

2010-003952

Klamath County, Oregon



00082037201000039520210216

COVER SHEET

ORS: 205.234

03/31/2010 03:32:21 PM

Fee: \$157.00

1st 1480230

This cover sheet has been prepared by the persons presenting the attached instrument for recording. Any errors in this cover sheet DO NOT affect the transaction(s) contained in the instrument itself.

After recording, return to:

Cal-Western Reconveyance
PO Box 22004
525 East Main Street
El Cajon CA 92022

The date of the instrument attached is 11/11/2009.

1) NAMES(S) OF THE INSTRUMENT(S) required by ORS 205.234(a)

Affidavit of Mailing
Affidavit of Compliance

Affidavit of Service
Affidavit of Mailing
Affidavit of Publication

2) PARTY(IES)/GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160:

Cal - Western

3) PARTY(IES)/GRANTEE, required by ORS 205.125(1)(b) and ORS 205.160

Bank of America

4) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

\$ _____

5) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY CLERK'S LIEN RECORDS, ORS 205.121(1)(c)

6) RE-RECORDED to correct: _____
Previously recorded as: _____

F

WHEN RECORDED MAIL TO:

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

1243700-09

ANOSXR

T.S. NO.: 1243700-09

LOAN NO.: 68160501018999

1st 1480230

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS
COUNTY OF SAN DIEGO }

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 November 10, 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.

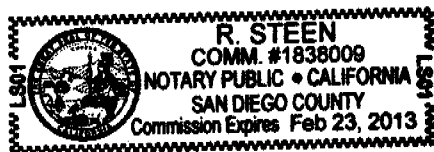
[Signature]
Affiant

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this _____ day of _____, 20

NOV 11 2009

[Signature]
Notary Public



Date _____

FINANCIAL STATEMENT

Loan # _____

Borrower 1 - NAME _____ SSN # _____ # of people living in house? _____

Currently Employed? (Y/N) _____ If no, date of last employment ____/____/____ Drawing Unemployment income? (Y/N) _____

If yes, date started receiving unemployment income ____/____/____ Self-employed? (Y/N) _____

If yes, is borrower combining business and personal income? (Y/N) **Name of Employer** _____

Disabled? Temporary/Permanent? (T/P) _____ If temp. Est. End date ____/____/____

Work Phone # _____ **Home Phone Number** _____ **E-mail** _____**Borrower 2** - NAME _____ SSN# _____

Currently Employed? (Y/N) _____ If no, date of last employment ____/____/____ Drawing Unemployment income? (Y/N) _____

If yes, date started receiving unemployment income ____/____/____ Self-employed? (Y/N) _____

If yes, is borrower combining business and personal income? (Y/N) **Name of Employer** _____

Disabled? Temporary/Permanent? (T/P) _____ If temp. Est. End date ____/____/____

Work Phone # _____ **Home Phone Number** _____ **E-mail** _____**FINANCIALS**

Monthly Gross Employment Income _____

Less taxes _____

Less medical insurance _____

Retirement/401K/etc _____

Unemployment Data

Former Monthly Gross _____

Total Severance Pkg Value _____

Monthly Unemployment Income _____

Profit Sharing _____

Rental Income _____

Disability/Social Security Income _____

Other deductions _____ (explain) _____

Other Income _____ (explain) _____

Expenses**Monthly****Balance****Past Due? (Y/N)****Assets**

Mortgage Payment _____

Taxes & Insurance if non escrowed _____

HOA Dues _____

Food (including meals outside home) _____

Utilities: Electric & heat _____

Water & Sewer _____

Telephone _____

Cable TV _____

Auto expenses: Gas _____

Insurance _____

Child Care _____

Auto loan payment(s) _____

Credit card payment(s) (#) _____

Other lien payment(s) (#) _____

Other property payment(s) _____

Student loans payment(s) _____

Medical & Dental _____

Rents Paid _____

Chapter 13 Trustee _____

Alimony & support paid to others _____

Other: _____

Balance: _____

Checking _____

Savings _____

401K/IRA _____

Vehicles: _____

owned _____

Value _____

Other Property: _____

owned _____

Value _____

of properties _____

Expires ____/____/____

How much money do you have available to contribute as a down payment towards a workout \$ _____

