

WHEN RECORDED MAIL TO:

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

2009-005026
Klamath County, Oregon



04/10/2009 02:28:46 PM

Fee: \$76.00

1ST 1318430

1184255-09 *ANOSXR*

T.S. NO.: 1184255-09
LOAN NO.: 1044802484

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } SS
 }

I, Edwardo Silva 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:

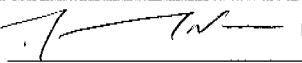
SEE ATTACHED

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 19, 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 _____ day of DEC 31 2008, 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:

5161 COTTAGE AVE
KLAMATH FALLS OR 97603

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 December 09, 2008 to bring your mortgage loan current was \$11,685.80. 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)500-5022 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:

AARON JONES
150 ALLEGHENY CENTER, IDC 24-050
PITTSBURGH PA 15212-5356

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

Date and time: April 20, 2009 at 1:00pm

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

Trustee Sale No.: 1184255-09

**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 AARON JONES at (800)500-5022 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: December 09, 2008
Trustee Sale No.: 1184255-09

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Trustee signature: 

Lorrie Womack, A.R.T.

Trustee telephone number: (800) 546-1531

TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX2484
T.S. No: 1184255-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on April 20, 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

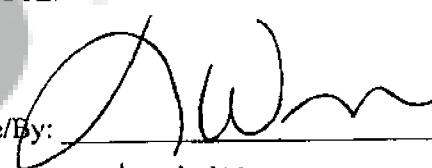
City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor 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: December 09, 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.M.P.

TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX2484
T.S. No: 1184255-09

Reference is made to that certain deed made by
AARON J MIXELL AND DEANNA S MIXELL, HUSBAND AND WIFE
as Grantor to
AMERITITLE, as Trustee, in favor of

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
as Beneficiary,

dated November 07, 2006, recorded November 14, 2006, in official records of KLAMATH County,
OREGON in book/reel/volume No. XX at
page No. XX, fee/file/instrument/microfilm/reception No. 2006-022803 covering the following
described real property situated in the said County and State, to-wit:

TRACT 145 OF PLEASANT HOME TRACTS NO. 2, ACCORDING TO THE OFFICIAL PLAT
THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY,
OREGON.

Commonly known as:

5161 COTTAGE AVE 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 July 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 \$1,769.73 Monthly Late Charge \$81.03

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 \$169,891.22 together with
interest thereon at the rate of 11.400 % per annum, from June 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.

12/19/2008 11:41:23 PM	Sender:	CaWestern Reconveyance
		525 E Main
		El Cajon CA 92020
Postal Class:	First Class	
Type of Mailing:	NOS	
Affidavit Attachment:	1184255-09 030 12171841 CWR	
Postal Number	Sequence Recipient Name	Address Line 1/3
11041994141017724943	AARON J MIXELL	KLAMATH FALLS OR 97603
11041994141017724967	DEANNA S MIXELL	KLAMATH FALLS OR 97603
11041994141017724974	OCCUPANT	KLAMATH FALLS OR 97603
11041994141017724981	CARTER-JONES COLLECTION SERVICE, INC.	5161 COTTAGE AVE
11041994141017724998	CARTER-JONES COLLECTION SERVICE, INC.	1143 PINE STREET
11041994141017725018	AARON J. MIXELL	C/O NEAL G. BUCHANON, ATTORNEY KLAMATH FALLS OR 97601
11041994141017725025	DEANNA S. MIXELL	435 OAK AVE
11041994141017725032	CARTER-JONES COLLECTION SERV INC.	5161 COTTAGE AVE
11041994141017725049	TIM B NEWSON	435 OAK AVENUE
11041994141017725056	STATE OF OREGON	C/O KLAMATH COUNTY DIST ATTORNEY FAM SUP SAN JOSE CA 95134-1910
11041994141017725063		316 MAIN ST
11041994141017725087	CALVARY PORTFOLIO SERV LLC.	C/O KLAMATH COUNTY DISTRICT ATTORNEY FAM KL OR 97601
		2851 JUNCTION AVE/DCSS
		316 MAIN ST
		3526 S.W. CORBETT AVENUE

12/19/2008 11:41:23 PM Sender: CalWestern Reconveyance

Postal Class: Certified - Ret
525 E Main
El Cajon CA 92020

Type of Mailing: NOS

Affidavit Attachment: 1184255-09 030 12171841 CWR

Postal Number Sequence Recipient Name

71041994141023621269 1 AARON J MIXELL

71041994141023621276 2 DEANNA S MIXELL

71041994141023621283 3 OCCUPANT

71041994141023621290 4 CARTER-JONES COLLECTION SERVICE, INC.

