

05 JAN 27 PM 2:53

mtc-60951

State of Oregon, County of Klamath  
Recorded 01/27/05 2:53 p m  
Vol M05 Pg 06118-30  
Linda Smith, County Clerk  
Fee \$ 81.00 # of Pgs 13

**AFFIDAVIT OF MAILING SUBSTITUTED SERVICE NOTICE**

STATE OF OREGON                    )  
  )ss  
County of Douglas                )

I, Barbara L. Thomas, being first duly sworn, depose, say and certify that:

At all time hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original Trustee's 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 Trustee's Notice of Sale by mailing an original thereof by first class mail and certified mail to each of the parties named on the attached letter at their respective addresses per the Proof of Service by Klamath County Sheriff.

Each of the notices so mailed was an original notice of sale signed by the trustee; each such notice was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Roseburg, Oregon, on October 14, 2004. With respect to each party listed herein, each notice was mailed with postage thereon sufficient for first class delivery, one 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 notice was mailed after the notice of default and election to sell described in said notice of sale was recorded.

AMERITITLE, INC.

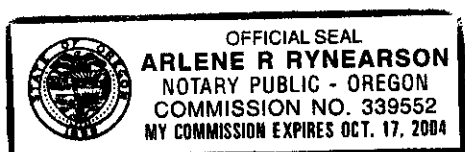
*Barbara L. Thomas*

Barbara L. Thomas, Assistant Secretary

Subscribed and sworn to before me this 14th day of October, 2004.

*Arlene R. Rynearson*

Notary Public for Oregon



Return to: Amerititle  
PO Box 11609  
Roseburg, OR 97470

8/100  
Bm



06119

October 14, 2004

LEOPOLDO P. RIVERA  
2110 White Avenue  
Klamath Falls, OR 97601

**IN MATTER OF KALER VS. CAVENDER**

Attached, and mailed separately to each of you by both first class and certified mail, is an original Trustee's Notice of Sale and Proof of Substituted Service which you were served with on October 11, 2004 at 15:10 hours in connection with the foreclosure of a trust deed made by STEVE CAVENDER in favor of LILAS J. KALER. This notice is being mailed to you pursuant to Chapter 86 of the Oregon Revised Statutes.

Please read the enclosed notice carefully and if you have any questions regarding your rights you should consult your attorney.

Sincerely,

**AmeriTitle, Inc.**

A handwritten signature in cursive script, appearing to read 'Barbara L. Thomas'.

Barbara L. Thomas  
Assistant Secretary

BLT: **BT**  
Order No.: **00062364**

e

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 04-03088

06120

Received for Service 10/06/04

I hereby certify that I received for service on  
RIVERA, LEOPOLDO P  
the within:

TRUSTEES NOTICE OF SALE

RIVERA, LEOPOLDO P  
was served by leaving a true copy with  
NUNO, SONIA  
a person over the age of fourteen years who resides  
at the place of abode of the within named located at  
2110 WHITE  
KLAMATH FALLS  
at 15:10 hours. , OR, on 10/11/04,

All search and service was made within Klamath County, State of Oregon.

Timothy M. Evinger, Sheriff

Klamath County, Oregon

By

  
ALEXANDER, TERRI L

Copy to:

AMERITITLE-ROSEBURG  
505 SE MAIN ST  
ROSEBURG

PO BX  
OR 97470



06121

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by STEVE CAVENDER, as Grantor, to **AmeriTitle, Inc.** as Trustee in favor of LILAS J. KALER as beneficiary, dated February 12, 2004 and recorded February 24, 2004, in Volume M04 at Page 10457, Records of **Klamath** County, Oregon, covering the following described real property in said county and state:

Lot 7 in Block 209 of MILLS SECOND ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

COMMONLY KNOWN AS:      2110 White Avenue  
   Klamath Falls, OR

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; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments in the amount of \$178.78, due for April, 2004, through present, plus late charges, delinquent property taxes and advances by beneficiary, if any.

