2007-011974 Klamath County, Oregon



Recording Requested By: Aspen Title & Escrow, Inc. 525 Main Street Klamath Falls, OR 97601

07/03/2007 11:43:55 AM

Fee: \$96.00

When Recorded Return To:

Aspen Title & Escrow, Inc. 525 Main Street Klamath Falls, OR 97601

Until requested otherwise, send all tax statements:

ATE: 104419

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

COVER SHEET

DOCUMENT:

GRANTOR:

Affidavit of Mailing Terry L. Cheyne & Sandra K. Chegne Aspen Title & Escrow Argent Mortgage Company, LLC

TRUSTEE:

GRANTEE:

CONSIDERATION:

DATE:

LEGAL DESCRIPTION: See Attached

\$ 96-A

AFFIDAVIT OF MAILING

By Interface Inc. 5839 Mission Gorge Road, Suite A San Diego, CA 92120

ATE: 64419					
Reference No: Mailing Number:	T07-24750-OR 0011472-01				
STATE OF CALIFORNI	A	}			
COUNTY OF SAN DIEC	GO -	}SS }			
I, Angie	Gomez	being	g duly sworn, depose	and say:	
I am and at all times here: San Diego County, Califo		izen of the Unite	d States, over the ag	e of eighteen years	and a resident of
That at the request of Tov the attached document, in postage prepaid, to the ad	separate sealed e	nvelopes, in acco	ordance with the che	cked mailing classe	
⊠ Firs ⊠ Cert	t Class tified Return	☐ Certified ☐ Registered	☐ Regi	stered International	I
STATE OF CALIFORNI			Affiant C	m	
personally appeared personally known to me (6 2007 ANGIE GOME or proved to me o	EZ on the basis of sat		to the person(s) wh	ose names(s)
is/are subscribed to the w authorized capacity(ies), behalf of which the perso	and that by his/her	r/their signature(s	s) on the instrument	•	
WITNESS my hand and o			W. 1081,	DAVID COMM. #1 NOTARY PUBLIC SAN DIECO	NEAL § 695606 § CALIFORNIA &
Signature 7	N-(SAN DIEGO Commission Expires	Sept. 24, 2010

iMail Affidavit Notary. doe

Rev. 3/24/05

#91-A

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Town & Country Title Services 505 City Parkway West, Suite 200 Orange, California 92868 (888)485-9191

TRUSTEE'S NOTICE OF SALE

Loan No: 0096765151 T.S. No.: T07-24750-OR

Reference is made to that certain deed made by, TERRY L. CHEYNE AND SANDRA K. CHEYNE as Grantor to ASPEN TITLE & ESCROW, as trustee, in favor of ARGENT MORTGAGE COMPANY,LLC.,, as Beneficiary, dated 05-03-2006, recorded 05-09-2006, in official records of KLAMATH County, Oregon in book/reel/volume No. at page No., fee/file/instrument/microfile/reception No. M06-09218 (indicated which), covering the following described real property situated in said County and State, to-wit:

APN: R-3809-36CA-6800 PLEASE SEE EXHIBIT "A"

Commonly known as: 1243 MCCLELLAN DRIVE 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:

INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 10/01/2006 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Monthly Payment \$1,550.69

Monthly Late Charge \$77.53

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 \$177,956.39 together with interest thereon at the rate of 9.9% per annum from 09-01-2006 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 of said deed of trust.

Whereof, notice hereby is given that LSI TITLE COMPANY OF OREGON, the undersigned trustee will on 06-25-2007 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statues, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OREGON 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 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" include their respective successors in interest, if any.

For sales information, please contact AGENCY SALES AND POSTING at WWW.FNASAP.COM or 714-259-7850

Dated: February 05, 2007

LSI TITLE COMPANY OF OREGON BY Town and Country AS AGENT TO THE TRUSTEE 505 CITY PARKWAY WEST SUITE 200 ORANGE, CA. 92868 PHONE NUMBER 888-485-9191 REINSTATEMENT LINE 800-430-5262 EXT 38145

17 (D) CLOCO () HOLI

State of CALIFORNIA } ss. County of ORANGE }

On February 05, 2007 before me, JULIAN MORENO the undersigned Notary Public, personally appeared MERCEDES AREVALO 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 ______ (Seal)

JULIAN MORENO, Notary Public

JULIAN MORENO
Commission # 1595825
Notary Public - California
Orange County
My Comm. Expires Jul 18, 2009

Federal Law requires us to notify you that we are acting as a debt collector. If you are currently in a bankruptcy or have received a discharge in bankruptcy as to this obligation, this communication is intended for informational purposes only and is not an attempt to collect a debt in violation of the automatic stay or the discharge injunction.