71041994141023621306 5 CARTER-JONES COLLECTION SERVICE, INC.

71041994141023621313 6 AARON J. MIXELL

71041994141023621320 7 DEANNA S. MIXELL

71041994141023621337 8 CARTER-JONES COLLECTION SERV INC.

71041994141023621351 9 TIM B NEWSON

71041994141023621368 10 TIM B NEWSON

71041994141023621375 11 STATE OF OREGON

71041994141023621382 12 CALVARY PORTFOLIO SERV LLC.

Address Line 1/3

5161 COTTAGE AVE
KLAMATH FALLS OR 97603

5161 COTTAGE AVE
KLAMATH FALLS OR 97603

5161 COTTAGE AVE
KLAMATH FALLS OR 97603

1143 PINE STREET
C/O NEAL G. BUCHANON, ATTORNEY
KLAMATH FALLS OR 97601

5161 COTTAGE AVE
KLAMATH FALLS OR 97603

Address Line 2/4

435 OAK AVE
KLAMATH FALLS OR 97601

Address Line 3/4

316 MAIN ST
KL OR 97601

2851 JUNCTION AVE/DCSS

316 MAIN ST
KL OR 97601

Address Line 4/4

3526 S W. CORBETT AVENUE

Klamath County, Oregon
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC, beneficiary
AARON J MIXELL & DEANNA S MIXELL, grantor
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee
TS # 1184255-09
REF # 211357

AFFIDAVIT OF SERVICE

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 was made of the foregoing TRUSTEE'S NOTICE OF SALE upon an OCCUPANT of 5161 COTTAGE AVE, Klamath Falls, OR 97603, with copy(ies), as follows:

SERVICE EFFECTED

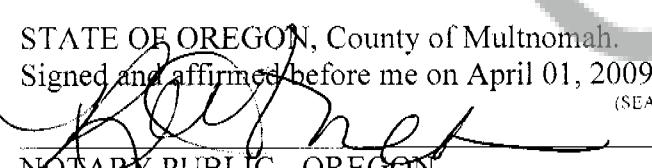
upon an Occupant at 5161 COTTAGE AVE, Klamath Falls, OR 97603,
on December 15, 2008, at 2:02 PM.

Date and Time
12/15/2008 at 2:02 PM
12/17/2008 at 10:30 AM

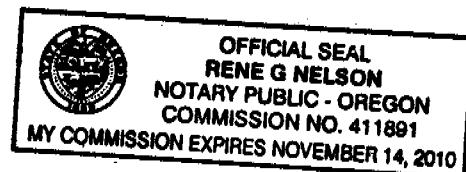
Attempts
1st Attempt - POSTED on front door
2nd Attempt: SERVED

SERVED upon an adult occupant DEANNA S MIXELL, by delivering a true copy to him/her personally and in person.


(signature)
Gloria Carter

STATE OF OREGON, County of Multnomah.
Signed and affirmed before me on April 01, 2009.

(SEAL)

NOTARY PUBLIC - OREGON
CLIENT: RELIABLE POSTING & PUBLISHING REF # 211357
IPS# 49425



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

211357

Klamath County, Oregon
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC, beneficiary
AARON J MIXELL & DEANNA S MIXELL, grantor
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee
TS # 1184255-09
REF # 211357

AFFIDAVIT OF MAILING

NOTICE OF SUBSTITUTED SERVICE

to: AARON J MIXELL
5161 COTTAGE AVE
Klamath Falls OR 97603

You are hereby notified that you have been served with a TRUSTEE'S NOTICE OF SALE (hereafter called documents), a true copy is attached and enclosed. SUBSTITUTED SERVICE was made on **12/17/2008**, at **10:30 AM** by leaving a true copy of said documents with **DEANNA S MIXELL**, who is a person of suitable age and a member of your household, to-wit: **5161 COTTAGE AVE, Klamath Falls, OR 97603**.

