

WHEN RECORDED MAIL TO:

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

**M05-64477**

Klamath County, Oregon  
09/16/2005 03:20:27 PM  
Pages 10 Fee: \$66.00

*1st 583335*

T.S. NO.: 1075804-09  
LOAN NO.: 0436582050

**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**

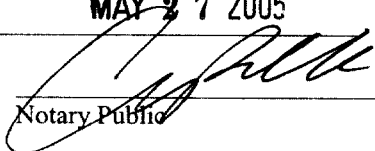
Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

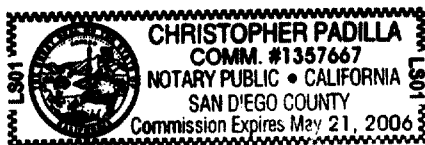
Each of the notices so mailed was certified to be a true copy of the original notice of sale by MERLOBEL R CUSTODIO, for CAL-WESTERN RECONVEYANCE CORPORATION, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail in San Diego County, California, on May 27, 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.

  
Affiant

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this \_\_\_\_\_ day of **MAY 27** 20**05**

  
Notary Public



## TRUSTEE'S NOTICE OF SALE

Loan No: 0436582050

T.S. No: 1075804-09

Reference is made to that certain deed made by  
VINCENT CLARKE AND RHONDA CLARKE, AS TENANTS BY THE ENTIRETY  
as Grantor to  
AMERICA WEST TITLE, as Trustee, in favor of  
  
HOMEOWNERS LOAN CORPORATION  
as Beneficiary,

dated August 29, 2003, recorded November 03, 2003, in official records of KLAMATH County, OREGON in  
book/reel/volume No. M03 \* at  
page No. 81674, fee/file/instrument/microfilm/reception No. XX covering the following described real property  
situated in the said County and State, to-wit:

THAT PORTION OF THE SW1/4 OF SECTION 7, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE  
WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: MORE COMPLETELY  
DESCRIBED IN ATTACHED EXHIBIT A. \*DEED RE-RECORDED 11/14/2003 BOOK: M03 PAGE: 84365

Commonly known as:

7816 BOOTH ROAD 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 February 4, 2005 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 \$818.07      Monthly Late Charge \$33.19

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 \$83,191.00 together with interest  
thereon at the rate of 8.800% per annum, from January 04, 2005 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 September 27, 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

## TRUSTEE'S NOTICE OF SALE

Loan No: 0436582050

T.S. No: 1075804-09

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.

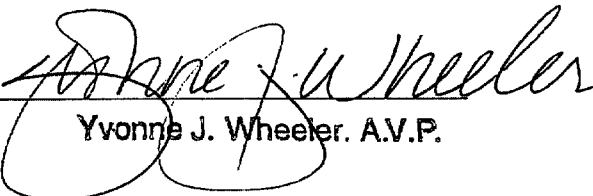
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words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

Dated: May 16, 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.

TS #1075804-09

**Exhibit "A"**

That portion of the SW1/4 of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point 30 feet South of the center of Section 7, Township 39 South Range 10 East of the Willamette Meridian; thence West along the South side of the public road 1441 feet more or less to the Northeast corner of the tract of land described in Deed recorded in Volume 74 Page 637, Deed records of Klamath County, Oregon in which M.E. and O.B. Cornett were grantees; thence South 1023 feet more or less, to the North line of Strahorn Railroad; thence South  $66^{\circ}48'$  East along said railroad right of way to the North and South center line of said Section 7; thence North along said center line 1650 feet, more or less, to the place of beginning, EXCEPTING THEREFROM, the Easterly 418.8 feet of said described tract of land.

5/27/2005 12:16:14 PM      Sender:      CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class:      First Class

Type of Mailing:      NOS

Affidavit Attachment: 1075804-09 030 05270949 CWR

Postal Number      Sequence      Recipient Name

11041994141003035251  
1      OCCUPANT

Address Line 1/3

7816 BOOTH ROAD

Address Line 2/4

KLAMATH FALLS OR 97603

11041994141003035268  
2      VINCENT CLARKE

7816 BOOTH ROAD

KLAMATH FALLS OR 97603

11041994141003035275  
3      RHONDA CLARKE

7816 BOOTH ROAD

KLAMATH FALLS OR 97603

5/27/2005 12:16:14 PM      Sender:      CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class:      Certified - Ret

