

WHEN RECORDED MAIL TO:

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

Vol M04 Page 70693

State of Oregon, County of Klamath  
Recorded 10/18/04 2:49p m  
Vol M04 Pg 70693-700  
Linda Smith, County Clerk  
Fee \$ 56.00 # of Pgs 8

04 OCT 18 PM 2:49

Aspen: 501571

T.S. NO.: 1068598-09  
LOAN NO.: 2006192971

## 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.

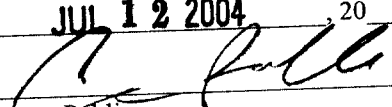
Each of the notices so mailed was certified to be a true copy of the original notice of sale by MERLOBEL R CUSTODIO, for CAL-WESTERN RECONVEYANCE CORPORATION, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail in San Diego County, California, on July 12, 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.

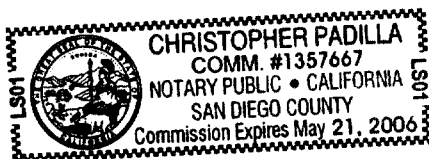
  
Affiant **FRANCO CABADING**

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this \_\_\_\_\_ day of \_\_\_\_\_

JUL 12 2004, 20

  
Notary Public



# TRUSTEE'S NOTICE OF SALE

70694

Loan No: 2006192971

T.S. No: 1068598-09

Reference is made to that certain deed made by  
ALLAN MELIUS

as Grantor to

GILE R. DOWNES, as Trustee, in favor of

COLONIAL MORTGAGE COMPANY  
as Beneficiary,

dated June 07, 1999, recorded June 15, 1999, in official records of KLAMATH County, OREGON in  
book/reel/volume No. M99 at  
page No. 23544, fee/file/instrument/microfilm/reception No. XX covering the following described real property  
situated in the said County and State, to-wit:

ALL OF LOT C AND THAT PORTION OF LOT B ADJOINING SAID LOT C, IN THE COUNTY OF  
KLAMATH, STATE OF OREGON, DESCRIBED AS FOLLOWS: MORE COMPLETELY DESCRIBED IN  
ATTACHED EXHIBIT A.

Commonly known as:

1030 UPHAM 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 April 1, 2004 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 \$493.24      Monthly Late Charge \$18.85

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 \$49,587.37 together with interest  
thereon at 7.875% per annum from March 01, 2004 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 November 12, 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

70695

# TRUSTEE'S NOTICE OF SALE

Loan No: 2006192971

T.S. No: 1068598-09

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.

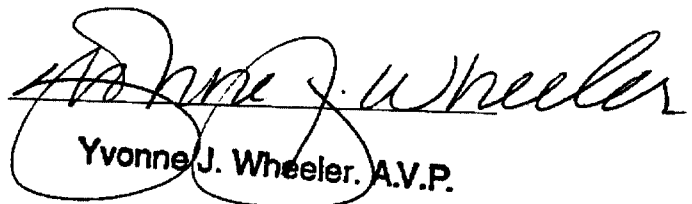
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words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

Dated: July 01, 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.

70696

TS#1068598-09

EXHIBIT "A"

All of Lot C and that portion of Lot B adjoining said Lot C,  
in the County of Klamath, State of Oregon, described as follows:

Beginning on the South line of Upham Street at its intersection  
with the line between Lots B and C aforesaid; thence East and  
Southeasterly and following the said line of Upham and the  
Westerly line of Eleventh Street 27.85 feet, more or less, to a  
point 27.85 feet from the most Easterly corner of Lot B  
aforesaid; thence on a direct line to the most Southerly corner  
of said Lot B; thence North on the line between Lots C and B  
aforesaid to the point of beginning, all being in Block 69 of  
the Supplemental Plat of Block 69, NICHOLS ADDITION TO THE CITY  
OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-29DC TL 3500

7/12/2004 10:48:26 AM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: NOS

Affidavit Attachment: 1068598-09 030 07091314 CWR

Postal Number Sequence Recipient Name

11041994141002595589 1	OCCUPANT	1030 UPHAM STREET	Address Line 1/3	Address Line 2/4
11041994141002595596 2	ALLAN MELIUS	1030 UPHAM STREET		KLAMATH FALLS OR 97601
11041994141002595602 3	ALLAN MELIUS	PO BOX 25121		KLAMATH FALLS OR 97601
11041994141002595619 4	ALLAN MELIUS	4924 SE 59TH AVE		PORTLAND OR 97298
11041994141002595626 5	UPHAM LAND TRUST	C/O RADIUS HOLDINGS, LLC, AS TRUSTEE PORTLAND OR 97298		PORTLAND OR 97221
11041994141002595633 6	UPHAM LAND TRUST	1030 UPHAM STREET		P.O. BOX 25121
				KLAMATH FALLS OR 97601

