

2008-000169

Klamath County, Oregon



01/04/2008 03:36:19 PM

Fee: \$46.00

AFTER RECORDING RETURN TO:
Shapiro & Sutherland, LLC
5501 N.E. 109th Court, Suite N
Vancouver, WA 98662
07-30209

OREGON

AFFIDAVIT OF MAILING OF NOTICE OF SALE

ATE: 65299

I, Kelly D. Sutherland, say and certify that:

I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or the successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail, return receipt requested, and first class mail to each of the following named persons at their last known addresses, to-wit:

Roberto S. Quinones, Jr.
4667 Boardman Avenue
Klamath Falls, OR 97603

Roberto Sergio Quinones, Jr.
P.O Box 934
Klamath Falls, OR 97601

Chapel Funding, Llc
26521 Rancho Parkway South, Suite 210
Lake Forest, Ca 92630

Mortgage Electronic Registration
Systems, Inc.
P. O. Box 2026
Flint, Mi 48501-2026

Chapel Funding, Llc
C/O Mortgage Electronic Registration
Systems, Inc
P.O Box 2026
Flint, Mi 48501

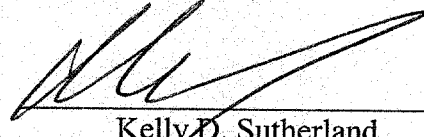
Mortgage Electronic Registration
Systems, Inc.
C/O Chapel Mortgage Corporation
26521 Rancho Parkway South, Suite 200
Lake Forest, Ca 92630

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

\$46-A

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Sutherland, LLC, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Vancouver, Washington, on October 26, 2007. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.




Kelly D. Sutherland

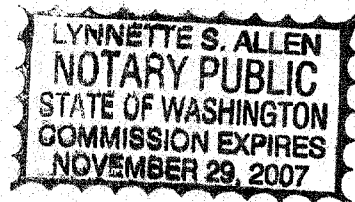
State of Washington)
)
County of Clark)

On this 26th day of October, in the year 2007, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal



Notary Public
My Commission Expires: 11/29/07



TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a trust deed made by Roberto S. Quinones, Jr., as grantor to Aspen Title & Escrow, Inc., as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Chapel Funding, LLC, as Beneficiary, dated August 28, 2006, recorded August 31, 2006, in the mortgage records of Klamath County, Oregon, as Instrument No. 2006-017628, beneficial interest having been assigned to HSBC Bank USA N.A., as Trustee on behalf of ACE Securities Corp. Home Equity Loan Trust and for the registered holders of ACE Securities Corp. Home Equity Loan Trust 2007-HE1 Asset Backed Pass-Through Certificates, as covering the following described real property:

Lots 35 and 36, Block 7, St. Francis Park, according to the official Plat thereof on file in the Office of the Clerk of Klamath County, Oregon.

COMMONLY KNOWN AS: 4667 Boardman 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 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 in the sum of \$1,500.96, from July 1, 2007, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sum being the following, to-wit:

\$201,077.69, together with interest thereon at the rate of 8.65% per annum from June 1, 2007, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 28, 2008, at the hour of 11:00 AM, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 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 said described real property which the grantor has or had power to convey at the time of the execution of 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 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 due (other than such portion of the principal as would not then be due had no default

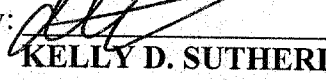
occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligations or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property.

The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings: This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

Dated: 10/26/2007

By: 
KELLY D. SUTHERLAND
Successor Trustee

State of Washington, County of Clark, ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

SHAPIRO & SUTHERLAND, LLC
5501 N.E. 109th Court, Suite N
Vancouver, WA 98662
Telephone: (360) 260-2253

AFTER RECORDING RETURN TO:
Shapiro & Sutherland, LLC
5501 N.E. 109th Court, Suite N
Vancouver, WA 98662
07-30209

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY


State of Washington)
)
County of Clark)