TRUSTEE'S NOTICE OF SALE

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

BY Tammy Land

Loan No: XXXXXXXXXXX8999
T.S. No: 1243700-09

Reference is made to that certain deed made by
RICHARD G. BREITHAUP, WANDA HAMMEL as Grantor to
CHICAGO TITLE, as Trustee, in favor of

BANK OF AMERICA, NA as Beneficiary,

dated June 29, 2007, recorded July 17, 2007, in official records of KLAMATH County, OREGON in
book/reel/volume No. XX at
page No. XX, fee/file/instrument/microfilm/reception No. 2007-012681 covering the following described
real property situated in the said County and State, to-wit:

LOTS 19 AND 20, BLOCK 34, SECOND ADDITION TO THE CITY OF KLAMATH FALLS,
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY
CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

1725 SARGENT AVE 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 March 4, 2009 of principal and interest and subsequent
installments due thereafter; together with all subsequent sums advanced by beneficiary pursuant to the
terms and conditions of said deed of trust.

Monthly payment \$72.38 Monthly Late Charge \$3.61

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 \$25,500.00 together with
interest thereon at the rate of 3.740% per annum, from February 04, 2009 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: XXXXXXXXXXXX8999

T.S. No: 1243700-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on March 11, 2010 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 02, 2009

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: Tommy Laid

Loan No: XXXXXXXXXXX8999
T.S. No: 1243700-09

NOTICE TO TENANTS:

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is February 09, 2010, the name of the trustee and the trustee's mailing address are listed on this notice.

Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about you rights under federal law.

You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so.

If you believe you need legal assistance with this matter, you may contact the Oregon State Bar and ask for the lawyer referral service. Contact information for the Oregon State Bar is included with this notice: If you have a low income and meet federal poverty guide-lines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice.

OREGON STATE BAR
16037 SW Upper Boones Ferry Road
Tigard, Oregon 97224
(503) 620-0222
(800) 452-8260
<http://www.osbar.org>

Directory of Legal Aid Programs:
<http://www.oregonlawhelp.org>

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:

1725 SARGENT AVE

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 02, 2009 to bring your mortgage loan current was \$3,114.52. 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 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: March 11, 2010 1:00pm

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

KLAMATH FALLS, Oregon

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 request that your lender 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, 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>.

Your lender may be willing to modify your loan to reduce the interest rate, reduce the monthly payments or both. You can get information about possible loan modification programs by contacting your lender at (800)846-2222. If you can't reach your lender, you may contact the trustee at the telephone number at the bottom of this notice. If you have already entered into a loan modification with your lender, it is possible that you will not be able to modify your loan again unless your circumstances have changed. Your lender is not obligated to modify your loan.

You may request to meet with your lender to discuss options for modifying your loan. During discussions with your lender, you may have the assistance of a lawyer, a housing counselor or another person of your choosing. To receive a referral to a housing counselor or other assistance available in your community, call this toll-free consumer mortgage foreclosure information number: **800-SAFENET (800-723-3638)**. Many lenders participate in new federal loan modification programs. You can obtain more information about these programs at: www.makinghomeaffordable.gov

IF YOU WANT TO APPLY TO MODIFY YOUR LOAN, YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "MODIFICATION REQUEST FORM." YOUR LENDER MUST RECEIVE THE FORM BY December 02, 2009 WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

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 02, 2009

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Tommy Land

Trustee signature: _____

Trustee telephone number: (800) 546-1531 Ext. 8137

Trustee Sale No.: 1243700-09

TS #: 1243700-09

Loan #: 68160501018999

Property Address: 1725 SARGENT AVE
KLAMATH FALLS OR 97601

MODIFICATION REQUEST FORM

Pursuant to Oregon Senate Bill 628, this Modification Request Form must be completed and returned to:

HOMEOWNERSHIP RETENTION FULFILMENT CNTR

4161 PIEDMONT PARKWAY

GREENSBORO NC 27410-8110

for receipt on or before December 02, 2009. As provided by Oregon Senate Bill 628, please complete and return this Modification Request Form and Financial Statement disclosing your current information including address, phone number and electronic e-mail address and other facts that may affect your eligibility for loan modification.

I wish to apply for a loan modification. A loan modification is a written agreement between me and the lender that permanently changes the terms of the loan. I fell behind on my mortgage payments because (hardship situation):

Signature: _____

Borrower #1

Signature: _____

Borrower #2

You must also complete and return the Financial Statement contained on the following page for your application to be processed. Pursuant to SB 628, the lender may request additional information or documentation from you after review of this Modification Request Form in order to make a determination as to your eligibility for modification.