70697

7/12/2004 10:48:26 AM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: NOS

Affidavit Attachment: 1068598-09 030 07091314 CWR

Postal Number Sequence Recipient Name

71041994141003953250  
1 OCCUPANT

71041994141003953267  
2 ALLAN MELIUS

71041994141003953274  
3 ALLAN MELIUS

71041994141003953281  
4 ALLAN MELIUS

71041994141003953298  
5 UPHAM LAND TRUST

71041994141003953304  
6 UPHAM LAND TRUST

Address Line 1/3

1030 UPHAM STREET

1030 UPHAM STREET

PO BOX 25121

4924 SE 59TH AVE

C/O RADIUS HOLDINGS, LLC, AS TRUSTEE  
PORTLAND OR 97298

1030 UPHAM STREET

Address Line 2/4

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

PORTLAND OR 97298

PORTLAND OR 97221

P.O. BOX 25121

KLAMATH FALLS OR 97601

70698

# Affidavit of Publication

70699

## 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 # 6857

Notice of Sale/Melius

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:

August 2, 9, 16, 23, 2004

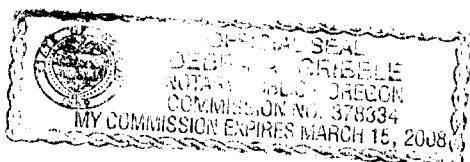
Total Cost: \$742.00

Subscribed and sworn

before me on: August 23, 2004

Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE

Loan No: 2006192971  
T.S. No.: 1068598-09  
Reference is made to that certain deed made by, Allan Melius, as Grantor to Gile R. Downes, as Trustee, in favor of Colonial Mortgage Company, as Beneficiary, dated June 07, 1999, recorded June 15, 1999, in official records of Klamath County, Oregon in book/reel/volume No. M99 at page No. 23544, fee/file/Instrument/micro-film/reception No. xx covering the following described real property situated in said County and State, to-wit: All of Lot C and that portion of Lot B adjoining said Lot C, in the County of Klamath, State of Oregon, described as follows: Beginning on the South line of Upham Street at its intersection with the line between Lots B and C aforesaid; thence East and Southeasterly and following the said line of Upham and the Westerly line of Eleventh Street 27.85 feet, more or less, to a point 27.85 feet from the most Easterly corner of Lot B aforesaid; thence on a direct line to the most Southerly corner of said Lot B; thence North on the line between Lots C and B aforesaid to the point of beginning, all being in block 69 of the Supplemental Plat of Block 69, Nichols Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon. Commonly known as: 1030 Upham 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 April 1, 2004 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 \$493.24 Monthly Late Charge \$18.85. 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 \$49,587.37 together with interest thereon at 7.875% per annum from March 01, 2004 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 November 12, 2004 at the hour of 1:00pm, 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 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: July 01, 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-110226 08/02/09;16;23/04 #6857 August 2, 9, 16, 23, 2004

110226  
1068598-09  
70700

**JEFFERSON STATE ADJUSTERS**

**RECOVERY IS OUR BUSINESS**

1135 Pine Street

Klamath Falls, Oregon 97601

Phone: (541) 882-8036 Fax: (541) 883-2129

**AFFIDAVIT OF NON-OCCUPANCY**

STATE OF OREGON  
COUNTY OF KLAMATH

I, Cory Dickens, being first duly sworn, depose and say: That I am and have been at all material times hereto, a competent person over the age of eighteen years and a resident of the county of Klamath, State of Oregon.

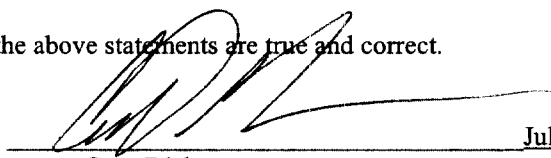
I am not a party to, an attorney for, or interested in any suit or action involving the property described below.

That on the 12th day of July 2004, after personal inspection, I found the following described real property to be unoccupied.

Commonly described as (Street address)

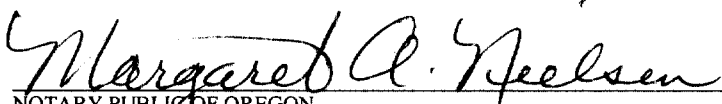
1030 Upham Street Klamath Falls, Oregon 97601

I declare under the penalty of perjury that the above statements are true and correct.

  
Cory Dickens July 12, 2004  
(Signed and Dated)

Subscribed and Sworn to before me this 15th day of July 2004.



  
Margaret A. Nielsen  
NOTARY PUBLIC OF OREGON  
MY COMMISSION EXPIRES:

110226