

WHEN RECORDED MAIL TO:

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

2009-009317

Klamath County, Oregon



00069079200900093170120125

07/07/2009 02:52:05 PM

Fee: \$76.00

1st 1370023

\*1201578-09\* \*ANOSXR\*

T.S. NO.: 1201578-09  
LOAN NO.: 68161000839099

## AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS  
COUNTY OF SAN DIEGO }

I, Eduardo 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 March 24, 2009. 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 on or before the date the notice of sale was served or mailed via first class and certified mail with return receipt requested.

  
Affiant

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

MAR 26 2009

SUBSCRIBED AND SWORN to me this \_\_\_\_\_ 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:  
9522 KESTRELS RD  
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 March 16, 2009 to bring your mortgage loan current was \$3,664.75. 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  
4161 PIEDMONT PARKWAY  
GREENSBORO NC 27410-8110

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

Date and time: July 23, 2009 at 1:00pm

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

Trustee Sale No.: 1201578-09

**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: March 16, 2009

Trustee Sale No.: 1201578-09

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Trustee signature: \_\_\_\_\_

*Sammy Laine*

Trustee telephone number: (800) 546-1531

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXXXXXXXX9099

T.S. No: 1201578-09

Reference is made to that certain deed made by

JESUS S TALENS

as Grantor to

CHICAGO TITLE COMPANY/FIDELITY NATIONAL TITLE COMPANY, as Trustee, in favor of

BANK OF AMERICA, N.A.

as Beneficiary,

dated April 08, 2005, recorded June 20, 2005, in official records of KLAMATH County, OREGON in book/reel/volume No. M05 at

page No. 45880\*, fee/file/instrument/microfilm/reception No. XX covering the following described real property situated in the said County and State, to-wit:

LOT 748 RUNNING Y RESORT, PHASE 9 KLAMATH FALLS, OREGON. SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY. \*LOAN MODIFICATION RECORDED 7/12/2007

INSTRUMENT #2007-012374

Commonly known as:

9522 KESTRELS RD 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 November 1, 2008 of principal and interest and subsequent installments due thereafter; plus late charges; failure to pay when due liens and charges superior hereto; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust.

Monthly payment \$702.53      Monthly Late Charge \$35.13

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 \$200,000.00 together with interest thereon at the rate of 3.240 % per annum, from October 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.

I CERTIFY THIS TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL.  
BY Tammy Land

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXXXXXXXX9099

T.S. No: 1201578-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on July 23, 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.

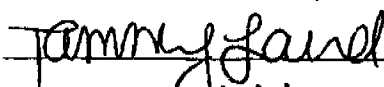
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words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

Dated: March 16, 2009

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: \_\_\_\_\_

  
Tammy Laird

3/24/2009 8:23:32 PM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: NOS

Affidavit Attachment: 1201578-09 030 03191322 CWR

Postal Number Sequence Recipient Name

Address Line 1/3

Address Line 2/4

11041994141021346728  
1

JESUS S TALENS

9522 KESTRELS RD

KLAMATH FALLS OR 97601

11041994141021346735  
2

OCCUPANT

9522 KESTRELS RD

KLAMATH FALLS OR 97601

11041994141021346759  
3

LETICIA N TALENS

9522 KESTRELS RD

KLAMATH FALLS OR 97601

11041994141021346766  
4

JESUS S TALENS

PO BOX 2783

ALAMEDA CA 94501

11041994141021346773  
5

JESUS S TALENS

9522 KESTREL RD

KLAMATH FALLS OR 97601

11041994141021346797  
6

JESUS S TALENS

544 TOPLEY CT

VALLEJO CA 94591

11041994141021346803  
7

JESUS TALENS

9522 KESTRELS RD

KLAMATH FALLS OR 97601

11041994141021346810  
8

JESUS TALENS

544 TOPLEY CT

VALLEJO CA 94591

11041994141021346834  
9

JESUS TALENS

9522 KESTRELS ROAD

KLAMATH FALLS OR 97601

11041994141021346841  
10

RUNNING Y RANCH RESORT OWNERS ASSOCIATIO

5115 RUNNING Y RD

KLAMATH FALLS OR 97601

11041994141021346865  
11

RUNNING Y RANCH RESORT OWNERS ASSOCIATIO

C/O JOHN ANHORN  
MEDFORD OR 97504

503 AIRPORT RD STE 101

11041994141021346872  
12

RUNNING R RANCH RESORT OWNERS ASSOCIATIO

C/O JELD-WEN COMMUNITIES  
REDMOND OR 97756

PO BOX 1215

3/24/2009 8:23:32 PM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: NOS

Affidavit Attachment: 1201578-09 030 03191322 CWR.

