

05 FEB 1 PM 12:04

KLAMATH

First American Title Insurance Company

Vol M05 Page 07239

State of Oregon, County of Klamath
Recorded 02/01/05 12:04 p m
Vol M05 Pg 07239-45
Linda Smith, County Clerk
Fee \$ 66⁰⁰ # of Pgs 7

**RECORDING COVER SHEET FOR
NOTICE OF SALE PROOF OF COMPLIANCE
Per ORS 205.234**

DEF

**AFTER RECORDING RETURN TO:
CASSANDRA CHORTIE**

**First American Title Insurance Company
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065**

620 # 247 3442 / 476 751
TS No.: 04 -13490
Doc ID #000658917382005N

1. AFFIDAVIT OF MAILING NOTICE OF SALE
- ✓ 2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
- ✓ 3. AFFIDAVIT OF SERVICE
- ✓ 4. COPY OF NOTICE OF SALE

Original Grantor on Trust Deed: **STEVE CAVENDER**

Beneficiary: **NEW CENTURY MORTGAGE CORPORATION**

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING, ANY ERRORS CONTAINED IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

5/F
151

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) ss:

I, the undersigned, being first duly sworn, depose and 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 the beneficiary's successor in interest named in the attached 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 copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known address, to-wit:

See attached Exhibit A for all the mailing address(es).

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, 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 (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by 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 VENTURA, CALIFORNIA, on 11-9-04. With respect to each person listed above, 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 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.

Subscribed and sworn to before me on 11/10, 2004, by Maria Aguilar

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

and STEVE CAVENDER

Notary Public for California

Residing at CA

My commission expires: 5/25/08

First American Title Insurance Company

Trustee TS No. 04-13490

After Recording return to:

400 COUNTRYWIDE WAY SV-35

First American Title Insurance Company

SIMI VALLEY, CA 93065





07241

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"**

TS No. 04-13490

STEVE CAVENDER
1179 AVENIDA AZUL
SAN MARCOS, CA 92069
7187 7930 3131 0442 1236

STEVE CAVENDER
2110 WHITE AVENUE
KLAMATH FALLS, OR 97601
7187 7930 3131 0442 1243

LILAS J. KALER
92 CASA GRANDE
RED BLUFF, CA 96080
7187 7930 3131 0442 1250

Affidavit of Publication

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 # 7130

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 16, 23, 30, 2004, January 6, '05

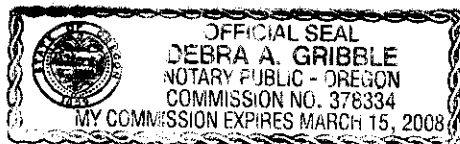
Total Cost: \$770.00

Subscribed and sworn

before me on: January 6, 2005

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(s), to AmeriTitle, as Trustee, in favor of New Century Mortgage Corporation, as Beneficiary, dated 02/12/2004, recorded 02/24/2004, in the mortgage records of Klamath County, Oregon in Book/Reel/Volume No. M04 at Page No. 10442 as Recorder's fee/file/instrument/microfilm/reception Number, covering the following described real property situated in said county and state, to wit:

Lot 7 in Block 209 in Mills Second Addition, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. PROPERTY ADDRESS: 2110 White Avenue, Klamath Falls, OR 97601.

herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, said sums being the following to wit: \$69,694.61 with interest thereon at the rate of 10.525 percent per annum beginning 05/01/2004 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE - OR (NEW), the undersigned Trustee will on Friday, March 11, 2005 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110 at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the Trust Deed, together with any in-

terest which the grantor or grantor's successors in interest acquired after the execution of the 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 ORS 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 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 the Trustee's and Attorney's fees not exceeding the amounts provided by OSRS 86.753

In construing this notice, 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.

Dated: October 29, 2004. Dennis Canlas, Asst. Sec. First American Title - (NEW). For further information, please contact: First American Title - OR (NEW), C/O CTC Real Estate Services, 5898 Condor Drive, MP-88, Moorpark, CA 93021. (800) 281-8219. TS No. 04-13490. Doc. ID #000658917382005N. #7130 December 16, 23, 30, 2004, January 6, 2005.

