

WHEN RECORDED MAIL TO:

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

2009-003741

Klamath County, Oregon



00062544200900037410130131

03/16/2009 03:15:38 PM

Fee: \$81.00

151 1312144

1181071-09

ANOSXR

T.S. NO.: 1181071-09
LOAN NO.: 6452281725

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS
COUNTY OF SAN DIEGO }

I, Adam Spera 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 TAMMY LAIRD, 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 December 05, 2008. 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. The additional notice required under HB3630 was mailed to grantors at least 25 days prior to sale via first class and certified mail with return receipt requested.


Affiant

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this DEC 10 2008 day of _____, 20____


Notary Public



NOTICE:
YOU ARE IN DANGER OF LOSING
YOUR PROPERTY IF YOU DO NOT
TAKE ACTION IMMEDIATELY

This notice is about your mortgage loan on your property at:
804 NORTH 11TH STREET
KLAMATH FALLS OR 97601

Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender. This is sometimes called "foreclosure."

The amount you would have had to pay as of November 25, 2008 to bring your mortgage loan current was \$3,335.58. The amount you must now pay to bring your loan current may have increased since that date.

By law, your lender has to provide you with the details about the amount you owe, if you ask. You may call (800)846-2222 to find out the exact amount you must pay to bring your mortgage loan current and to get other details about the amount you owe. You may also get these details by sending a request by certified mail to:

HOMEOWNERSHIP RETENTION FULFILMENT CNTR
476 CROSSPOINT PARKWAY
GETZVILLE NY 14068

THIS IS WHEN AND WHERE
YOUR PROPERTY WILL BE SOLD
IF YOU DO NOT TAKE ACTION:

Date and time: April 07, 2009 at 1:00pm

Place: AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY
COURTHOUSE 316 MAIN STREET
KLAMATH FALLS, Oregon

Trustee Sale No.: 1181071-09

**THIS IS WHAT YOU CAN DO
TO STOP THE SALE:**

1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call HOMEOWNERSHIP RETENTION FULFILMENT CNTR at (800)846-2222 to find out if your lender is willing to give you more time or change the terms of your loan.
4. You can sell your home, provided the sale price is enough to pay what you owe.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at **800-SAFENET (800-723-3638)**. You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at **503-684-3763** or toll-free in Oregon at **800-452-7636** or you may visit its website at: **<http://www.osbar.org>**. Legal assistance may be available if you have a low income and meet federal poverty guidelines.

For more information and a directory of legal aid programs, go to **<http://www.oregonlawhelp.org>**.

WARNING: You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

Dated: November 25, 2008

Trustee Sale No.: 1181071-09

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Trustee signature: _____


/Lorrie Womack, A.V.P.

Trustee telephone number: (800) 546-1531

TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX1725

T.S. No: 1181071-09

Reference is made to that certain deed made by

MICHAEL L. SCHULTE

as Grantor to

FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee, in favor of

BANK OF AMERICA, N.A.

as Beneficiary,

dated November 18, 2005, recorded November 29, 2005, in official records of KLAMATH County, OREGON in book/reel/volume No. XX at

page No. XX, fee/file/instrument/microfilm/reception No. M05-70003 covering the following described real property situated in the said County and State, to-wit:

LOT "A" IN BLOCK 69 OF NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE SUPPLEMENTAL PLAT OF SAID BLOCK 69 FILED JUNE 12, 1917, SAVING AND EXPECTING A 10 FOOT STRIP OFF THE SOUTH END OF SAID LOT "A" RESERVED FOR AN ALLEY; MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

Commonly known as:

804 NORTH 11TH STREET KLAMATH FALLS OR 97601

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 June 1, 2008 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 \$507.45 Monthly Late Charge \$25.37

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 \$67,830.93 together with interest thereon at the rate of 6.000 % per annum, from May 01, 2008 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.

TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX1725
T.S. No: 1181071-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on April 07, 2009 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 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: November 25, 2008

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: _____



Lorrie Womack, A.V.P.

TS #1181071-09

EXHIBIT "A"

Lot "A" in Block 69 of NICHOLS ADDITION to the City of Klamath Falls, according to the supplemental plat of said Block 69 filed June 12, 1917, SAVING AND EXCEPTING a 10 foot strip off the South end of said Lot "A" reserved for an alley; property herein described having a frontage of 40 feet on 11th Street with a depth of 80 feet along McKinley Street. ALSO, all that portion of Lot "B" adjoining Lot "A" described as follows:

Beginning at the Westerly line of 11th Street at a point 27.85 feet distant from the intersection of said line of 11th Street with the line between Lots "A" and "B" aforesaid; thence on a direct line to the most Southerly corner of said Lot "B"; thence Northeasterly along said line between Lots "A" and "B" to the said line of 11th Street; thence Northwesterly along said line of 11th Street 27.85 feet to the point of beginning, all in Block 69 of the supplemental plat of Block 69, NICHOLS ADDITION to Klamath Falls, Oregon, as filed June 12, 1917, Klamath Falls, Oregon, all in Klamath County, Oregon.