IPS# 49425

AFFIDAVIT OF MAILING

I certify that:

I mailed a Notice of Service, a complete copy of which appears above, together with a true copy of the documents referred to therein and attached thereto, to the person and to the address first appearing above.

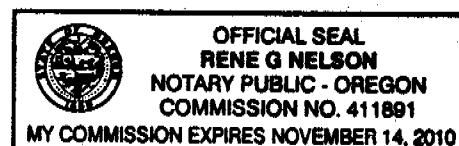
The Notice set forth above, and true copies of the said documents were placed in a sealed envelope with first class postage thereon fully prepaid and deposited with the United States Post Office on **12/18/2008**, addressed as aforesaid.

Gloria Carter
(SEAL)

STATE OF OREGON, County of Multnomah.
Signed and attested before me on April 01, 2009 by Gloria Carter.

René G. Nelson
(SEAL)

NOTARY PUBLIC - OREGON



CLIENT: RELIABLE POSTING & PUBLISHING REF # 211357
IPS# 49425

INTERSTATE PROCESS SERVING, INC * P.O. Box 156, Beaverton OR 97075 * (503)452-7179

211357

TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX2484
T.S. No: 1184255-09

Reference is made to that certain deed made by
AARON J MIXELL AND DEANNA S MIXELL, HUSBAND AND WIFE
as Grantor to
AMERITITLE, as Trustee, in favor of

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
as Beneficiary,

dated November 07, 2006, recorded November 14, 2006, in official records of **KLAMATH** County,
OREGON in book/reel/volume No. XX at
page No. XX, fee/file/instrument/microfilm/reception No. 2006-022803 covering the following
described real property situated in the said County and State, to-wit:

**TRACT 145 OF PLEASANT HOME TRACTS NO. 2, ACCORDING TO THE OFFICIAL PLAT
THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY,
OREGON.**

Commonly known as:

5161 COTTAGE AVE 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 July 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 \$1,769.73 Monthly Late Charge \$81.03

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 \$169,891.22 together with
interest thereon at the rate of 11.400 % per annum, from June 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: XXXXXX2484
T.S. No: 1184255-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on April 20, 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.

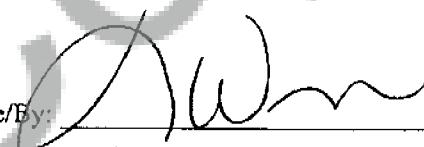
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words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

Dated: December 09, 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.M.P.

Affidavit of Publication

1184255

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 # 10780

Notice of Sale/Aaron J. & Deanna S. Mixell

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:

January 7, 14, 21, 28, 2009

Total Cost: \$549.10

Subscribed and sworn by Jeanine P Day
before me on: January 28, 2009

Debra A. Gribble
Notary Public of Oregon

My commission expires May 15, 2012



OFFICIAL SEAL
DEBRA A. GRIBBLE
NOTARY PUBLIC - OREGON
COMMISSION NO. 429083
MY COMMISSION EXPIRES MAY 15, 2012

TRUSTEE'S NOTICE OF SALE Loan No: xxxxx2484 T.S. No: 1184255-09

Reference is made to that certain deed made by Aaron J Mixell and Deanna S Mixell, Husband And Wife, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated November 07, 2006, recorded November 14, 2006, in official records of Klamath, Oregon in book/reel/volume No. xx, at page No. xx, covering the following described real property situated in said County and State, to-wit: Tract 145 of pleasant home tracts no. 2, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon. Commonly known as: 5761 Cottage Ave, 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 failure of the grantor/s; Failure to pay the monthly payment due July 1, 2008 or 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 \$1,789.73 Monthly Late Charge \$81.03.

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 \$169,891.22 together with interest thereon at 11.400% per annum from June 01, 2008 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 the said deed of trust.

Whereof, notice hereby is given that, Cal-Western Reconveyance Corporation, the undersigned trustee will on April 20, 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 rendering 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: December 09, 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-211357 01/07, 01/14, 01/21, 01/28, 2009.