

JSF 490187  
**Affidavit of Publication**

Vol M05 Page 22351

332-753

**STATE OF OREGON,  
 COUNTY OF KLAMATH**

State of Oregon, County of Klamath  
 Recorded 03/31/2005 3:42 p m  
 Vol M05 Pg 22351-64  
 Linda Smith, County Clerk  
 Fee \$ 86.00 # of Pgs 14

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 # 7265

Notice of Sale/Tami Cole

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:  
 February 24, March 3, 10, 17, 2005

Total Cost:

Subscribed and sworn

before me on: March 17, 2005

Notary Public of Oregon

My commission expires March 15, 2008

OREGON  
 TRUSTEE'S  
 NOTICE OF SALE  
 Loan #:  
 4800039505/253/COL  
 E Title #: 2497072  
 TD#: L332753 OR  
 Unit Code: L AP  
 No: 512118

Reference is made to that certain Trust Deed made by TAMI COLE as Grantor, to FIRST AMERICAN TITLE as Trustee, in favor of U.S. BANK, NATIONAL ASSOCIATION as Beneficiary. Dated April 10, 2001, Recorded April 13, 2001 as Instr. No. --- in Book M01 Page 15606 of Official Records in the office of the Recorder of KLAMATH County, OREGON covering the following described real property situated in said county and state, to wit: TRACT 43, YALTA GARDENS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

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: 6 PYMTS FROM 06/01/04 TO 11/01/04 @ 586.09 \$3,516.54 TOTAL LATE CHARGES \$170.17 CREDIT DUE <\$127.63> MISCELLANEOUS FEES \$114.00 Sub-Total of Amounts in Ar-

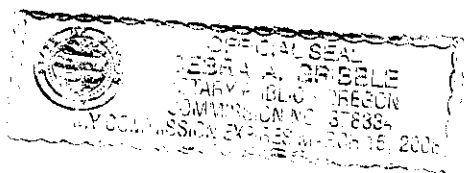
rears: \$3,673.08 Together with any default in the payment of recurring obligations as they become due.

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 Trust Deed, 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. The street or other common designation if any, of the real property described above is purported to be: 5240 BRYANT STREET, KLAMATH FALLS, OR 97603. The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

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, to wit: Principal \$79,926.67, together with interest as provided in the note or other instrument secured from 5/01/04, and such other costs and fees are due under the note or other instrument secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned trustee will, on April 11, 2005, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, AT THE MAIN STREET ENTRANCE, KLAMATH COUNTY COURTHOUSE KLAMATH FALLS, County of KLAMATH, State of OREGON, (which is the new date, time place set for said sale) 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 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 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 herein that is capable of being cured by tendering the performance required under the obligation of the 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 said ORS 86.753. It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or pay-off so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check. The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

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. We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing. 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. If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: 714/480-5690 or you may access sales information at [www.ascentex.com/websales/](http://www.ascentex.com/websales/)

DATED: 02/16/05.  
DAVID A. KUBAT,  
OSBA #84265. By  
DAVID A. KUBAT,  
ATTORNEY AT  
LAW. DIRECT IN-  
QUIRIES TO: T.D.  
SERVICE COMPAN-  
NY FORECLOSURE  
DEPARTMENT,  
1820 E.  
FIRST ST., SUITE  
210, P.O. BOX 11988,  
SANTA ANA, CA  
92711-1988. 800/843-  
0260. TAC# 727622W.  
PUB: 2/24/05,  
3/03/05, 3/10/05,  
3/17/05.  
#7265 February 24,  
March 3, 10, 17, 2005.

## TRUSTEE'S NOTICE OF SALE

U.S. BANK NATIONAL ASSOCIATION )

CLIENT COPY

AFFIDAVIT/PROOF OF MAILING

Client # 725815W

vs

TAMI COLE TS #L332753 )

STATE OF OREGON )

COUNTY OF MULTNOMAH )

SS.