Type of Mailing:      NOS

Affidavit Attachment: 1075804-09 030 05270949 CWR

Postal Number      Sequence Recipient Name

71041994141004698303  
1      OCCUPANT

71041994141004698310  
2      VINCENT CLARKE

71041994141004698327  
3      RHONDA CLARKE

Address Line 1/3

7816 BOOTH ROAD

7816 BOOTH ROAD

7816 BOOTH ROAD

Address Line 2/4

KLAMATH FALLS OR 97603

KLAMATH FALLS OR 97603

KLAMATH FALLS OR 97603

05270949

# Affidavit of Publication

119116

119116

## 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 # 7584

Notice of Sale/Vincent & Rhonda Clarke

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

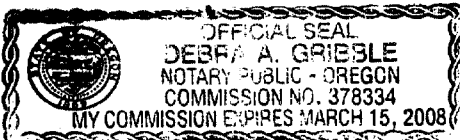
Insertion(s) in the following issues:  
June 16, 23, 30, July 7, 2005

Total Cost: \$837.90

*Jeanine P. Day*  
Subscribed and sworn  
before me on: July 7, 2005

*Debra A. Snibbe*  
Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE Loan No: 0436582050 T.S. No.: 1075804-09

Reference is made to that certain deed made by, Vincent Clarke and Rhonda Clarke, As Tenants By The Entirety, as Grantor to America West Title, as Trustee, in favor of Homeowners Loan Corporation, as Beneficiary, dated August 29, 2003, recorded November 03, 2003, in official records of Klamath County, Oregon in book/reel/volume No. M03 \* at page No. 81674, fee/file/Instrument/microfilm/reception No. xx covering the following described real property situated in said County and State, to-wit: That portion of the sw1/4 of section 7, township 39 south, range 10 east of the Willamette meridian, more particularly described as follows: Beginning at a point 30 feet south of the center of section 7, township 39 south range 10 east of the Willamette Meridian; thence west along the south side of the public road 1441 feet more or less to the northeast corner of the tract of land described in deed recorded 1 volume 74 page 637, deed records of Klamath county, Oregon in which M.E. and O.B. Cornett were grantees; thence south 1023 feet more or less, to the north line of Strahorn Railroad; thence south 66°46' east along said railroad right of way to the north and south center line of said section 7; thence north along said center line 1650 feet, more or less, to the place of beginning, excepting there-

from, the easterly 418.8 feet of said described tract of land, \*deed re-recorded 11/14/2003 book: M03 page: 84365. Commonly known as: 7816 Booth Road, 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 February 4, 2005 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 \$818.07 Monthly Late Charge \$33.19.

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 \$83,191.00 together with interest thereon at 8.800% per annum from January 04, 2005 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced 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 will on September 27, 2005 at the hour of 1:00 pm, 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 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 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 oth-



er 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: May 26, 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. R-119116  
06/16/05, 06/23/05,  
06/30/05, 07/7/05.  
#7584 June 16, 23, 30,  
July 7, 2005.



1075804-09  
119116

**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 7816 Booth Rd Klamath Falls, OR 97603**

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to John Doe at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to \_\_\_\_\_, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☐ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

☐ **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.

☒ **SUBSTITUTE SERVICE MAILER:** That on the 25<sup>th</sup> day of May, 2005 I mailed a copy of the Trustee's Notice of Sale addressed to John Doe and all other occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed \_\_\_\_\_

7816 Booth Rd 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.

May 24, 2005

9:07 a.m.

**DATE OF SERVICE**

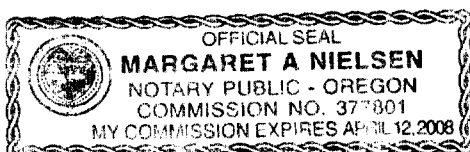
**TIME OF SERVICE**

☐ or non occupancy

By: \_\_\_\_\_

**ROBERT W. BOLENSAUGH**

Subscribed and sworn to before on this 25<sup>th</sup> day of May, 2005.



\_\_\_\_\_  
**Notary Public for Oregon**

119116

119276  
1075804-09

**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 **7816 Booth Road Klamath Falls, OR 97603**

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to Jane Doe, White female,  
approximately 60's years of age with short salt and pepper colored hair, at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to \_\_\_\_\_, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☐ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

☐ **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.

☐ **SUBSTITUTE SERVICE MAILER:** That on the \_\_\_\_ day of \_\_\_\_\_, 2005 I mailed a copy of the Trustee's Notice of Sale addressed to \_\_\_\_\_ and all other occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed \_\_\_\_\_

7816 Booth Road Klamath Falls, OR 97603  
**ADDRESS OF SERVICE**

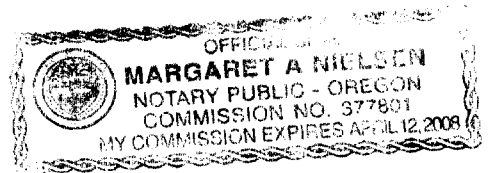
I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

May 31, 2005                      5:07 PM  
**DATE OF SERVICE              TIME OF SERVICE**  
☐ or non occupancy

By: *Dana Inman*  
Dana Inman

Subscribed and sworn to before on this 2<sup>nd</sup> day of June, 2005.

*Margaret A. Nielsen*  
Notary Public for Oregon



119276