O ELLEN WEDUM
153665 WAGON TRAIL ROAD
LA PINE, OR 97739
FIRST CLASS

DANIEL BASSA
PO BOX 1310

Daniel Bassa
152224 Silver Spur Road
La Pine, OR 97739
CERTIFIED: 7102205129100197377

THE WAGON TRAIL RANCH
PROPERTY OWNERS ASSOCIATION
C/O ELLEN WEDUM
152900 HACKAMORE LANE
LA PINE, OR 97739
CERTIFIED: 7102205129100197380

THE WAGON TRAIL RANCH
PROPERTY OWNERS ASSOCIATION
C/O FRIEDA GARRETT
152519 WAGON TRAIL ROAD
LA PINE, OR 97739
CERTIFIED: 7102205129100197378

THE WAGON TRAIL RANCH
PROPERTY OWNERS ASSOCIATION
C/O ELLEN WEDUM
153665 WAGON TRAIL ROAD
LA PINE, OR 97739
CERTIFIED: 7102205129100197382

THE WAGON TRAIL RANCH
HOMEOWNERS ASSOCIATION
C/O ELLEN WEDUM
152900 HACKAMORE LANE
LA PINE, OR 97739
CERTIFIED: 7102205129100197381

THE WAGON TRAIL RANCH
HOMEOWNERS ASSOCIATION
C/O FRIEDA GARRETT
152519 WAGON TRAIL ROAD
LA PINE, OR 97739
CERTIFIED: 7102205129100197379

THE WAGON TRAIL RANCH
HOMEOWNERS ASSOCIATION
C/O ELLEN WEDUM
153665 WAGON TRAIL ROAD
LA PINE, OR 97739
CERTIFIED: 7102205129100197383

DANIEL BASSA
PO BOX 1310

52964

TS: 200401337 - 19510

Date: 5/11/2004

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LA PINE, OR 97739

FIRST CLASS

LA PINE, OR 97739

CERTIFIED: 7102205129100197384

AFFIDAVIT OF SERVICE
TRUSTEE'S NOTICE OF SALE

2004/01/337

Case Number: 214766

52965

Beneficiary:
SILVER SIERRA MORTGAGE,

vs.

Grantor(s):
DANIEL BASSA,

For:
PRIORITY POSTING AND PUBLISHING
17501 Irvine Blvd.
Suite 1
Tustin, CA 92780

Received by Prompt Process Serving Agency on the 3rd day of May, 2004 at 5:13 pm to be served on
OCCUPANT(S), 152224 Silver Spur Rd., LaPine OR 97739.

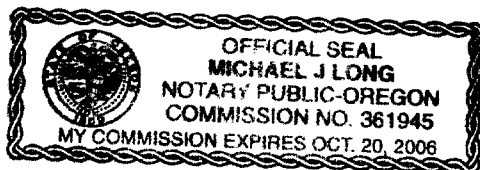
I, Jared Butler, being duly sworn, depose and say that on the **9th day of May, 2004 at 2:00 pm, I:**

Did **PERSONALLY SERVE** true copies of the within **TRUSTEE'S NOTICE OF SALE** by delivering said copies personally and in person, to **GLENDA BASSA** at the aforementioned address and at the same time I did **SUBSTITUTE SERVE DANIEL BASSA & ALL OCCUPANTS** by delivering a true copy to the above named, and informing said person of the contents thereof. Said person is 14 years of age or older, and is a co-occupant of the dwelling house or usual place of abode.

CERTIFICATE OF MAILING: I hereby certify that on May 10, 2004, I did cause to be **MAILED**, first class postage affixed, a copy of the aforementioned documents together with this statement of the date, time, place and person to which **SUBSTITUTED SERVICE** was made at the above address.


(If mailed by other than server _____)

I further certify that I am a competent person over the age of 18 and a resident 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, corporate or otherwise: that the person served by me is the identical person named in the action. I also declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service including service fees is true and correct.



Subscribed and Sworn to before me on the 10th day of
May, 2004 by the affiant who is personally known to
me


NOTARY PUBLIC


Jared Butler
Process Server

Prompt Process Serving Agency
5906 N. Greeley
Portland, OR 97217
(503) 286-4144

Our Job Serial Number: 2004001287

melmet

Affidavit of Publication

Steve Malmat
200401337
52966

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 # 6729

Notice of Sale/Bassa

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

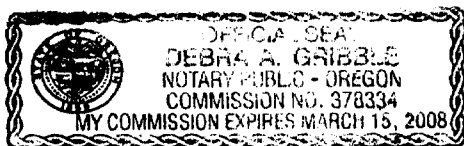
Insertion(s) in the following issues:
June 4, 11, 18, 25, 2004

Total Cost:

Jeanine P. Day
Subscribed and sworn
before me on: June 25, 2004

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2008



Trustee's Notice
of Sale
Pursuant To O.R.S.
86.705, et seq. and
O.R.S. 79.5010. et
seq. Trustee No:
200401337-19510

Reference is made to that certain Trust Deed made by Daniel Bassa, an individual, as Trustor, in which Silver Sierra Mortgage, Inc. is named as Beneficiary and Aspen Title & Escrow, Inc. as Trustee and recorded 9/9/2003, in Book M03, on Page 66818, in Official Records of Klamath County, Oregon; covering the following described real property situated in said county and state, to-wit: Lot 5, block 8, Wagon Trail Acres No. One, second addition, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon. The street address or other common designation, if any, of the real property above is purported to be: 152224 Silver Spur Road, La Pine, 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: Total Payments from 12/1/2003 through

09/13/2004 \$6,696.20
Total Late Charges
\$200.25 Total Advances
\$25.00 Total Due
The Beneficiary
\$6,921.45.

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: The unpaid principal balance of \$92,588.82 together with interest thereon at the current rate of 8 per cent per annum from 11/01/2003 until paid, plus all accrued late charges, escrow advances, attorney fees and costs, and any other sums incurred or advanced by the beneficiary pursuant to the terms and conditions of said deed of trust.

Wherefore, notice hereby is given that the undersigned trustee will, on 9/13/2004, at the hour of 10:00 AM in accord with the

standard of time established by O.R.S. 187.110 at the following place: At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR County of Klamath State of Oregon, sell at public auction to the highest bidder for cash, the interest in the said described real property with the Grantor has or had power to convey at the time of execution by him of the said Trust Deed, together with any interest which the Grantor 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 reasonable charge by the trustee.

Notice is further given that any person named in O.R.S. 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 obligations or to cure to default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees. 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 person owing an obligation, the performance of which is secured by said trust dated, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated: 4/27/2004.
First American Title Company, By Maria Delatorre; The Law Offices of Steven J. Melmet, Foreclosure Department, 2912 South Daimler Street, Santa Ana, CA 92705; (949) 263-1000. This is an attempt to collect a debt and any information obtained will be used for that purpose. P214766. 6/4, 6/11, 6/18, 06/25/2004.
#6729 June 4, 11, 18, 25, 2004.