

2007-008774

Klamath County, Oregon

1<sup>st</sup> - 764287



05/14/2007 11:38:57 AM

Fee: \$51.00

**COVER SHEET**

**ORS: 205.234**

This cover sheet has been prepared by the persons presenting the attached instrument for recording. Any errors in this cover sheet **DO NOT** affect the transaction(s) contained in the instrument itself.

After recording, return to:  
Recontrust Company, N.A.  
400 Countrywide Way SV-35  
Simi Valley, CA 93065

Send Tax Statements to:  
Same as on file.

The date of the instrument attached is 5/9/07.

1) NAMES(S) OF THE INSTRUMENT(S) required by ORS 205.234(a)  
Affidavit of Mailing Trustee's Notice of Sale

2) PARTY(IES)/GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160:

Recontrust Company, N.A.

3) PARTY(IES)/GRANTEE, required by ORS 205.125(1)(b) and ORS 205.160

Benson, Ronald L.

4) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

\$ n/a

6) RE-RECORDED to correct: \_\_\_\_\_  
Trust Deed recorded as: M97-19179

51.-F

2895245

## 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 RECONTRUST COMPANY, N.A., 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 4/20/2007. 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.

State of California

County of Ventura

Subscribed and sworn to (or affirmed) before me on this 9th day of May, 20 07, by Daniel B. Rodriguez, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.  
(seal)

Signature Daniel B. Rodriguez

### AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

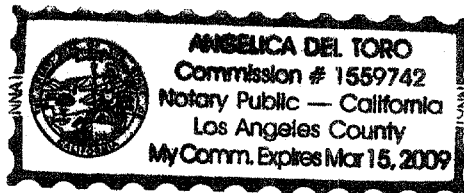
and RONALD LEE BENSON

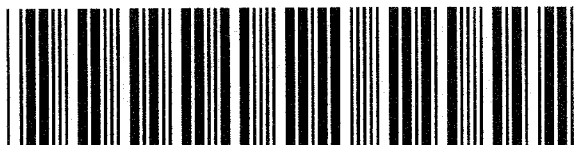
Angelica Del Toro  
Notary Public for California  
Residing at Ventura  
My commission expires: 3-15-09

RECONTRUST COMPANY, N.A.

Trustee TS No. 06-03054

After Recording return to:  
400 COUNTRYWIDE WAY SV-35  
RECONTRUST COMPANY, N.A.  
SIMI VALLEY, CA 93065





04 0603054

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

**TS No. 06-03054**

RONALD LEE BENSON  
732 Roseway Dr  
Klamath Falls, OR 97601  
7187 7930 3131 1064 7859

RONALD LEE BENSON  
732 ROSEWAY DRIVE  
KLAMATH FALLS, OR 97601  
7187 7930 3131 1064 7866

Tenant/Occupant  
732 ROSEWAY DRIVE  
KLAMATH FALLS, OR 97601  
7187 7930 3131 1064 7934

STATE OF OREGON, DEPARTMENT OF HUMAN RESOURCES  
SUPPORT ENFORCEMENT DIVISION  
32 WEST SIXTH STREET  
MEDFORD, OR 97501  
7187 7930 3131 1064 7873

BENEFICIAL OREGON, INC.  
961 WEIGEL DR.  
C/O HSBC NORTH AMERICA  
ELMHURST, IL 60126  
7187 7930 3131 1064 7880

BENEFICIAL OREGON, INC.  
C/O HSBC NORTH AMERICA  
PO BOX 8634  
ELMHURST, IL 60126  
7187 7930 3131 1064 7897

BENEFICIAL OREGON, INC.  
2477 S.W. ARDEN ROAD  
C/O MARILYN R. PODEMSKI, ATTORNEY  
PORTLAND, OR 97201  
7187 7930 3131 1064 7903



04 0603054

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

**TS No. 06-03054**

KURT MALTBY  
19543 MAIN AVE.  
BLY, OR 97622  
7187 7930 3131 1064 7927

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DANIEL RODRIGUEZ

F.E.I.-OR  
3535 Factoria Blvd., SE, Suite#100  
Bellevue, WA 98006  
ATTN: David E. Fennell

TS No.: 06 -03054  
Doc ID #00041845032005N  
APN No.: R213575

Trustor: RONALD LEE BENSON

Gentlemen:

Enclosed please find (1) copies of the Notice of Trustee's Sale for the above referenced Foreclosure.

You are hereby instructed to:

- 1 Please do not publish for this file.
2. Conduct Trustee sale.

**AMENDED Sale Date: 05/18/2007.**

Sincerely,

Foreclosure Trustee Sale Officer

### AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust deed made by RONALD LEE BENSON, A SINGLE MAN as grantor(s), to HARTFORD ESCROW INC., A CALIFORNIA CORPORATION, as Trustee, in favor of MISSION HILLS MORTGAGE CORPORATION, A CALIFORNIA CORPORATION, as Beneficiary, dated 06/12/1997, recorded 06/20/1997, in the mortgage records of Klamath County, Oregon, in Reel No. M97 at Page No. 19179 as Recorder's fee/file/instrument/microfilm/reception Number 39688 and subsequently assigned to COUNTRYWIDE HOME LOANS, INC. by Assignment recorded 08/12/1997 in Book/Reel/Volume No. M97 at Page No. 26453, covering the following described real property situated in said county and state, to wit:

LOT 38 AND THE WESTERLY 14 FEET OF LOT 37, TOGETHER WITH THE NORTH 1/2 OF VACATED ALLEY WHICH INURRED THERETO, ROSELAWN, ACCORDING TO THE OFFICIAL PLAT THEREOF IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 732 ROSEWAY DRIVE  
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 \$512.30 beginning 08/01/2006; plus late charges of \$20.49 each month beginning 08/01/2006 plus prior accrued late charges of \$61.47 payment plus advances of \$19.50; 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: \$45,134.75 with interest thereon at the rate of 8.5 percent per annum beginning 08/01/2005 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.

The Notice of Default and original Notice of Sale given pursuant thereto stated the property would be sold on Thursday, June 29, 2006, 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. However, subsequent to the recording of said Notice of Default the original proceedings were stayed by order of the court or by proceeding filed under the U.S. Bankruptcy Code or for other lawful reason. Said stay was terminated on 04/06/2007.

WHEREFORE, notice hereby is given that, RECONTRUST COMPANY, N.A., the undersigned Trustee will on Friday, May 18, 2007 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 ORS 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 April 17, 2007 Alexis West

RECONTRUST COMPANY, N.A.

For further information, please contact:

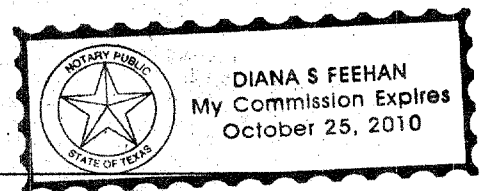
RECONTRUST COMPANY, N.A.  
COUNTRYWIDE HOME LOANS, INC.  
1757 TAPO CANYON ROAD, SVW-88  
SIMI VALLEY, CA 93063  
(800)-281-8219  
TS No. 06 -03054  
Doc ID #00041845032005N

STATE OF Texas,  
COUNTY OF Dallas ) ss.

This instrument was acknowledged before me on 4-17, 2007, by  
RECONTRUST COMPANY, N.A., as Trustee.

Diana S. Feehan  
Notary Public for Texas  
My commission expires: 10-25-2010

(SEAL)



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.