11/11/2009 10:23:57 AM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: NOS MAILING

Affidavit Attachment: 1434663-01 000 11100523 CWR

Postal Number Sequence Recipient Name

11041994141031445398 1	RICHARD G BREITHAAPT	1725 SARGENT AVE	KLAMATH FALLS OR 97601
11041994141031445411 2	Occupant(s) / Tenant(s)	1725 SARGENT AVE	KLAMATH FALLS OR 97601
11041994141031445442 3	WANDA HAMMEL	1725 SARGENT AVE	KLAMATH FALLS OR 97601
11041994141031445466 4	RICHARD G BREITHAAPT	1725 SARGENT AVE	KLAMATH FALLS OR 97601
11041994141031445480 5	WANDA HAMMEL	1725 SARGENT AVE	KLAMATH FALLS OR 97601
11041994141031445503 6	RICHARD G BREITHAAPT	PO BOX 1941	KLAMATH FALLS OR 97601-0111
11041994141031445527 7	WANDA HAMMEL	PO BOX 1941	KLAMATH FALLS OR 97601-0111
11041994141031445541 8	CHASE BANK USA NA	C/O LAURIE K FRIEDL, BISHOP, WHITE & MARSH SEATTLE WA 98101	720 OLIVE WAY SUITE 1301
11041994141031445565 9	STATE OF OREGON DEPARTMENT OF JUSTICE	ATTN: ATTORNEY GENERAL SALEM OR 97301-4096	1162 COURT ST NE
11041994141031445572 10	ROSE W HAMMEL	1725 SARGENT AVE	KLAMATH FALLS OR 97601-2164

11/11/2009 10:23:58 AM Sender: CalWestern Reconveyance
525 E Main
El Cajon CA 92020

Postal Class: Certified - Ret

Type of Mailing: NOS MAILING

Affidavit Attachment: 1434663-01 000 11100523 CWR

Postal Number Sequence Recipient Name

71041994141040276039 1	RICHARD G BREITHAUP	1725 SARGENT AVE	KLAMATH FALLS OR 97601
71041994141040276077 2	Occupant(s) / Tenant(s)	1725 SARGENT AVE	KLAMATH FALLS OR 97601
71041994141040276121 3	WANDA HAMMEL	1725 SARGENT AVE	KLAMATH FALLS OR 97601
71041994141040276152 4	RICHARD G BREITHAUP	1725 SARGENT AVE	KLAMATH FALLS OR 97601
71041994141040276190 5	WANDA HAMMEL	1725 SARGENT AVE	KLAMATH FALLS OR 97601
71041994141040276213 6	RICHARD G BREITHAUP	PO BOX 1941	KLAMATH FALLS OR 97601-0111
71041994141040276244 7	WANDA HAMMEL	PO BOX 1941	KLAMATH FALLS OR 97601-0111
71041994141040276299 8	CHASE BANK USA NA	C/O LAURIE K FRIED, BISHOP, WHITE & MARSH SEATTLE WA 98101	720 OLIVE WAY SUITE 1301
71041994141040276305 9	STATE OF OREGON DEPARTMENT OF JUSTICE	ATTN: ATTORNEY GENERAL SALEM OR 97301-4096	1162 COURT ST NE
71041994141040276329 10	ROSE W HAMMEL	1725 SARGENT AVE	KLAMATH FALLS OR 97601-2164

Affidavit of Compliance with SB 628 of 2009

Loan No: 68160501018999

TS#: 1243700-09

Borrower name(s): RICHARD G. BREITHAUPT, WANDA HAMMEL

Property Address: 1725 SARGENT AVE
KLAMATH FALLS OR 97601

The undersigned beneficiary or authorized agent for the beneficiary hereby represents and declares under the penalty of perjury that a person with authority to modify Borrower's loan took the following action prior to the foreclosure sale (select all that apply):