Postal Number Sequence Recipient Name

	Address Line 1/3	Address Line 2/4
71041994141028179567 1	JESUS S TALENS 9522 KESTRELS RD	KLAMATH FALLS OR 97601
71041994141028179581 2	OCCUPANT 9522 KESTRELS RD	KLAMATH FALLS OR 97601
71041994141028179604 3	LETICIA N TALENS 9522 KESTRELS RD	KLAMATH FALLS OR 97601
71041994141028179628 4	JESUS S TALENS PO BOX 2783	ALAMEDA CA 94501
71041994141028179635 5	JESUS S TALENS 9522 KESTREL RD	KLAMATH FALLS OR 97601
71041994141028179666 6	JESUS S TALENS 544 TOPLEY CT	VALLEJO CA 94591
71041994141028179673 7	JESUS TALENS 9522 KESTRELS RD	KLAMATH FALLS OR 97601
71041994141028179703 8	JESUS TALENS 544 TOPLEY CT	VALLEJO CA 94591
71041994141028179710 9	JESUS TALENS 9522 KESTRELS ROAD	KLAMATH FALLS OR 97601
71041994141028179734 10	RUNNING Y RANCH RESORT OWNERS ASSOCIATIO 5115 RUNNING Y RD	KLAMATH FALLS OR 97601
71041994141028179758 11	RUNNING Y RANCH RESORT OWNERS ASSOCAITIO C/O JOHN ANHORN MEDFORD OR 97504	503 AIRPORT RD STE 101
71041994141028179765 12	RUNNING R RANCH RESORT OWNERS ASSOCIATIO C/O JELD-WEN COMMUNITIES REDMOND OR 97756	PO BOX 1215

Klamath County, Oregon  
BANK OF AMERICA NA, beneficiary  
JESUS S TALENS, grantor  
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee  
TS # 1201578-09  
REF # 226562

226562  
120157809

## 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 service was made of the foregoing TRUSTEE'S NOTICE OF SALE upon an OCCUPANT of **9522 KESTRELS RD, Klamath Falls, OR 97601**, with copy(ies), as follows:

1st attempt: (date) March 21, 2009 (time) 11:05 am (X)Posted ( )Served

2nd attempt: (date) March 23, 2009 (time) 1:33 pm (X)Posted ( )Served

3rd attempt: (date) March 25, 2009 (time) 3:44 pm (X)Posted ( )Served ( )Attempted

Posted on the property in a secure manner, in a conspicuous place, to wit: Posted to the front door

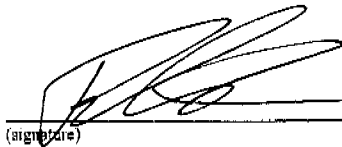
Served upon an adult occupant (name) \_\_\_\_\_,

by delivering a copy

( ) Personally to him/her

( ) Substituted to him/her to (name) \_\_\_\_\_,

a person 14 years of age or older residing in the dwelling house or usual place of abode.

  
(signature)

ROBERT W. BOLENBAUGH

(print name)

JEFFERSON STATE ADJUSTERS

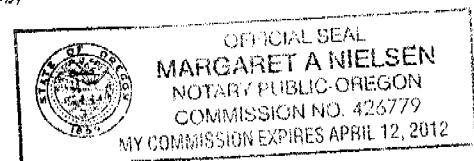
STATE OF OREGON, County of the Klamath

Signed and affirmed before me on March 26, 2009

  
NOTARY PUBLIC - OREGON

(SEAL)

CLIENT: RELIABLE POSTING & PUBLISHING REF # 226562  
IPS# 51205



INTERSTATE PROCESS SERVING, INC. \*PO Box 80815, Portland OR 97280\* 503/452-7179

member of

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

226562

Klamath County, Oregon  
BANK OF AMERICA NA, beneficiary  
JESUS S TALENS, grantor  
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee  
TS # 1201578-09  
REF # 226562

AFFIDAVIT OF MAILING

I certify that:

I mailed a copy of the TRUSTEE'S NOTICE OF SALE in a sealed envelope with first class postage thereon fully prepaid and deposited with the United States Post Office on **May 02, 2009**, addressed as follows:

OCCUPANT  
9522 KESTRELS RD  
Klamath Falls OR 97601.

