2010-010545 Klamath County, Oregon



COVER SHEET

09/03/2010 03:36:12 PM ORS: 205.234

Fee: \$177.00

1st	
155	8309

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 Recon PO BOX 22004 525 East main Street
ET Cajon CA 93032
The date of the instrument attached is <u>June 3 2010</u> .
1) NAMES(S) OF THE INSTRUMENT(S) required by ORS 205.234(a) AFFICACIAL OF Marling Office Of Sale AFFICACIAL OF SELVICE. AFFICACIAL OF PUBLICATION
AFFIDAVITOF MAILING AFFIDAVIT OF COMPLIANCE 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
ABN Amro
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:

WHEN RECORDED MAIL TO:

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

1275492-09 *ANOSXR*
T.S. NO.: 1275492-09 LOAN NO.: 653273004 4423517 AFFIDAVIT OF MAILING NOTICE OF SALE
1558309 STATE OF CALIFORNIA }SS COUNTY OF SAN DIEGO }
I, 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 trus 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 May 14, 2010. 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.
STATE OF CALIFORNIA COUNTY OF SAN DIEGO JUN 03 2010
SUBSCRIBED AND SWORN to me this day of, 20

F



Date	FINANCIAL STA	ATEMENT	Loan #	
Borrower 1 - NAME		SSN#	# of neonle	living in house?
Currently Employed? (Y/N	I) If no date of last emi	olovment / Dra	wing Unemployment	income? (V/N)
If yes, date started receiving	if ito, date of last city	proyment/ Dra	mmg Onemployment	meome: (1/14)
If yes, is borrower combini	-	, ,		
Disabled? Temporary/Pern				
Work Phone #	Home Phone	Number	E-mail	
Borrower 2 - NAME		SSN#		
Currently Employed? (Y/N	I)_If no, date of last em	ployment/_Drav	wing Unemployment i	ncome? (Y/N)
If yes, date started receiving	ig unemployment income	/_Self-employe	ed? (Y/N)	
If yes, is borrower combining	ing business and persona	l income? (Y/N) Na	ime of Employer	
Disabled? Temporary/Pern	=			
Work Phone #				
WOIR A HORE II				
	F	INANCIALS	7 6	/
Monthly Gross Employme		INANCIALS	Unemployment Dat	<i></i>
Less taxes	iit iiicoiiic		Former Monthly Gr	
Less medical insurance				g Value
Retirement/401K/etc		- 4		ment Income
Retirement/401R/etc		— <i>≱</i> ₹	Monthly Onempley	ment income
Profit Sharing		Other deduction	one	(explain)
Rental Income	** = 1	Office deduction),113	(explain)
Disability/Social Security		Other Income	(e·	xplain)
Disability/Social Security		Other medilic	(C.	xplain)
Expenses	Monthly	Balance	Past Due? <u>(Y/N</u>) Assets
Mortgage Payment	<u>iviolithly</u>	Dulante	1 ast Duc. (17/1)	Balance:
Taxes & Insurance if non e	escrowed	# F .		Checking
HOA Dues		——		Savings
Food (including meals outs	side home)	— III ————		401K/IRA
Utilities: Electric & heat		-//	- 40	, on birds
Water & Sewer	./ 1			Vehicles:
Telephone	A 2			# owned
Cable TV	- T			Value
Auto expenses: Gas				·
Insurance	# P	7		Other Property:
Child Care				# owned
Auto loan payments(s)		- 4		Value
Credit card payment(s) (#			<u> </u>	of properties
Other lien payment(s) (#		<u> </u>		
Other property payment(s)				
Student loans payment(s)				
Medical & Dental				
Rents Paid				
Chapter 13 Trustee				
Alimony & support paid to	others	Expire	es//	

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

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:

1844 LANCASTER AVENUE

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 May 07, 2010 to bring your mortgage loan current was \$19,783.99. 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 (866)272-4749 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:

