

05 MAY 16 PM 11:51

AMENDED TRUSTEE'S NOTICE OF SALE

1st 184389

Loan No: 8408395
T.S. No.: F-31605-OR-JB

State of Oregon, County of Klamath
Recorded 05/16/05 11:51 a.m.
Vol M05 Pg 35201-4
Linda Smith, County Clerk
Fee \$ 36⁰⁰ # of Pgs 4

Reference is made to that certain deed made by, CHRISTINE R. BAXENDALE as Grantor to LUCY E. KIVEL, ESQ., in favor of TMS MORTGAGE INC., D.B.A THE MONEY STORE, as Beneficiary, dated 9/29/1999, recorded 10/4/1999, in official records of Klamath county, Oregon in book No. M99 at page No. 39371, instrument No. 39371, covering the following described real property situated in said County and State, to-wit:

A PIECE OR PARCEL OF LAND SITUATE IN THE NE 1/4 NW 1/4 OF SECTION 5, TOWNSHIP 41 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, AND MORE COMPLETELY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Tax Assessor's #: R252997

More commonly known as:	19336 ANDERSON ROAD MERRIL, OR 97633
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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 MAKE THE 3/1/2003 PAYMENT OF PRINCIPAL AND INTEREST AND ALL SUBSEQUENT PAYMENTS, TOGETHER WITH LATE CHARGES, IMPOUNDS, TAXES ADVANCES AND ASSESSMENTS.

Monthly Payment \$355.45 Monthly Late Charge 5%

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: \$30,769.13 with interest thereon at the rate of 10.05% beginning 2/1/2003; plus late charges of 13.84 beginning 3/1/2003 until paid; plus prior accrued late charges of ; plus advances of \$110.00; together with title expense, costs, trustee's fees and attorneys 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.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on 10/06/03, at the hour of 10:00 AM Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR, however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the Court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on 04/04/2005.

Whereof, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY the undersigned trustee will on 5/24/2005 at the hour of 10:00 AM, Standard of Time, as established by section 187,110, Oregon Revised Statutes, at
ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, 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 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

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35202

Statues 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.

For Sale Information (916) 387-7728

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" include their respective successors in interest, if any.

Dated: April 20, 2005

FIRST AMERICAN INSURANCE, TRUSTEE
By: QUALITY LOAN SERVICE, AGENT
(619) 645-7711
For Sale Information (916) 387-7728

Signature By


Jennifer A. Basom, Trustee Sale Officer

AMENDED TRUSTEE'S NOTICE OF SALE

Loan No.: **8408395**

T.S. No.: **F-31605-OR-JB**

WHEN REDORDED MAIL TO:
LITTON LOAN SERVICING LP
4828 Loop Central Drive
Houston, TX 77081-2226

(Recorder's Use)

T.S. NO.: F-31605-OR-JB
LOAN NO.: 8408395

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF California} SS
COUNTY OF San Diego}

I, M. Trujillo, 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 original or copy of 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 registered or certified mail and regular mail to each of the following named person's at their last known address, to-wit:

NAME & ADDRESS

CERTIFIED NO.

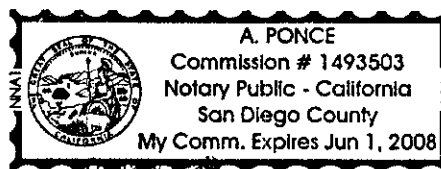
SEE ATTACHED

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 Jennifer Basom, 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 mail San Diego California, on 6/5/2003. 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.

STATE OF California} SS
COUNTY OF San Diego}



On 04/27/2005 before me, the undersigned, A Notary Public in and for said State, personally appeared Michael Trujillo 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

A. Ponce

AFFIDAVIT OF MAILINGDate: **April 27, 2005**T.S. No.: **F-31605-OR-JB**Loan No.: **8408395**STATE OF California }
COUNTY OF San Diego }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in **San Diego** County at QUALITY LOAN SERVICE CORPORATION, and is not a party to the within action and that on **April 27, 2005**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice of Default/Notice of Sale in a sealed envelope, certified mail with return receipt or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

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

X

Affiant **Michael Trujillo**

UNITED FINANCE CO.
2316 S. 6TH ST. SUITE D
KLAMATH FALLS, OR 97601
Z71788518801024491473

UNITED FINANCE CO.
2316 S. 6TH ST. SUITE D
KLAMATH FALLS, OR 97601
First Class

CARTER-JONES COLLECTION SERVICE, INC.
1143 PINE STREET
KLAMATH FALLS, OR 37601
Z71788518801024491480

CARTER-JONES COLLECTION SERVICE, INC.
1143 PINE STREET
KLAMATH FALLS, OR 37601
First Class

CARTER-JONES COLLECTION SERVICE, INC.
C/O NEAL G. BUCHANAN, ATTORNEY
435 OAK AVENUE
KLAMATH FALLS, OR 97601
Z71788518801024491497

CARTER-JONES COLLECTION SERVICE, INC.
C/O NEAL G. BUCHANAN, ATTORNEY
435 OAK AVENUE
KLAMATH FALLS, OR 97601
First Class