- ☒ No request for a meeting or loan modification was received from the Borrower.
- ☐ The Borrower requested a meeting by telephone or in person within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The beneficiary or beneficiary's authorized agent contacted the Borrower by the methods requested by the Borrower within 45 days of receiving the loan modification request, but the Borrower did not respond within 7 days of contact.
- ☐ The Borrower requested a meeting by telephone or in person within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The beneficiary or beneficiary's authorized agent contacted the Borrower by phone or in person and met with the Borrower prior to making a decision on loan modification.
- ☐ The Borrower requested a loan modification within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The loan modification request was evaluated in good faith within 45 days of receipt. After considering the most current financial information the Borrower provided, the beneficiary or beneficiary's agent determined that Borrower is ineligible for a loan modification. The Borrower has been notified that Borrower is ineligible for a loan modification.
- ☐ The Borrower requested a loan modification within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The loan modification request was evaluated in good faith within 45 days of receipt, and the loan modification was denied.
- ☐ The Borrower requested a loan modification within 30 days of the date the Trustee signed the notice and sent the Loan Modification Request Form. The loan modification request was evaluated in good faith within 45 days of receipt, but Borrower failed to provide information as required.
- ☐ A loan modification was entered, but Borrower failed to comply with its terms.
- ☐ The Borrower requested a loan modification, but did not send the Loan Modification Request Form. The beneficiary or beneficiary's authorized agent contacted the Borrower by the methods requested by the Borrower, but the Borrower did not respond within 7 days of contact.
- ☐ The Borrower requested a loan modification, but did not send the Loan Modification Request Form. The loan modification request was evaluated. After considering the most current financial

information the Borrower provided, the beneficiary or beneficiary's agent determined that Borrower is ineligible for a loan modification. The Borrower has been notified that Borrower is ineligible for a loan modification.

- [] The Borrower requested a loan modification, but did not send the Loan Modification Request Form. The loan modification request was evaluated, but Borrower failed to provide information as required.

DATED: march 10, 2010

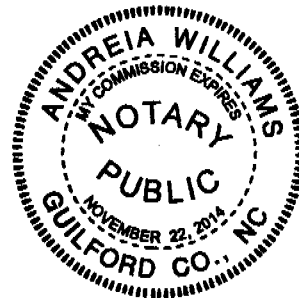
BANK OF AMERICA, N.A.

Janet Hurtmann
Janet Hurtmann, Assistant Vice President

STATE OF North Carolina
COUNTY OF Guilford

SUBSCRIBED AND SWORN to me this 10th day of march, 2010

Andreia Williams
Notary Public



Klamath County, Oregon
BANK OF AMERICA, beneficiary
RICHARD G BREITHAAPT & WANDA HAMMEL, grantor
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee
TS # 1243700-09
REF # 272867

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; NOTICE TO TENANTS upon an OCCUPANT of 1725 SARGENT AVE, Klamath Falls, OR 97601, with copy(ies), as follows:

1st attempt: (date) 11/6/09 (time) 1:55 pm ☒ Posted () Served

2nd attempt: (date) 11/9/09 (time) 10:27 am ☒ Posted () Served

3rd attempt: (date) 11/11/09 (time) 10:35 am ☒ Posted () Served

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

Served upon an adult occupant by delivering a copy

() Personally to (name) _____

() Substituted to (name) _____

Jake Doolin
(signature)
Jake Doolin
(print name)

STATE OF OREGON, County of Klamath
Signed and affirmed before me on November 12, 2009
Margaret A. Nielsen
(SEAL)
NOTARY PUBLIC - OREGON

CLIENT: RELIABLE POSTING & PUBLISHING REF # 272867
IP# 57988



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

272867

Klamath County, Oregon
BANK OF AMERICA, beneficiary
RICHARD G BREITHAUP & WANDA HAMMEL, grantor
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee
TS # 1243700-09
REF # 272867

AFFIDAVIT OF MAILING

I certify that:

I mailed a copy of the TRUSTEE'S NOTICE OF SALE; NOTICE TO TENANTS in a sealed envelope with first class postage thereon fully prepaid and deposited with the United States Post Office on

December 09, 2009, addressed as follows:

OCCUPANT
1725 SARGENT AVE
Klamath Falls OR 97601.

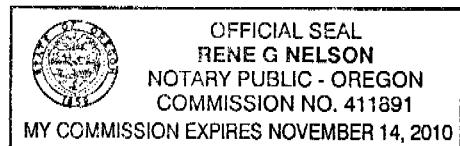
Gloria Carter

STATE OF OREGON, County of Multnomah.

Signed and attested before me on December 09, 2009 by Gloria Carter.

