

05 MAR 23 AM 10:44

WHEN RECORDED MAIL TO:

Vol M05 Page 37362

Cal-Western Reconveyance Corporation
P.O. Box 22004
525 East Main Street
El Cajon, CA 92022-9004

State of Oregon, County of Klamath
Recorded 05/23/05 10:44 a m
Vol M05 Pg 37362-69
Linda Smith, County Clerk
Fee \$ 56.00 # of Pgs 8

541002 Aspen 60810
FIDELITY NATIONAL TITLE

T.S. NO.: 1073727-09
LOAN NO.: 0435299417

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS
COUNTY OF SAN DIEGO }

I, Franco Cabading 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 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 Notice of Sale by mailing a copy thereof by registered or certified mail and regular mail to each of the following named persons at their last known address, to-wit:

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 MERLOBEL R CUSTODIO, for CAL-WESTERN RECONVEYANCE CORPORATION, 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 in San Diego County, California, on February 16, 2005. 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.

[Signature]
Affiant

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this 16 day of FEB, 2005

[Signature]
Notary Public



TRUSTEE'S NOTICE OF SALE

Loan No: 0435299417

T.S. No: 1073727-09

Reference is made to that certain deed made by
TERRY L CHEYNE AND SANDRA K CHEYNE
as Grantor to
ASPEN TITLE & ESCROW, INC., as Trustee, in favor of

AMERICAN SUMMIT LENDING CORPORATION
as Beneficiary,

dated January 13, 2003, recorded January 14, 2003, in official records of KLAMATH County, OREGON in
book/reel/volume No. M03 at
page No. 02531, fee/file/instrument/microfilm/reception No. XX covering the following described real property
situated in the said County and State, to-wit:

LOT 15, SUMMERS LANE HOMES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE
OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

4536 ONYX AVENUE KLAMATH FALLS OR 97603

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 pay the monthly payment due November 1, 2004 of principal, interest and impounds and subsequent
installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary
pursuant to the terms and conditions of said deed of trust.

Monthly payment \$826.37 Monthly Late Charge \$32.90

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 following, to-wit; The sum of \$71,361.13 together with interest
thereon at 10.490% per annum from October 01, 2004 until paid; plus all accrued late charges thereon; and all
trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of
the said deed of trust.

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION
the undersigned trustee will on June 17, 2005 at the hour of 1:00pm, Standard of Time, as established by Section
187.110, Oregon Revised Statutes, at
AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE
316 MAIN STREET

City of KLAMATH FALLS, 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 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 expense 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 to have the foreclosure proceeding

37364

TRUSTEE'S NOTICE OF SALE

Loan No: 0435299417
T.S. No: 1073727-09

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.

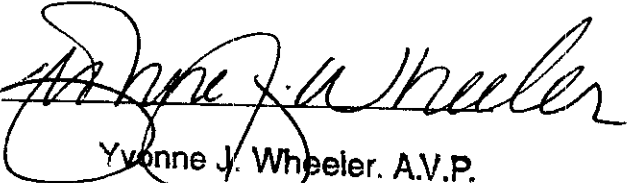
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any.

Dated: February 03, 2005

CAL-WESTERN RECONVEYANCE CORPORATION
525 EAST MAIN STREET
P.O. BOX 22004
EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By:


Yvonne J. Wheeler. A.V.P.

2/16/2005 10:40:04 AM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: NOS

Affidavit Attachment: 1073727-09 030 02151603 CWR

Postal Number Sequence Recipient Name

11041994141002891582
1 OCCUPANT

11041994141002891599
2 TERRY L CHEYNE

11041994141002891605
3 SANDRA K CHEYNE

11041994141002891612
4 INTERNAL REVENUE SERVICE

Address Line 1/3

4536 ONYX AVENUE

4536 ONYX AVENUE

4536 ONYX AVENUE

ADVISORY - M/S W245

Address Line 2/4

KLAMATH FALLS OR 97603

KLAMATH FALLS OR 97603

KLAMATH FALLS OR 97603

SEATTLE WA 98174

37365

37366

2/16/2005 10:40:04 AM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: NOS

Affidavit Attachment: 1073727-09 030 02151603 CWR

Postal Number Sequence Recipient Name

71041994141004459461	1	OCCUPANT	4536 ONYX AVENUE	Address Line 1/3	Address Line 2/4
71041994141004459478	2	TERRY L CHEYNE	4536 ONYX AVENUE		KLAMATH FALLS OR 97603
71041994141004459485	3	SANDRA K CHEYNE	4536 ONYX AVENUE		KLAMATH FALLS OR 97603
71041994141004459492	4	INTERNAL REVENUE SERVICE	ADVISORY - M/S W245		SEATTLE WA 98174

116227
107372709
37367

**PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS**

STATE OF: OREGON
COUNTY OF: KLAMATH

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: TRUSTEE'S NOTICE OF SALE

FOR THE WITHIN NAMED: Occupants of 4536 Onyx Ave Klamath Falls, OR 97603

XPERSONALLY SERVED: Original or True Copy to within named, personally and in person to Terry Cheyene at the address below.

X SUBSTITUE SERVICE: By delivering an Original or True Copy to Terry Cheyene, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Sandy Cheyene

☐ **OTHER METHOD:** By leaving an Original or True Copy with _____

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on _____ and after personal inspection, I found the above described real property to be unoccupied.