I hereby certify that on the 9th day of December, 2004, at the hour of 3:34PM, a copy of a TRUSTEE'S NOTICE OF SALE was served to all occupant(s) located at 5240 Bryant St., Klamath Falls, OR 97603.

**THE OCCUPANTS WERE SERVED IN THE FOLLOWING MANNER:**

I served Occupant(s), Darren Cole by PERSONAL SERVICE

I served Occupant(s), Tami Cole by SUBSTITUTE SERVICE TO Darren Cole, co occupant, a person over the age of 14 and who is an occupant of the described residence.

I served All Occupants over 18 years old by SUBSTITUTE SERVICE TO Darren Cole, co occupant, a person over the age of 14 and who is an occupant of the described residence.,

**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.

/s/

Jefferson State Adjusters, Server  
Capitol Investigation Co., LTD.

I HEREBY CERTIFY that I completed substitute service, as required by law, by depositing with the United States Post Office by regular mail a properly addressed, postage prepaid envelope containing a copy of the TRUSTEE'S NOTICE OF SALE to Tami Cole and all other occupants 18 years or older at 5240 Bryant St., Klamath Falls, OR 97603 on 12/11/04 /s/

Subscribed to and sworn to before me this  
10th day of December, 2004 by /s/  
(seal)

/s/

Notary for the State of Oregon

Linda

Trustee's Assistance Corporation  
1820 E First St., Ste. 220  
Santa Ana, CA 92705-4009

Remit to: CAPITOL  
P.O. Box 3225  
Portland, OR 97208  
Date 12/10/2004  
File No. 04-35382-M  
Client # 725815W

Service fee  
Mileage  
Rush fee \$ 0.00  
Wrong Addr

Paid

Balance

22354

## AFFIDAVIT OF NON-MILITARY SERVICE

T.S. No: L332753 OR Unit Code: L Loan No: 4800039505/253/COLE

STATE OF ARIZONA )  
COUNTY OF MARICOPA ) ss.

Lisa Rogers, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

TO THE BEST OF OUR KNOWLEDGE:

TAMI COLE

ARE NOT, AND NEITHER IS, IN THE MILITARY SERVICE OF THE UNITED STATES, WITHIN THE MEANING OF THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT, AS AMENDED; THAT NEITHER PERSON IS A MEMBER OF THE UNITED STATES MARINE CORPS, WOMEN'S RESERVE, OR WOMEN'S ARMY AUXILIARY CORPS OR WOMEN'S ARMY CORPS (WACS), OR WOMEN'S COAST GUARD RESERVE UNDER ORDERS TO REPORT FOR INDUCTION UNDER THE SELECTIVE TRAINING AND SERVICE ACT OF 1940, AS AMENDED, OR AS A MEMBER OF THE ENLISTED RESERVE CORPS UNDER ORDERS TO REPORT FOR MILITARY SERVICE OR AN AMERICAN CITIZEN SERVING WITH THE FORCES OF ANY NATION ALLIED WITH THE UNITED STATES IN THE PROSECUTION OF A WAR, OR IN THE FEDERAL SERVICE OR ACTIVE DUTY AS A MEMBER OF THE ARMY OF THE UNITED STATES, OR THE UNITED STATES NAVY, OR THE MARINE CORPS, OR THE COAST GUARD, OR AS AN OFFICER OF THE PUBLIC HEALTH SERVICE WITHIN THE PURVIEW OF THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940, AS AMENDED.

THAT THIS AFFIDAVIT IS MADE FOR THE PURPOSE OF INDUCING DAVID A. KUBAT, AS TRUSTEE WITHOUT LEAVE OF COURT FIRST OBTAINED, TO CAUSE CERTAIN PROPERTY TO BE SOLD UNDER THE TERMS OF A DEED OF TRUST PURSUANT TO THE POWER OF SALE CONTAINED THEREIN.