[Signature] (SEAL)

NOTARY PUBLIC - OREGON



CLIENT: RELIABLE POSTING & PUBLISHING REF # 272867
IPS# 57988

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

272867

TRUSTEE'S NOTICE OF SALE

I CERTIFY THIS TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL

BY Tammy Land

Loan No: XXXXXXXXXXXX8999
T.S. No: 1243700-09

Reference is made to that certain deed made by
RICHARD G. BREITHAUP, WANDA HAMMEL as Grantor to
CHICAGO TITLE, as Trustee, in favor of

BANK OF AMERICA, NA as Beneficiary,

dated June 29, 2007, recorded July 17, 2007, in official records of KLAMATH County, OREGON in
book/reel/volume No. XX at
page No. XX, fee/file/instrument/microfilm/reception No. 2007-012681 covering the following described
real property situated in the said County and State, to-wit:

LOTS 19 AND 20, BLOCK 34, SECOND ADDITION TO THE CITY OF KLAMATH FALLS,
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY
CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

1725 SARGENT AVE 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 March 4, 2009 of principal and interest and subsequent
installments due thereafter; together with all subsequent sums advanced by beneficiary pursuant to the
terms and conditions of said deed of trust.

Monthly payment \$72.38 Monthly Late Charge \$3.61

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 \$25,500.00 together with
interest thereon at the rate of 3.740% per annum, from February 04, 2009 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: XXXXXXXXXXXX8999
T.S. No: 1243700-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on March 11, 2010 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 02, 2009

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: Tommy Laid

Loan No: XXXXXXXXXXXX8999
T.S. No: 1243700-09

NOTICE TO TENANTS:

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is February 09, 2010, the name of the trustee and the trustee's mailing address are listed on this notice.

Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about you rights under federal law.

You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so.

If you believe you need legal assistance with this matter, you may contact the Oregon State Bar and ask for the lawyer referral service. Contact information for the Oregon State Bar is included with this notice: If you have a low income and meet federal poverty guide-lines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice.

OREGON STATE BAR
16037 SW Upper Boones Ferry Road
Tigard, Oregon 97224
(503) 620-0222
(800) 452-8260
<http://www.osbar.org>

Directory of Legal Aid Programs:
<http://www.oregonlawhelp.org>

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 # 11783

Trustee's Notice of Sale

Breithaupt

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:

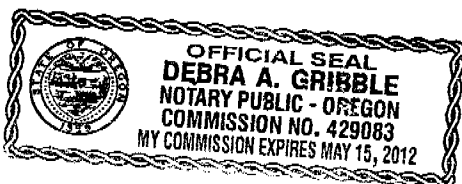
November 18, 25, December 02, 09, 2009

Total Cost: \$1,212.60

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: December 29, 2009

Debra A Gribble
Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE Loan No: xxxxxxxxxx8999 T.S. No.: 1243700-09.

Reference is made to that certain deed made by Richard G. Breithaupt, Wanda Hammel, as Chicago Title, as Trustee, in favor of Bank of America, Na, as Beneficiary, dated June 29, 2007, recorded July 17, 2007, in official records of Klamath, Oregon in book/reel/volume No. xx at page No. xx, fee/file/Instrument/microfilm/reception No. 2007-012681 covering the following described real property situated in said County and State, to-wit: Lots 19 and 20, block 34, second addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon. Commonly known as: 1725 Sargent Ave., 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 March 4, 2009 of principal and interest and subsequent installments due thereafter, together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Monthly payment \$72.38 Monthly Late Charge \$3.61.

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 \$25,500.00 together with interest thereon at 3.740% per annum from February 04, 2009 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 March 11, 2010 at the hour of 1:00 pm, 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 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 02, 2009.

NOTICE TO TENANTS: If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement. If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale. If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out. To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is February 09, 2010, the name of the trustee and the trustee's mailing address are listed on this notice. Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law. You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so. If you believe you need legal assistance with this matter, you may contact the Oregon State Bar and ask for the lawyer referral service. Contact information for the Oregon State Bar is included with this notice. If you have a low income and meet federal poverty guide-lines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice. **OREGON STATE BAR** 16037 SW Upper Boones Ferry Road, Tigard, Oregon 97224 (503) 620-0222 (800) 452-8260 <http://www.osbar.org> **Director of Legal Aid Programs:** <http://www.oregonlawhelp.org> 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-272867 11/18, 11/25, 12/02, 12/09. #11783 November 18, 25, December 02, 09, 2009.