

05 JAN 31 AM 11:43

Vol M05 Page 06803

State of Oregon, County of Klamath
Recorded 01/31/05 11:43a m
Vol M05 Pg 06803-10
Linda Smith, County Clerk
Fee \$ 76⁰⁰ # of Pgs 8

When recorded mail to:

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

1st 339452

The space above line is for recorder's use only

T.S. No. 200400697-Z - 18393
Loan No. 3410925

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

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x 20

AFFIDAVIT OF MAILING NOTICE OF SALE

State Of California
County Of Orange

I, Michelle Pino, 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.

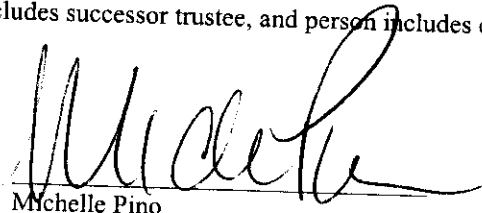
I gave notice of sale of the real property described in the attached notice of sale by mailing a true copy of the recorded original thereof by registered or certified mail and regular mail to each of the following named person's at their last known address:

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 Laura M. Soza, 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 March 9, 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.

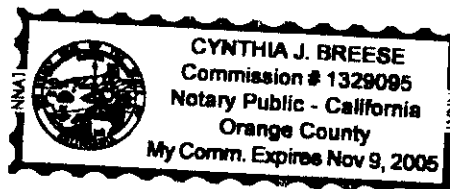

Michelle Pino

State Of California
County Of Orange

On March 9, 2004 before me, the undersigned, A Notary Public in and for said State, personally appeared Michelle Pino 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: 200400697-Z - 18393

Date: 10/15/2004

Page 2

Exhibit - Mailing Addresses

Sandra J. Kayser
150230 Hamner Street
Gilchrist, OR 97737
FIRST CLASS

Sandra J. Kayser
150230 Hamner Street
Gilchrist, OR 97737
CERTIFIED: 7102205129100235852

Sandra J. Kayser
1293 NW Wall St. #16
Bend, OR 97701
FIRST CLASS

Sandra J. Kayser
1293 NW Wall St. #16
Bend, OR 97701
CERTIFIED: 7102205129100235853

Affidavit of Publication

06806

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 # 7064

Notice of Sale/Kayser

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:
November 8, 15, 22, 29, 2004

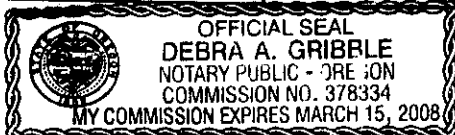
Total Cost:

Jeanine P. Day
Subscribed and sworn

before me on: November 29, 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: 200400697-Z-18393

Due The Beneficiary
\$11,600.31 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 \$54,561.77 together with interest thereon at the current rate of 10.5 per cent per annum from 11/15/2003 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 2/15/2005, 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,

BACK

06807...

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: 9/28/2004 First American Title Company By Dennis Canlas, Assistant Secretary. 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 Sale Information Line: 714.573.1965 Sale Information Website: Reinstatement and Pay-Off Requests: 949.622.3388. This is an attempt to collect a debt and any information obtained will be used for that purpose. P221101. 11/8, 11/15, 11/22, 11/29/2004. #7064 November 8, 15, 22, 29, 2004.

200400692-2

06808 18393

AFFIDAVIT OF SERVICE
TRUSTEE'S NOTICE OF SALE

Case Number: 221101

Beneficiary:
ASSOCIATES HOME EQUITY SERVICES, INC.,

vs.

Grantor:
SANDRA J. KAYSER,

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

Received by Prompt Process Serving Agency on the 5th day of October, 2004 at 11:01 am to be served on
OCCUPANT(S), 150230 Hamner St., Gilchrist OR 97737.

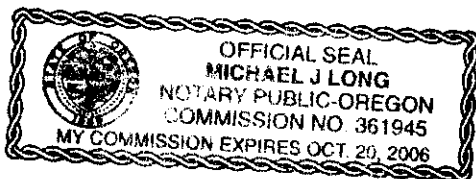
I, Jared Butler, being duly sworn, depose and say that on the **16th day of October, 2004 at 11:20 am, I:**

Did **PERSONALLY SERVE** true copies of the within **TRUSTEE'S NOTICE OF SALE** by delivering said copies personally and in person, to **STEVE KAYSER** at the aforementioned address and at the same time I did **SUBSTITUTE SERVE ALL OTHER 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 October 16, 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 16th day of October, 2004 by the affiant who is personally known to me.

Michael J. Long

NOTARY PUBLIC

Jared Butler

Jared Butler
Process Server

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

Our Job Serial Number: 2004002919

TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq.
Trustee No.: 200400697-Z - 18393

Reference is made to that certain Trust Deed made by Sandra J. Kayser, an estate in fee simple as Trustor, in which Associates Home Equity Services, Inc. is named as Beneficiary and Marsha Fogle as Trustee and recorded 04/14/2000, in Book M00, on Page 12159, in Official Records of Klamath County, Oregon; covering the following described real property situated in said county and state, to-wit:

Lot 7, Block 3, Mahn's Acres Subdivision, in the County of Klamath, State of Oregon.

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

150230 Hamner Street, Gilchrist, Oregon 97737

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 12/15/2003 through 02/15/2005 | \$8,009.40 |
| Total late charges | \$373.77 |
| Total advances | \$3,217.14 |
| TOTAL DUE THE BENEFICIARY | \$11,600.31 |

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 **\$54,561.77** together with interest thereon at the current rate of **10.5** per cent per annum from **11/15/2003** 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 02/15/2005, 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 has

06810

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: 9/28/2004

First American Title Insurance Company

By 

DENNIS CANLAS, Assistant Secretary

State of Calif
County of Orange ss.

I certify that I, **DENNIS CANLAS** 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

DENNIS CANLAS, Assistant Secretary

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

Sale Information Line: 714.573.1965

Sale Information Website:

Reinstatement and Pay-Off Requests: 949.622.3388.

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