DATED : December 17, 2004

By:

Lisa Rogers  
LISA ROGERS  
COUNSELLOR MANAGER

SUBSCRIBED AND SWORN TO BEFORE ME THIS

17th

DAY OF

December 2004

Candice Leigh Jancke Maricopa Arizona  
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE.

MY COMMISSION EXPIRES ON 09/08/08



Candice Leigh Jancke  
Notary Public-Arizona  
MARICOPA COUNTY  
My Commission Expires  
SEPTEMBER 8, 2008

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

I, Vanessa Varelas, 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 his successor in interest named in the attached original notice of sale given under 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 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 addresses, attached hereto.

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 of 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 of 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 David Kubat, OSBA No. 84265, 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 December 13, 2005. With respect to each person listed on the attached, 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.

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

Vanessa Varelas  
VANESSA VARELAS

Subscribed and sworn before me this 13<sup>th</sup> day of December, 2005.

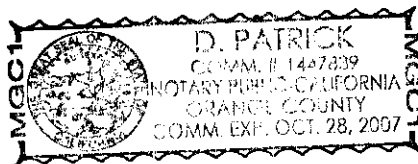
WITNESS my hand and official seal.

D. Patrick

D. PATRICK

Notary Public for California

My Commission Expires: 10-28-2007



AFTER RECORDING RETURN TO:

T.D. SERVICE COMPANY  
1820 EAST FIRST STREET, SUITE 210  
SANTA ANA, CA 92705

TD# L332753

## DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

22356

T.S.# L 332753

Date: 12/14/04

TAMI COLE  
5240 BRYANT AVE.  
KLAMATH, OR 97603

CERTIFIED 7105 2257 2920 0148 1039  
RETURN RECEIPT REQUESTED

SPOUSE OF TAMI COLE  
5240 BRYANT AVE.  
KLAMATH, OR 97603

CERTIFIED 7105 2257 2920 0148 1046  
RETURN RECEIPT REQUESTED

TAMARA M. COLE  
5240 BRYANT AVE.  
KLAMATH, OR 97603

CERTIFIED 7105 2257 2920 0148 1053  
RETURN RECEIPT REQUESTED

SPOUSE OF TAMARA M. COLE  
5240 BRYANT AVE.  
KLAMATH, OR 97603

CERTIFIED 7105 2257 2920 0148 1060  
RETURN RECEIPT REQUESTED

TAMI COLE  
P.O. BOX 294  
BLY, OR 97622

CERTIFIED 7105 2257 2920 0148 1077  
RETURN RECEIPT REQUESTED

SPOUSE OF TAMI COLE  
P.O. BOX 294  
BLY, OR 97622

CERTIFIED 7105 2257 2920 0148 1084  
RETURN RECEIPT REQUESTED

TAMARA M. COLE  
P.O. BOX 294  
BLY, OR 97622

CERTIFIED 7105 2257 2920 0148 1091  
RETURN RECEIPT REQUESTED

SPOUSE OF TAMARA M. COLE  
P.O. BOX 294  
BLY, OR 97622

CERTIFIED 7105 2257 2920 0148 1107  
RETURN RECEIPT REQUESTED

KLAMATH COUNTY TAX COLLECTOR  
P.O. BOX 340  
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0148 1114  
RETURN RECEIPT REQUESTED

KLAMATH COUNTY TAX COLLECTOR  
305 MAIN STREET, ROOM 121  
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0148 1121  
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA  
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.