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 \$ 23,232.43 plus interest, accrued late charges and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on February 24, 2005, at the hour of 10:30 o'clock A.M., Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 300 Klamath Avenue, in the City of Klamath Falls, County of **Klamath** and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check 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 expenses 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, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 of Oregon Revised Statutes.

06122

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.

**This is an attempt to collect a debt. Any information obtained will be used for that purpose.**

Dated this 24<sup>th</sup> day of September, 2004

**AmeriTitle, Inc.**

By:   
Barbara L. Thomas  
Assistant Secretary

For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com

**BLT: BT**

**Order No.: 00062364**

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 04-03088

06123

Received for Service 10/06/04

I hereby certify that I received for service on  
NUNO, SONIA  
the within:

TRUSTEES NOTICE OF SALE

NUNO, SONIA  
was served personally, and in person, at  
2110 WHITE  
KLAMATH FALLS , OR, on 10/11/04,  
at 15:10 hours.

All search and service was made within Klamath County, State of Oregon.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By

  
ALEXANDER, TERRI L

Copy to:

AMERITITLE-ROSEBURG  
505 SE MAIN ST  
ROSEBURG

PO BX  
OR 97470



06124

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by STEVE CAVENDER, as Grantor, to **AmeriTitle, Inc.** as Trustee in favor of LILAS J. KALER as beneficiary, dated February 12, 2004 and recorded February 24, 2004, in Volume M04 at Page 10457, Records of **Klamath** County, Oregon, covering the following described real property in said county and state:

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COMMONLY KNOWN AS:     2110 White Avenue  
                                 Klamath Falls, OR

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; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments in the amount of \$178.78, due for April, 2004, through present, plus late charges, delinquent property taxes and advances by beneficiary, if any.

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 \$ 23,232.43 plus interest, accrued late charges and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on February 24, 2005, at the hour of 10:30 o'clock A.M., Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 300 Klamath Avenue, in the City of Klamath Falls, County of **Klamath** and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check 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 expenses 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, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 of Oregon Revised Statutes.

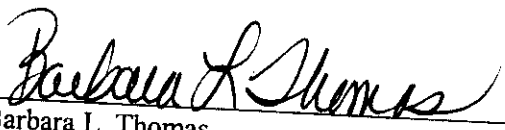
06125

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.

**This is an attempt to collect a debt. Any information obtained will be used for that purpose.**

Dated this 24<sup>th</sup> day of September, 2004

**AmeriTitle, Inc.**

By:   
Barbara L. Thomas  
Assistant Secretary

For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com

BLT: BT

Order No.: 00062364



## AFFIDAVIT OF MAILING

STATE OF OREGON     )  
                                  ) ss,  
County of Douglas     )

I, Barbara L. Thomas, 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 Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original Trustee's 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 Trustee's Notice of Sale by mailing an original thereof by first class and certified mail with return receipt requested to each of the parties named on the attached letter at their respective addresses.

Said parties 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 any parties 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, any party requesting notice, as required by ORS 86.785.

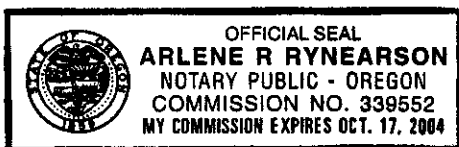
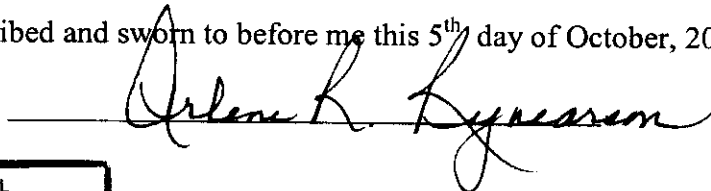
Each of the notices so mailed was an original notice of sale signed by the trustee; each such notice was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Roseburg, Oregon, on October 5, 2004. With respect to each party listed herein, 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 notice was mailed after the notice of default and election to sell described in said notice of sale was recorded.