CMI WORKOUT DEPARTMENT

1000 TECHNOLOGY DRIVE, MS 314

O FALLON MO 63368-2240

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

Date and time: September 13, 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 (866)272-4749. 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 June 06, 2010 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: May 07, 2010

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Tammy Land

Trustee signature:

Trustee telephone number: (800) 546-1531 Ext. 8317

Trustee Sale No.: 1275492-09

TS #: 1275492-09 Loan #: 653273004

Property Address:

1844 LANCASTER AVENUE KLAMATH FALLS OR 97601

MODIFICATION REQUEST FORM

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

CMI WORKOUT DEPARTMENT

1000 TECHNOLOGY DRIVE, MS 314

O FALLON MO 63368-2240

for receipt on or before June 06, 2010. 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:		Signature:	Signature:		
Bo	orrower#1		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.

TRUSTEE'S NOTICE OF SALE

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

BY Tammy Land

Loan No: XXXXX3004 T.S. No: 1275492-09

Reference is made to that certain deed made by HEATH A WILCOX,. as Grantor to AMERITITLE, as Trustee, in favor of

ABN AMRO MORTGAGE GROUP, INC. as Beneficiary,

dated June 21, 2006, recorded June 26, 2006, in official records of KLAMATH County, OREGON in book/reel/volume No. XX at

page No. XX, fee/file/instrument/microfilm/reception No. M06-13040 covering the following described real property situated in the said County and State, to-wit:

LOT 1, 2 AND 3, BLOCK 29, 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:

1844 LANCASTER AVENUE 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 January 1, 2009 of principal and interest 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 \$995.56 Monthly Late Charge \$37.21

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 \$144,161.19 together with interest thereon at the rate of 5.500% per annum, from December 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: XXXXX3004 T.S. No: 1275492-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on September 13, 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: May 13, 2010

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: Tanmy faid

Loan No: XXXXX3004 T.S. No: 1275492-09

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 August 14, 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

6/2/2010 5:45:25 PM

Sender

CalWestern Reconveyance 525 E Main El Cajon CA 92020

First Class Postal Class:

Type of Mailing: Window

Affidavit Attachment: 1569255-01 000 05140718 CWR

Postal Number Sequence Recipient Name

11041994141040645178

HEATH A WILCOX

11041994141040645185 2

Occupant(s) / Tenant(s)

HEATH A WILCOX

11041994141040645208 3

HEATH A WILCOX 11041994141040645222 4

Address Line 1/3

1844 LANCASTER AVE

1844 LANCASTER AVENUE

1844 LANCASTER AVENUE

1844 LANCASTER AVE

Address Line 2/4

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

Sender: 6/2/2010 5:45:25 PM

CalWestern Reconveyance 525 E Main El Cajon CA 92020

Certified - Ret Postal Class:

Type of Mailing: Window

Affidavit Attachment: 1569255-01 000 05140718 CWR

Postal Number Sequence Recipient Name

HEATH A WILCOX 71041994141049860345

71041994141049860390 2

Occupant(s) / Tenant(s)

71041994141049860437 3

HEATH A WILCOX

71041994141049860468

HEATH A WILCOX

Address Line 1/3

1844 LANCASTER AVE

1844 LANCASTER AVENUE

1844 LANCASTER AVENUE

1844 LANCASTER AVE

Address Line 2/4

KLAMATH FALLS OR 97601

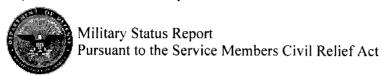
KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

KLAMATH FALLS OR 97601

Department of Defense Manpower Data Center

May-07-2010 11:46:50



≺ Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
WILCOX		Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary Mr. Snavely-Diston

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL http://www.defenselink.mil/faq/pis/PC09SLDR.html. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects active duty status including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

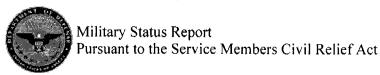
Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided. Report ID:QT4SDPA65E

Department of Defense Manpower Data Center

May-07-2010 11:46:50



≺ Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency	
WILCOX		Based on the information you have furnished, the DMDC does not posse any information indicating the individual status.				