Vanessa Carrelas

AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

22357

T.S.# L 332753

Date: 12/13/04

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

TAMI COLE  
5240 BRYANT AVE.  
KLAMATH, OR 97603

SPOUSE OF TAMI COLE  
5240 BRYANT AVE.  
KLAMATH, OR 97603

TAMARA M. COLE  
5240 BRYANT AVE.  
KLAMATH, OR 97603

SPOUSE OF TAMARA M. COLE  
5240 BRYANT AVE.  
KLAMATH, OR 97603

TAMI COLE  
P.O. BOX 294  
BLY, OR 97622

SPOUSE OF TAMI COLE  
P.O. BOX 294  
BLY, OR 97622

TAMARA M. COLE  
P.O. BOX 294  
BLY, OR 97622

SPOUSE OF TAMARA M. COLE  
P.O. BOX 294  
BLY, OR 97622

KLAMATH COUNTY TAX COLLECTOR  
P.O. BOX 340  
KLAMATH FALLS, OR 97601

KLAMATH COUNTY TAX COLLECTOR  
305 MAIN STREET, ROOM 121

I declare under penalty of perjury that the foregoing is true and correct.

Vanessa Larelas

AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

22358

13

T.S.# L 332753

Date: 12/14/04

STATE OF CALIFORNIA

COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

KLAMATH FALLS, OR 97601

I declare under penalty of perjury that the foregoing is true and correct.

Janessa Varelas



## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

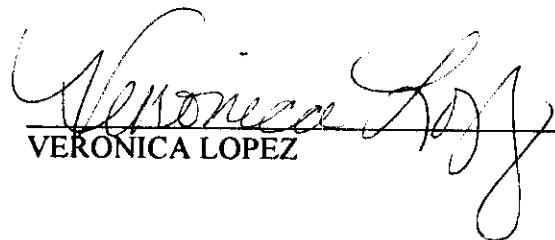
I, Veronica Lopez, being first duly sworn, depose, and say and certify that: At all times hereinafter mentioned I was and now am a resident of the State of California a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under 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 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 addresses, attached hereto.

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 of 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 of 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 David Kubat, OSBA No. 84265, 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 23, 2005. With respect to each person listed on the attached, 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.

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

  
VERONICA LOPEZ

Subscribed and sworn before me this 23rd day of March, 2005.

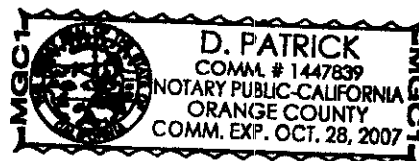
WITNESS my hand and official seal.



D. PATRICK

Notary Public for California

My Commission Expires: 10-28-2007



AFTER RECORDING RETURN TO:

T.D. SERVICE COMPANY  
1820 EAST FIRST STREET, SUITE 210  
SANTA ANA, CA 92705

TD# DL332753

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

22360

T.S.# L 332753

Date: 03/23/05

SOUTHERN OREGON CREDIT SERVICE, INC.  
841 STEWART AVE.  
MEDFORD, OR 97501

CERTIFIED 7105 2257 2920 0157 0825  
RETURN RECEIPT REQUESTED

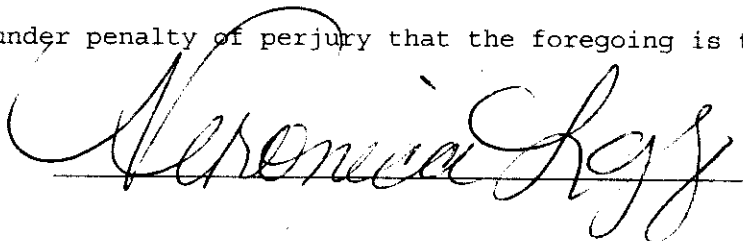
SOUTHERN OREGON CREDIT SERVICE, INC.  
P.O. BOX 4070  
MEDFORD, OR 97501

CERTIFIED 7105 2257 2920 0157 0832  
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA  
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

I certify or declare under penalty of perjury that the foregoing is true and correct.



AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

22361

T.S.# L 332753

Date: 03/23/05

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

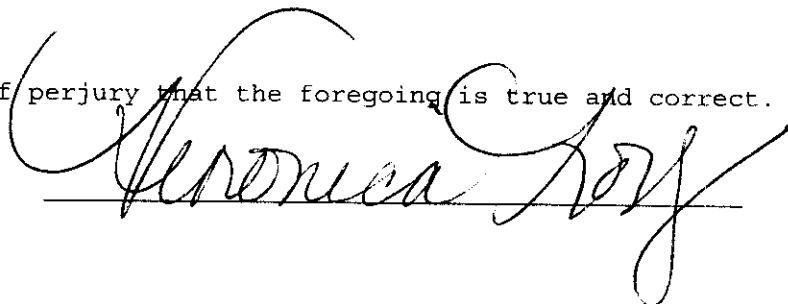
The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

Addressed to the following:

SOUTHERN OREGON CREDIT SERVICE, INC.  
841 STEWART AVE.  
MEDFORD, OR 97501

SOUTHERN OREGON CREDIT SERVICE, INC.  
P.O. BOX 4070  
MEDFORD, OR 97501

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Veronica Roy

T.D. SERVICE COMPANY

and when recorded mail to

T.D. SERVICE COMPANY  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988

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**OREGON TRUSTEE'S NOTICE OF SALE**

Loan #: 4800039505/253/COLE Title #: 2497072  
TD#: L332753 OR Unit Code: L  
AP No: R512118

Reference is made to that certain Trust Deed made by TAMI COLE as Grantor, to FIRST AMERICAN TITLE as Trustee, in favor of U.S. BANK, NATIONAL ASSOCIATION as Beneficiary.

Dated April 10, 2001, Recorded April 13, 2001 as Instr. No. --- in Book M01 Page 15606 of Official Records in the office of the Recorder of KLAMATH County, OREGON

covering the following described real property situated in said county and state, to wit:

TRACT 43, YALTA GARDENS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

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:

6 PYMTS FROM 06/01/04 TO 11/01/04 @ 586.09	\$3,516.54
TOTAL LATE CHARGES	\$170.17
CREDIT DUE	<\$127.63>
MISCELLANEOUS FEES	\$114.00
Sub-Total of Amounts in Arrears:	\$3,673.08

Together with any default in the payment of recurring obligations as they become due.

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 Trust Deed, the beneficiary may insist that you do so in order to reinstate your

**T.S. No: L332753 Unit Code: L Loan No: 4800039505/253/COLE**

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.

The street or other common designation if any, of the real property described above is purported to be :  
5240 BRYANT STREET, KLAMATH FALLS, OR 97603

The undersigned Trustee disclaims any liability for any incorrectness of the above street or other common designation.

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, to wit: Principal \$79,926.67, together with interest as provided in the note or other instrument secured from 5/01/04, and such other costs and fees are due under the note or other instrument secured, and as are provided by statute.

WHEREFORE, notice is hereby given that the undersigned trustee will, on April 11, 2005, at the hour of 10:00 A.M. in accord with the Standard Time, as established by ORS 187.110, AT THE MAIN STREET ENTRANCE KLAMATH COUNTY COURTHOUSE KLAMATH FALLS , County of KLAMATH, State of OREGON, (which is the new date, time and place set for said sale) 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 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 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 herein that is capable of being cured by tendering the performance required under the obligation of the 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 said ORS 86.753.

**T.S. No:**

It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check.

The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

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.

We are assisting the Beneficiary to collect a debt and any information we obtain will be used for that purpose whether received orally or in writing.

If available, the expected opening bid and/or postponement information may be obtained by calling the following telephone number(s) on the day before the sale: 714/480-5690 or you may access sales information at [www.ascentex.com/websales/](http://www.ascentex.com/websales/)

DATED: 11-30-04

DAVID A. KUBAT, OSBA #84265

By 

DAVID A. KUBAT, ATTORNEY AT LAW

**DIRECT INQUIRIES TO:**  
T.D. SERVICE COMPANY  
FORECLOSURE DEPARTMENT  
1820 E. FIRST ST., SUITE 210  
P.O. BOX 11988  
SANTA ANA, CA 92711-1988  
800/843-0260