AMERITITLE, INC.



Barbara L. Thomas, Assistant Secretary

Subscribed and sworn to before me this 5<sup>th</sup> day of October, 2004





06127

September 30, 2004

STEVE CAVENDER  
1179 Avenida Azul  
San Marcos, CA 92069

STEVE CAVENDER  
2110 White Avenue  
Klamath Falls, OR 97601

Attached, and mailed separately to each of you by both first class and certified mail, is an original Trustee's Notice of Sale in connection with the foreclosure of a trust deed made by STEVE CAVENDER in favor of LILAS J. KALER. This notice is being mailed to you pursuant to Chapter 86 of the Oregon Revised Statutes.

Please read the enclosed notice carefully and if you have any questions regarding your rights you should consult your attorney.

Sincerely,

AmeriTitle, Inc.

Barbara L. Thomas  
Assistant Secretary

BLT: BT

Order No.: 00062364



06128

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by STEVE CAVENDER, as Grantor, to AmeriTitle, Inc. as Trustee in favor of LILAS J. KALER as beneficiary, dated February 12, 2004 and recorded February 24, 2004, in Volume M04 at Page 10457, Records of **Klamath** County, Oregon, covering the following described real property in said county and state:

Lot 7 in Block 209 of MILLS SECOND ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

COMMONLY KNOWN AS: 2110 White Avenue  
Klamath Falls, OR

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; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments in the amount of \$178.78, due for April, 2004, through present, plus late charges, delinquent property taxes and advances by beneficiary, if any.

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 \$ 23,232.43 plus interest, accrued late charges and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on February 24, 2005, at the hour of 10:30 o'clock A.M., Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 300 Klamath Avenue, in the City of Klamath Falls, County of **Klamath** and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check 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 expenses 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, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary 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 of Oregon Revised Statutes.

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P.O. Box 1609, 505 Southeast Main Street, Roseburg, OR 97470  
Phone: (541) 672-6651 • Fax: (541) 672-3980

NOTSAL

06129

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.

**This is an attempt to collect a debt. Any information obtained will be used for that purpose.**

Dated this 24<sup>th</sup> day of September, 2004

AmeriTitle, Inc.

By: Barbara L. Thomas

Barbara L. Thomas  
Assistant Secretary

For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com

BLT: BT

Order No.: 00062364

# Affidavit of Publication

06130

## 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 # 7116

Notice of Sale/Steve Cavender

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:  
December 6, 13, 20, 27, 2004

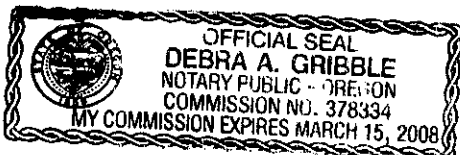
Total Cost: \$672.00

*Jeanine P. Day*  
Subscribed and sworn

before me on: December 27, 2004

*Debra A. Gribble*  
Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by STEVE CAVENDER, as Grantor, to AmeriTitle, Inc. as Trustee in favor of LILAS J. KALER as beneficiary, dated February 12, 2004 and recorded February 24, 2004, in Volume M04 at Page 10457, Records of Klamath County, Oregon covering the following described real property in said county and state:

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COMMONLY KNOWN AS: 2110 White Avenue, Klamath Falls, OR.

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Pc

WHEREFORE, no-

tice is hereby given that the undersigned trustee will on February 24, 2005 at the hour of 10:30 AM Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 300 Klamath Avenue, in the City of Klamath Falls, County of Klamath and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check 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 expenses of sale, including a reasonable charge by the trustee.

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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 of Oregon Revised Statutes.

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This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Dated this 24th day of September, 2004. AmeriTitle, Inc. By: Barbara L. Thomas, Assistant Secretary. For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com. BLT:BT Order No: 00062364. #7116 December 6, 13, 20, 27, 2004.