4536 Onyx Ave Klamath Falls, OR 97603

ADDRESS OF SERVICE

I further certify that I am a competent person 18 years of age or older and a resident of the state of service 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, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

February 10, 2005

5:09 PM

DATE OF SERVICE

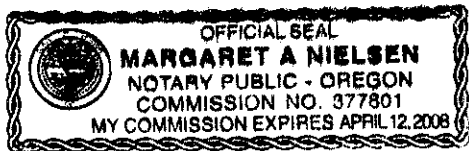
TIME OF SERVICE

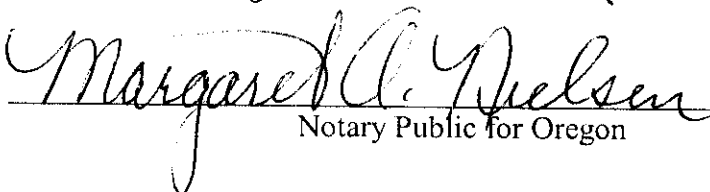
☐ or non occupancy

By: 

Robert W Bolenbaugh

Subscribed and sworn to before on this 15th day of February, 2005.




Notary Public for Oregon

116227

Klamath County, Oregon

AMERICAN SUMMIT LENDING CORPORATION, beneficiary
TERRY L CHEYNE & SANDRA K CHEYNE, grantor
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee
AFFIDAVIT OF MAILING

NOTICE OF SUBSTITUTED SERVICE

to: SANDY K. CHEYNE
4536 ONYX AVE.
KLAMATH FALLS, OR 97603

You are hereby notified that you have been served with a TRUSTEE'S NOTICE OF SALE, (hereafter called documents), a true copy is attached and enclosed. SUBSTITUTED SERVICE was made on **February 10, 2005**, at **5:09 PM** by leaving a true copy of said documents with **TERRY L. CHEYNE**, who is a person of suitable age and a member of your household, to-wit: **4536 ONYX AVE., KLAMATH FALLS, OR 97603**.

AFFIDAVIT OF MAILING

I certify that:

I mailed a Notice of Service, a complete copy of which appears above, together with a true copy of the documents referred to therein and attached thereto, to the person and to the address first appearing above.

The Notice set forth above, and true copies of the said documents were placed in a sealed envelope with first class postage thereon fully prepaid and deposited with the United States Post Office on **February 16, 2005**, addressed as aforesaid.

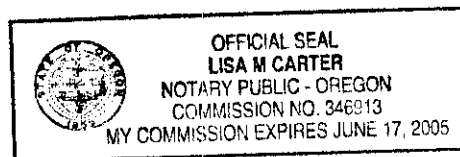
Glenn Carter

STATE OF OREGON, County of Multnomah. Signed and affirmed before me on February 16, 2005.
(SEAL)

Lisa M Carter

NOTARY PUBLIC - OREGON

My commission expires: 6-17-05



116227

Affidavit of Publication

37369

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 # 7277

Notice of Sale/Terry L. & Sandra K. Cheyne

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)
Four

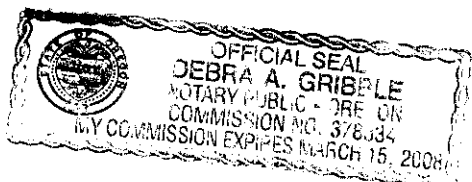
Insertion(s) in the following issues:
March 7, 14, 21, 28, 2005

Total Cost: \$720.30

Jeanine P. Day
Subscribed and sworn
before me on: March 28, 2005

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S
NOTICE OF SALE
Loan No: 0435299417
T.S. No.: 1073727-09

deed of trust.
Monthly payment
\$826.37 Monthly Late
Charge \$32.90.

ble charge by the trustee.

Reference is made to that certain deed made by, Terry L. Cheyne and Sandra K. Cheyne, as Grantor to Aspen Title & Escrow, Inc., as Trustee, in favor of American Summit Lending Corporation, as Beneficiary, dated January 13, 2003, recorded January 14, 2003, in official records of Klamath County, Oregon in book/reel/ volume No. M03 at page No. 02531, fee/file/Instrument/microfilm/reception No. xx covering the following described real property situated in said County and State, to-wit: Lot 15, Summers Lane Homes, according to the official plat thereof on file in the Office of the Clerk of Klamath County, Oregon. Commonly known as: 4536 Onyx Avenue, Klamath Falls, Or 97603.

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 pay the monthly payment due November 1, 2004 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said

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: The sum of \$71,361.13 together with interest thereon at 10.490% per annum from October 01, 2004 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of said Deed of Trust.

Whereof, notice hereby is given that, Cal-Western Reconveyance Corporation the undersigned trustee with on June 17, 2005 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, At the Main Street entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, 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 expense of sale, including a reasonable

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes 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.

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" includes their respective successors in interest, if any.

Dated: February 03, 2005. Cal-Western Reconveyance Corporation, 525 East Main Street, P.O. Box 22004, El Cajon, Ca 92022-9004. SIGNATURE/BY: Cal-Western Reconveyance Corporation, Yvonne J. Wheeler, A.V.P. R-116227 03/07; 14; 21; 28/2005. #7277 March 7, 14, 21, 28, 2005.