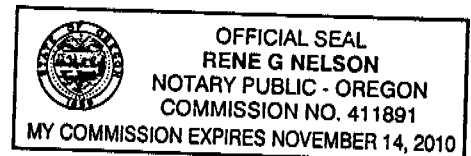
Gloria Carter

STATE OF OREGON, County of Multnomah.

Signed and attested before me on May 02, 2009 by Gloria Carter.

Rene G Nelson (SEAL)

NOTARY PUBLIC - OREGON



CLIENT: RELIABLE POSTING & PUBLISHING REF # 226562  
IPS# 51205

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

226562

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXXXXXXXX9099

T.S. No: 1201578-09

Reference is made to that certain deed made by  
JESUS S TALENS

as Grantor to

CHICAGO TITLE COMPANY/FIDELITY NATIONAL TITLE COMPANY, as Trustee, in favor of

BANK OF AMERICA, N.A.

as Beneficiary,

I CERTIFY THIS TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL.  
BY Tammy Land

dated April 08, 2005, recorded June 20, 2005, in official records of KLAMATH County, OREGON in  
book/reel/volume No. M05 at  
page No. 45880\*, fee/file/instrument/microfilm/reception No. XX covering the following described real  
property situated in the said County and State, to-wit:

LOT 748 RUNNING Y RESORT, PHASE 9 KLAMATH FALLS, OREGON. SUBJECT TO  
RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL  
RIGHTS OF RECORD, IF ANY. \*LOAN MODIFICATION RECORDED 7/12/2007  
INSTRUMENT #2007-012374

Commonly known as:

9522 KESTRELS RD 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 November 1, 2008 of principal and interest and subsequent  
installments due thereafter; plus late charges; failure to pay when due liens and charges superior hereto;  
together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said  
deed of trust.

Monthly payment \$702.53      Monthly Late Charge \$35.13

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 \$200,000.00 together with  
interest thereon at the rate of 3.240 % per annum, from October 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: XXXXXXXXXXXX9099

T.S. No: 1201578-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on July 23, 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.

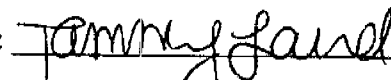
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words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

Dated: March 16, 2009

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: \_\_\_\_\_

  
Tammy Laird

# 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 # 11049

Jesus S. Talens

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:

April 9, 16, 23, 30, 2009

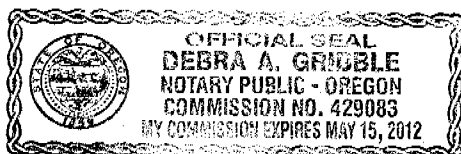
Total Cost: \$908.22

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day

before me on: April 30, 2009

*Debra A Gribble*  
Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE Loan No: xxxxxxxxxxxx9099 T.S. No.: 1201578-09

Reference is made to that certain deed made by Jesus S Talens as grantor to Chicago Title Company/fidelity National Title Company, as Trustee, in favor of Bank of America, N.A., as Beneficiary, dated April 08, 2005, recorded June 20, 2005, in official records of Klamath, Oregon in book/reel/volume No. m05 at page No. 45880\*, fee/file/Instrument/microfilm/reception No. xx covering the following described real property situated in said County and State, to-wit: Lot 748, Running Y Resort, Phase 9, Klamath Falls, Oregon. subject to restrictions, reservations, easements, covenants, oil, gas or mineral Rights of record, if any. \*loan modification recorded 7/12/2007 instrument #2007-012374. Commonly known as: 9522 Kestrels Rd, 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 November 1, 2008 of principal and interest and subsequent installments due thereafter; plus late charges; failure to pay when due liens and charges Superior hereto; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Monthly payment \$702.53 Monthly Late Charge \$35.13.

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 \$200,000.00 together with interest thereon at 3.240% per annum from October 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 July 23, 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

(Continued in next column)

(Continued from previous column)

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: March 17, 2009. Cal-Western Reconveyance Corporation 525 East Main Street P.O. Box 22004 El Cajon Ca 92022-9004 Cal-Western Reconveyance Corporation Signature/By: Tammy Laird. R-226562 04/09, 04/16, 04/23, 04/30/09 #11049 April 9, 16, 23, 30, 2009.