I, Kelly D. Sutherland, being first duly sworn, depose, say and certify that:
I am the Successor trustee in that certain trust deed executed and delivered by Roberto S. Quinones, Jr. as grantor to Aspen Title & Escrow, Inc. as trustee, in which Mortgage Electronic Registration Systems, Inc., as nominee for Chapel Funding, LLC is beneficiary, recorded on August 31, 2006, in the mortgage records of Klamath County, Oregon in Book/Reel/Volume No. , at Page , Document/Instrument/Recorder's Fee No. 2006-017628, covering the following described real property situated in said county:

Lots 35 and 36, Block 7, St. Francis Park, according to the official Plat thereof on file in the Office of the Clerk of Klamath County, Oregon.

Commonly known as: 4667 Boardman Avenue, Klamath Falls, OR 97603

I hereby certify that on October 29, 2007, the above described real property was not occupied. The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.



Kelly D. Sutherland

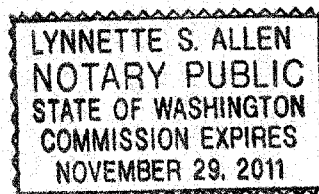
State of Washington)
)
County of Clark)

On this 16th day of December, in the year 2007, before me the undersigned, a Notary Public in and for said County and State, personally appeared Kelly D. Sutherland personally known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed.

Witness my hand and official seal



Notary Public
My Commission Expires 11/29/2011
Lender Loan #: 80272784



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 # 9671

Notice of Sale/Roberto S. Quinones, Jr.

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:

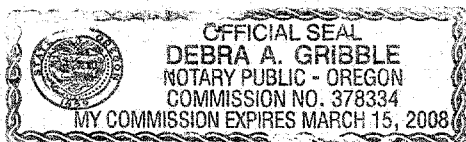
November 7, 14, 21, 28, 2007

Total Cost: \$884.09

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: November 28, 2007

Debra A Gribble
Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE S&S 07-30209

A default has occurred under the terms of a trust deed made by Roberto S. Quinones, Jr., as grantor to Aspen Title & Escrow, Inc., as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Chapel Funding, LLC, as Beneficiary, dated August 28, 2006, recorded August 31, 2006, in the mortgage records of Klamath County, Oregon, as Instrument No. 2006-017628, beneficial interest having been assigned to HSBC Bank USA N.A., as Trustee on behalf of ACE Securities Corp. Home Equity Loan Trust and for the registered holders of ACE Securities Corp. Home Equity Loan Trust 2007-HE1 Asset Backed Pass-Through Certificates, as covering the following described real property: Lots 35 and 36, Block 7, St. Francis Park, according to the official Plat thereof on file in the Office of the Clerk of Klamath County, Oregon. COMMONLY KNOWN AS: 4667 Boardman 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 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 in the sum of \$1,500.96, from July 1, 2007, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sum being the following, to-wit: \$201,077.69, together with interest thereon at the rate of 8.65% per annum from June 1, 2007, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on February 28, 2008, at the hour of 11:00 AM, in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse, located at 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 said described real property which the grantor has or had power to convey at the time of the execution of 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 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 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 re-

quired under the obligations 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 trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

Also, please be advised that pursuant to the terms stated on the Deed of Trust and Note, the beneficiary is allowed to conduct property inspections while property is in default. This shall serve as notice that the beneficiary shall be conducting property inspections on the said referenced property. The Fair Debt Collection Practice Act requires that we state the following: This is an attempt to collect a debt, and any information obtained will be used for that purpose. If a discharge has been obtained by any party through

bankruptcy proceedings. This shall not be construed to be an attempt to collect the outstanding indebtedness or hold you personally liable for the debt.

Dated: 10-25-2007.
KELLY D. SUTHERLAND, Successor Trustee, SHAPIRO & SUTHERLAND, LLC, 5501 N.E. 109th Court, Suite N, Vancouver, WA 98662. Telephone: (360) 260-2253. Website: www.shapiroattorneys.com/va ASAP# 924472 11/07/2007, 11/14/2007, 11/21/2007, 11/28/2007, #9671 November 7, 14, 21, 28, 2007.