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary Mr. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

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WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided. Report ID:QT4SDPA65E

Klamath County, Oregon ABN AMRO MORTGAGE GROUP INC, beneficiary HEATH A WILCOX, grantor CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee TS # 1275492-09 REF # 316623

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 1844 LANCASTER AVE, Klamath Falls, OR 97601, with copy(ies), as follows:

1st attempt: (date) 5/14/10	(time)3:50 pm (N)Posted ()Served
2nd attempt: (date) 5 17 10	(time) 3 05 pm (**) Served
3rd attempt: (date) 5/19 18	(time) 5 35 pm A Posted ()Served
Posted on the property in a secure manner, in a conspic	uous place, to wit: posted to front door
Served upon an adult occupant by delivering a copy	
() Personally to (name)	
() Substituted to (name)	
ghe Dolla (print name) Take Doolin STATE OF OREGON, County of Klamat	
Signed and affirmed before me on May 20th	,2010 OFFICIAL SEAL
Margaret Cl. Trielsen NOTARY JUBLIC - OREGON	MARGARET A NIELSEN NOTARY PUBLIC-OREGON COMMISSION NO. 426779

CLIENT: RELIABLE POSTING & PUBLISHING REF # 316623

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

316623

MY COMMISSION EXPIRES APRIL 12, 2012

Klamath County, Oregon ABN AMRO MORTGAGE GROUP INC, beneficiary HEATH A WILCOX, grantor CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee TS # 1275492-09 **REF # 316623**

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

June 19, 2010, addressed as follows:

OCCUPANT 1844 LANCASTER AVE Klamath Falls OR 97601.

STATE OF OREGON, County of Multnomah.

Signed and attested before me on June 19, 2010 by Gloria Carter.

OFFICIAL SEAL RENE G NELSON **NOTARY PUBLIC - OREGON** COMMISSION NO. 411891

MY COMMISSION EXPIRES NOVEMBER 14, 2010

S DECEMBLER 5, 20

NOTARY PUBLIC OREGON COMMISSION NO 412054

(SEAL)

NOTARY PUBLIC - OREGON

CLIENT: RELIABLE POSTING & PUBLISHING REF # 316623 IPS# 63036

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

316623

TRUSTEE'S NOTICE OF SALE

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

BY Tammy Sand

Loan No: XXXXX3004 T.S. No: 1275492-09

Reference is made to that certain deed made by HEATH A WILCOX,. as Grantor to AMERITITLE, as Trustee, in favor of

ABN AMRO MORTGAGE GROUP, INC. as Beneficiary,

dated June 21, 2006, recorded June 26, 2006, in official records of KLAMATH County, OREGON in book/reel/volume No. XX at

page No. XX, fee/file/instrument/microfilm/reception No. M06-13040 covering the following described real property situated in the said County and State, to-wit:

LOT 1, 2 AND 3, BLOCK 29, SECOND ADDITION TO THE CITY OF KALMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

1844 LANCASTER AVENUE 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 January 1, 2009 of principal and interest 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 \$995.56 Monthly Late Charge \$37.21

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 \$144,161.19 together with interest thereon at the rate of 5.500% per annum, from December 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: XXXXX3004 T.S. No: 1275492-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on September 13, 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: May 13, 2010

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: Tomvm Jain

Loan No: XXXXX3004 T.S. No: 1275492-09

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 August 14, 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

36623

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 # 12377
Trustee's Notice of Sale
Wilcox
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:
June 2, 9, 16, 23, 2010
Total Cost: \$1,269.87
Dearing PAG
Subscribed and sworn by deanine P Day
before me on: June 23, 2010

TRUSTEE'S NOTICE OF SALE Loan No: xxxxx3004 T.S. No.: 1275492-09.