IN THE _____ COURT OF THE STATE OF _____
COUNTY OF _____ : COURT CASE NO. _____

OREGON

NEW CENTURY MORTGAGE CORP

07243

vs
STEVE CAVENDER

PROOF OF SERVICE

STATE OF OREGON)

County of KLAMATH)

SS.

I hereby certify that on the 3 day of November, 2004, at the hour of 0710
I served OCCUPANTS (SONIA PARTIDA) by

- ☒ Personal Service (personally and in person)
☐ Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
☐ Office Service (by serving the person apparently in charge)
☐ By posting (said residence)

A certified/true copy of:

- | | | |
|--|--|---------------------------------------|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Order | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Citation | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Notice | <input type="checkbox"/> Decree |
| <input checked="" type="checkbox"/> Other: TRUSTEES NOTICE OF SALE | | |

Together with a copy of _____

To SONIA PARTIDA At 2110 WHITE AVE
KLAMATH FALLS, OR. 97601

NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20____
and after due and diligent search and inquiry, I have been unable to locate _____
within the county of _____ Dated this _____ day of _____, 20____

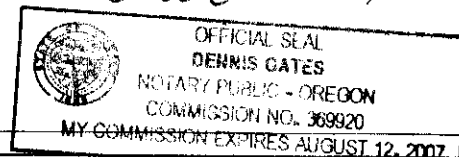
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this
8 day of Nov, 2004

DAVE DAVIS (#16)

Cleveland Legal Support Service
(541) 665-5162



Papers
Received From FEI LLC
PO BOX 219
BELLEVUE
WA 98009-0219
425-458-2112
ATTN: IRENE

Remit to: CLSS, Inc.	Service Fee	\$
P.O. Box 5358	Mileage	\$
Central Point, OR 97502	Rush/Emergency	\$
Date: 11-03-2004	Incorrect Add.	\$
CLSS File No. 6425-K		\$
Client No. 1000.09106	Amount Paid	\$ 0.00
	TOTAL DUE	\$ 0.00

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Steve Cavender, as grantor(s), to Amerititle, as Trustee, in favor of New Century Mortgage Corporation, as Beneficiary, dated 02/12/2004, recorded 02/24/2004, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M04 at Page No. 10442 as Recorder's fee/file/instrument/microfilm/reception Number -, covering the following described real property situated in said county and state, to wit:

LOT 7 IN BLOCK 209 IN MILLS SECOND ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 2110 WHITE AVENUE
KLAMATH FALLS, OR 97601

Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obligations secured by the 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: monthly payments of \$639.34 beginning 06/01/2004; plus late charges of \$31.97 each month beginning with the 06/01/2004 payment plus prior accrued late charges of \$63.94; plus advances of \$12.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, said sums being the following to wit: \$69,694.61 with interest thereon at the rate of 10.525 percent per annum beginning 05/01/2004 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE - OR (NEW), the undersigned Trustee will on Friday, March 11, 2005 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 ORS 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 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 the Trustee's and attorney's fees not exceeding the amounts provided by OSRS 86.753.

In construing this notice, 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.

Dated

10/29, 2004


DENNIS CANLAS, Assistant Secretary
FIRST AMERICAN TITLE - OR (NEW)

For further information, please contact:

FIRST AMERICAN TITLE - OR (NEW)
C/O CTC REAL ESTATE SERVICES
5898 CONDOR DRIVE, MP-88
MOORPARK, CA 93021
(800)-281-8219
TS No. 04 -13490
Doc ID #000658917382005N

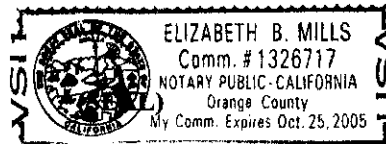
07245

STATE OF Calif,
COUNTY OF Orange) ss.

On 10/24/04, before me, Elizabeth B. Mills, personally appeared
DENNIS CANLAS, 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.

Elizabeth B. Mills
Notary Public for _____
My commission expires: _____



THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.