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Town & Country Title Services 505 City Parkway West, Suite 200 Orange, California 92868 (888)485-9191

TRUSTEE'S NOTICE OF SALE

Loan No: 0096765151 T.S. No.: T07-24750-OR

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APN: R-3809-36CA-6800 PLEASE SEE EXHIBIT "A"

Commonly known as: 1243 MCCLELLAN DRIVE KLAMATH FALLS, OR 97603

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Monthly Payment \$1,550.69

Monthly Late Charge \$77.53

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Whereof, notice hereby is given that LSI TITLE COMPANY OF OREGON, the undersigned trustee will on 06-25-2007 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statues, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OREGON 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 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.

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For sales information, please contact AGENCY SALES AND POSTING at WWW.FNASAP.COM or 714-259-7850

Dated: February 05, 2007

LSI TITLE COMPANY OF OREGON BY Town and Country AS AGENT TO THE TRUSTEE 505 CITY PARKWAY WEST SUITE 200 ORANGE, CA. 92868 PHONE NUMBER 888-485-9191 REINSTATEMENT LINE 800-430-5262 EXT 38145

MERCEDES AREVALO,

State of CALIFORNIA } ss.

County of ORANGE }

On February 05, 2007 before me, JULIAN MORENO the undersigned Notary Public, personally appeared MERCEDES AREVALO 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 ULLIAN MORENO Notary Public

JULIAN MORENO, Notary Public

JULIAN MORENO
Commission # 1595825
Notary Public - California
Orange County
My Comm. Expires Jul 18, 2009

Federal Law requires us to notify you that we are acting as a debt collector. If you are currently in a bankruptcy or have received a discharge in bankruptcy as to this obligation, this communication is intended for informational purposes only and is not an attempt to collect a debt in violation of the automatic stay or the discharge injunction.

(Seai)

EXHIBIT A

LEGAL DESCRIPTION:

A parcel of land lying in the NE 1/4 SW 1/4 of Section 36, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Easterly line of First Addition to Moyina, said point being North 0°16' West 120.0 feet from the Southeasterly corner of said First Addition to Moyina; thence North 0°16' West 85.86 feet along the Easterly line of said First Addition to Moyina to a point; thence North 89°44' East 120.0 feet to a point; thence South 0°16" East 85.86 feet to a point; thence South 89°44" West 120.0 feet to the point of beginning.

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from TERRY L. CHEYNE AND SANDRA K. CHEYNE Grantor

To LSI TITLE COMPANY OF OREGON Successor Trustee

After recording return to(name, address, zip): Town and Country 505 City Parkway West Suite 200 Orange, CA 92868

TS No: T07-24750-OR

"LSI TITLE, FNDS DIVISION"

W770049

Loan No: 0096765151

SPACE RESERVED

RECORDER'S USE

O FOR EAST OF D

Reference is made to that certain trust deed made by TERRY L. CHEYNE AND SANDRA K. CHEYNE as grantor, to LSI TITLE COMPANY OF OREGON as successor trustee, in favor of ARGENT MORTGAGE COMPANY, LLC.., as beneficiary, dated 05-03-2006, recorded 05-09-2006, in the Records of KLAMATH County, Oregon, in book at page, and/or as fee/file/instrument/microfilm/reception No. M06-09218 (indicate which), covering the following described real property situated in the above-mentioned county and state, to wit: APN: R-3809-36CA-6800 PLEASE SEE EXHIBIT "A"

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

V 44	Appendix .	
\$ 140 ttts f	uent Pa	umante
A. C. 1323 C	****** # E4	7.111-5115

FROM THRU 10/01/2006 02/05/2007	<u>NO. PMT</u> 5	<u>RATE</u> 9.900	<u>AMOUNT</u> \$1,550.69	TOTAL \$7,753.45
Total Late Charges: Beneficiary Advances				\$310.12
Bad Check Fees Other Fees CORP ADVANCE				\$100.00 \$8.50
L/C BALANCE				\$45.00 \$232.59
				\$8,449.66
	TOTAL FO	ORECLOSUR	RE COST:	\$992.50
TOTAL REQUIRED TO REINSTATE:				<u>\$9,442.16</u>

TS No :T07-24750-OR Loan No: 0096765151

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being:

The unpaid principal balance: \$177,956.39

INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 10/01/2006 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale. Including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110 on 06-25-2007, at the following place: ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OREGON

County of KLAMATH. State of Oregon, which is the hour, date and place last set for sale.