12/6/2008 4:24:01 AM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: NOS

Affidavit Attachment: 1181071-09 030 12051313 CWR

Postal Number Sequence Recipient Name

11041994141017271256
1

MICHAEL L. SCHULTE

Address Line 1/3

804 NORTH 11TH STREET

Address Line 2/4

KLAMATH FALLS OR 97601

11041994141017271263
2

OCCUPANT

804 NORTH 11TH STREET

KLAMATH FALLS OR 97601

11041994141017271270
3

MICHAEL L. SCHULTE

377 W FALLBROOK SUITE 201

FRESNO CA 93711

11041994141017271287
4

MICHAEL L. SCHULTE

804 NORTH 11TH STREET

KLAMATH FALLS OR 97801

11041994141017271294
5

MICHAEL L. SCHULTE

804 NORTH 11TH STREET

KLAMATH FALLS OR 97801

11041994141017271300
6

MICHAEL L. SCHULTE

377 W. FALLBROOK #201

FRESNO CA 93711

12/6/2008 4:24:02 AM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: NOS

Affidavit Attachment: 1181071-09 030 12051313 CWR

Postal Number Sequence Recipient Name

71041994141023078452
1 MICHAEL L. SCHULTE

Address Line 1/3
804 NORTH 11TH STREET

Address Line 2/4
KLAMATH FALLS OR 97601

71041994141023078483
2 OCCUPANT

804 NORTH 11TH STREET

KLAMATH FALLS OR 97601

71041994141023078513
3 MICHAEL L. SCHULTE

377 W FALLBROOK SUITE 201

FRESNO CA 93711

71041994141023078544
4 MICHAEL L SCHULTE

804 NORTH 11TH STREET

KLAMATH FALLS OR 97601

71041994141023078551
5 MICHAEL L. SCHULTE

804 NORTH 11TH STREET

KLAMATH FALLS OR 97601

71041994141023078582
6 MICHAEL L. SCHULTE

377 W. FALLBROOK #201

FRESNO CA 93711

Klamath County, Oregon
BANK OF AMERICA NA, beneficiary
MICHAEL L SCHULTE, grantor
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee
TS # 1181071-09
REF # 208821

AFFIDAVIT OF NON-OCCUPANCY

I hereby certify that I am a competent person 18 years of age or older and meet the requirements in the state of service, am not the beneficiary of the trustee named in the original trustee's Notice of Sale, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or trustee, or successor of either, corporate or otherwise.

I further certify that according to the records maintained in this office, service of the foregoing TRUSTEE'S NOTICE OF SALE upon the OCCUPANTS of 804 N 11th ST, Klamath Falls, OR 97601, was attempted as follows:

NON-OCCUPANCY

On **December 02, 2008**, the property at **804 N 11th ST, Klamath Falls, OR 97601**, was found to be unoccupied.



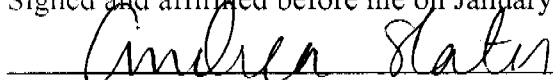
(signature)

Gloria Carter

STATE OF OREGON, County of Multnomah.

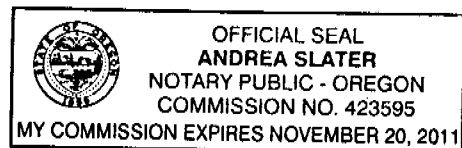
Signed and affirmed before me on January 03, 2009.

(SEAL)



NOTARY PUBLIC - OREGON

CLIENT: RELIABLE POSTING & PUBLISHING REF # 208821
IPS# 49212



INTERSTATE PROCESS SERVING, INC.* PO Box 156, Beaverton OR 97075 *

503/452-7179

members of

Oregon Association of Process Servers
National Association of Professional Process Servers
Washington State Process Servers Association

208821

TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXXXX1725

T.S. No: 1181071-09

Reference is made to that certain deed made by

MICHAEL L. SCHULTE

as Grantor to

FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee, in favor of

BANK OF AMERICA, N.A.

as Beneficiary,

dated November 18, 2005, recorded November 29, 2005, in official records of KLAMATH County, OREGON in book/reel/volume No. XX at page No. XX, fee/file/instrument/microfilm/reception No. M05-70003 covering the following described real property situated in the said County and State, to-wit:

LOT "A" IN BLOCK 69 OF NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE SUPPLEMENTAL PLAT OF SAID BLOCK 69 FILED JUNE 12, 1917, SAVING AND EXPECTING A 10 FOOT STRIP OFF THE SOUTH END OF SAID LOT "A" RESERVED FOR AN ALLEY; MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

Commonly known as:

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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 June 1, 2008 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 \$507.45 Monthly Late Charge \$25.37

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 \$67,830.93 together with interest thereon at the rate of 6.000 % per annum, from May 01, 2008 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.

TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX1725
T.S. No: 1181071-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on April 07, 2009 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

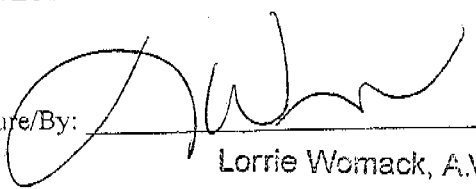
City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor 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 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: November 25, 2008

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: 

Lorrie Womack, A.V.P.

TS #1181071-09

EXHIBIT "A"

Lot "A" in Block 69 of NICHOLS ADDITION to the City of Klamath Falls, according to the supplemental plat of said Block 69 filed June 12, 1917, SAVING AND EXCEPTING a 10 foot strip off the South end of said Lot "A" reserved for an alley; property herein described having a frontage of 40 feet on 11th Street with a depth of 80 feet along McKinley Street. ALSO, all that portion of Lot "B" adjoining Lot "A" described as follows:

Beginning at the Westerly line of 11th Street at a point 27.85 feet distant from the intersection of said line of 11th Street with the line between Lots "A" and "B" aforesaid; thence on a direct line to the most Southerly corner of said Lot "B"; thence Northeasterly along said line between Lots "A" and "B" to the said line of 11th Street; thence Northwesterly along said line of 11th Street 27.85 feet to the point of beginning, all in Block 69 of the supplemental plat of Block 69, NICHOLS ADDITION to Klamath Falls, Oregon, as filed June 12, 1917, Klamath Falls, Oregon, all in Klamath County, Oregon.

Affidavit of Publication

1181071

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 # 10748

Notice of Sale/Michael L. Schulte

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:

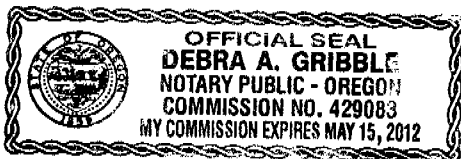
December 23, 30, 2008, January 6, 13, 2009

Total Cost: \$880.76

Subscribed and sworn by Jeanine P Day
before me on: January 13, 2009

Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE Loan No: xxxxxx1725 T.S. No.: 1181071-09

Reference is made to that certain deed made by Michael L. Schulte, as First American Title Insurance Company, as Trustee, in favor of Bank of America, N.A., as Beneficiary, dated November 18, 2005, recorded November 29, 2005, in official records of Klamath, Oregon in book/feet/volume No. xx at page No. xx, fee/file/instrument/microfilm/reception No. m05-70003 covering the following described real property situated in said County and State, to-wit: Lot "A" in Block 69 of NICHOLS ADDITION to the City of Klamath Falls, according to the supplemental plat of said Block 69 filed June 12, 1917, SAVING AND EXCEPTING a 16 foot strip off the Smith end of said Lot "A" reserved for an alley; property herein described having a frontage of 40 feet on 11th Street with a depth of 80 feet along McKinley Street. ALSO, all that portion of Lot "B" adjoining Lot "A" described as follows: Beginning at the Westerly line of 11th Street at a point 27.85 feet distant from the intersection of said line of 11th Street with the line between Lots "A" and "B" aforesaid; thence on a direct line to the most Southerly corner of said Lot "B"; thence Northeasterly along said line between Lots "A" and "B" to the said line of 11th St; thence Northwesterly along said line of 11th Street 27.85 feet to the point of beginning all in Block 69 of the supplemental plat of Block 69, NICHOLS ADDITION to Klamath Falls, Oregon, as filed June 12, 1917, Klamath Falls, Oregon, all in Klamath County, Oregon. Commonly known as: 804 North 11th Street, Klamath Falls, OR 97601.

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 June 1, 2008 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 \$507.45 Monthly Late Charge \$25.37.

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 \$67,830.93 together with interest thereon at 6.000% per annum from May 01, 2008 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 April 07, 2009 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 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

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: November 25, 2008. Cal-Western Reconveyance Corporation 525 East Main Street P.O. Box 22004 El Cajon Ca 92022-9004 Cal-Western Reconveyance Corporation Signature/By: R-208821 12/23/08, 12/30, 01/06, 01/13 #10748 December 23, 30, 2008, January 6, 13, 2009.