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address

Nature of Right, Lien or Interest

TERRY L. CHEYNE AND SANDRA K. CHEYNE

1243 MCCLELLAN DRIVE KLAMATH FALLS, OR 97603

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 the 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 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 this grantor as well as any other person owing an obligation, the performance of which is secured by the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated February 05, 2007

LSI TITLE COMPANY OF OREGON BY Town and Country AS AGENT TO THE TRUSTEE 505 CITY PARKWAY WEST, SUITE 200 ORANGE, CA. PHONE (888)485-9191

REINSTATEMENT LINE 714-634-2474 EXT 38145

MONCO (1) LOSTOR

MERCEDES AREVALO,

State of Ca.
County of Orange

On February 05, 2007 before me, JULIAN MORENO, the undersigned Notary Public, personally appeared MERCEDES AREVALO 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 JULIAN MORENO, Notary Public

_(Seal)

JULIAN MORENO
Commission # 1595825
Notary Public - California 5
Orange County
My Comm. Expirel Jul 18, 2009

Federal Law requires us to notify you that we are acting as a debt collector. If you are currently in a bankruptcy or have received a discharge in bankruptcy as to this obligation, this communication is intended for informational purposes only and is not an attempt to collect a debt in violation of the automatic stay or the discharge injunction.

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6 3 a 1

Sender: 2/22/2007 5:41:17 PM

Postal Class: First Class

Town & Country Title Services 505 City Parkway Wesr Orange CA 92868

Type of Mailing: Window

Affidavit Attachment: 0011472-01 000 02212007. Town_N_C000094

Postal Number Sequence Recipient Name

11041994141005021030 1 TERRY L CHEYNE

Address Line 1/3

1243 MCCLELLAN DRIVE

Address Line 2/4

KLAMATH FALLS OR 97603

KLAMATH FALLS OR 97603

11041994141005021047 2

SANDRA K CHEYNE

1243 MCCLELLAN DRIVE

Sender: 2/22/2007 5:41:17 PM

Town & Country Title Services 505 City Parkway Wesr Orange CA 92868

Postal Class: Certified - Ret

Type of Mailing: Window

Affidavit Attachment: 0011472-01 000 02212007 Town_N_C000094

Postal Number Sequence Recipient Name

71041994141007228392 1

TERRY L CHEYNE

Address Line 1/3

1243 MCCLELLAN DRIVE

KLAMATH FALLS OR 97603

Address Line 2/4

KLAMATH FALLS OR 97603

71041994141007228408 2

SANDRA K CHEYNE

1243 MCCLELLAN DRIVE

T0724750OR/CHEYNE ASAP# 823736 T&C

Duplicate Original PROOF OF SERVICE

STATE OF OREGON

) ss.

County of Multnomah

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original Trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, upon the OCCUPANTS at the following address:

1243 MCCLELLAN DRIVE, KLAMATH FALLS, OREGON 97603, as follows:

Personal service upon Terry Cheyne, by delivering said true copy, personally and in person, at the above address on February 8, 2007, at 5:25 P.M.

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

Robert W. Bolenbaugh

4740.320619

SUBSCRIBED AND SWORN to before me this 872 day of June, 2007.

OFFICIAL SEAL

MARGARET A NIELSEN

COMMISSION NO. 377801

MY COMMISSION EXPIRES AFRL 12 2008

Notary Public for Oregon

NATIONWIDE PROCESS SERVICE, INC. • 222 CENTURY TOWER • 1201 S.W. 12th AVENUE • PORTLAND, OREGON 97205 • (503) 241-0636

Affidavit of Publication

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 # 9045
Trustee's Notice/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:
February 20, 27, March 6, 13, 2007
7 00,0007 207 277 770,011 0, 10, 2001
Total Cost: \$853.78
Clemne PDa
Subscribed and sworn by Jeanine P Day
before me on: June 21, 2007
Delra a Subble
Notary Public of Oregon
→ .
My commission expires March 15, 2008

TRUSTEE'S NOTICE OF SALE T.S. No.: T07-24750-OR Loan No: 0096765151

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By this reason said default the b eficiary has q clared all obliga-tions secured b said deed of trus immediately du and payable, saic sums being the fol-lowing, to-wit: The sum of \$177,956.39 together with intertogether with interest thereon at the rate of 9.9% per annum from 09-01-2006 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof,

Whereof, notice hereby is given that LSI TITLE COMPANY OF OREGON, the undersigned trustee will on 06-25-2007 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at on notice lished 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, Oregon County of Klamath, Oregon County of Klamath, 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 sethe foregoing obliga-tions thereby se-cured and the costs cured 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 Statutes has the right to have the foreclosure proceeding dismissed and ing dismissed and the trust deed rein-stated by payment to the beneficiary of



7日 2000年10日

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.

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est, if any.

For sales information, please contact AGENCY SALES AND POSTING at WWW.FNASAP.CO M or 714-259-7850. Dated: February 05, 2007. LSI TITLE COMPANY OF OREGON BY Town and Country AS AGENT TO THE TRUSTEE, 505 City Parkway West, Suite 200, Orange, California 92868. Phone Number (888) 485-9191 Reinstatement Line 800-430-5262 Ext 38145. Mercedes Arevalo, Trustee Sale Supervisor. ASAP# 823736 02/20/2007, 02/27/2007, 03/06/2007, 03/13/2007. #9045 February 20, 27, March 6, 13, 2007.