Reference is made to that certain deed made by Heath A Wilcox..., as Grantor to Amerititle, as Trustee, in favor of Abn Amro Mortgage Group, Inc., as Beneficiary, dated June 21, 2006, recorded June 26, 2006, in official records of Klamath, Oregon in book/reel/volume No. xx at page No. xx, fee/file/Instrument/microfilm/reception No. m06-13040 covering the following described real property situated in said County and State, to-wit: Lot 1, 2 and 3, block 29, 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: 1844 Lancaster Avenue, Klamath Falls Or 97601.

Both the beneficiary and the trustee have elected to self 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 January 1, 2009 of principal and interest 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 \$995.56 Monthly Late Charge \$37.21.

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 \$144,161.19 together with interest thereon at 5.500% per annum from December 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 September 13, 2010 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 any time prior to five days before the date last set for sale.

Notary Public of Oregon

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: May 13, 2010. 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 as 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 August 14, 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 motice. OREGON STATE BAR 16037 SW Upper Boones Ferry Road Tigard, Oregon 97224 (503) 620-0222 (800) 452-8260 h

Affidavit of Compliance with SB 628 of 2009 and HB 3610 of 2010

Loan No: 653273004 TS#: 1275492-09

Borrower name(s): HEATH A WILCOX,.

Property Address: 1844 LANCASTER AVENUE

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):

•		`	11 37			-
[]	No request	for a meeting or loa	an modification wa	is received from th	e Borrower.	-
[]	Trustee sign beneficiary' within 45 d	ned the notice and s 's authorized agent	sent the Loan Mod contacted the Borr	ification Request F ower by the metho	30 days of the date form. The beneficiar ds requested by the orrower did not resp	y or Borrower
M	Trustee sigr beneficiary'	ned the notice and s	sent the Loan Mod contacted the Borr	fication Request Fower by phone or i	30 days of the date orm. The beneficiar in person and met w	y or
[]	notice and s evaluated in information Borrower is	sent the Loan Modi a good faith within a the Borrower pr s incligible for a loa	fication Request For 45 days of receipt. Tovided, the benefing modification. The first receipt the first receipt recei	orm. The loan mode. After considering ciary or beneficiar to Borrower was presented.	date the Trustee signal diffication request was the most current by's agent determined rovided with a written at included either (a	is financial I that en
٩	explanation not eligible Supplement	of how the benefic for a loan modifica	ciary or the benefication; or (b) the infinite issued by the Unite	iary's agent calcul ormation specified ed States Departme	at included either (a ated that the Borrow for a borrower notic ent of the Treasury u	er was e in
[]	notice and sevaluated in Borrower we modification agent calculus pecified fo	sent the Loan Moding good faith within was provided with a nation that included eith lated that the Borro or a borrower notice	fication Request Fo 45 days of receipt, written notification er (a) an explanation wer was not eligible in Supplemental I	orm. The loan mode and the loan mode in that the Borrowe on of how the bene le for a loan modif Directive 09-08 issue	late the Trustee signor diffication request was fication was denied. It is ineligible for a leficiary or the beneficiation; or (b) the incued by the United St. Homes Act of 2009.	is The can ciary's formation ates
[]	notice and s	sent the Loan Modis	fication Request Fo	orm. The loan mod	ate the Trustee signo dification request wa d to provide inform	ıs

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[]	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 in good faith. 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 was provided with a written notification that the Borrower is ineligible for a loan modification that included a description of the basis for the beneficiary's determination and an explanation of the reasons why the Borrower was not eligible.
[]	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.
D.	ATEI	D: <u>B126/10</u>
C	ITIMO	ORTGAGE, INC.
-6	Da	n Beur
ST C	TATE OUN	OF Missour IY OF <u>Sh. Chure</u> S
SI	UBSC	CRIBED AND SWORN to me this <u>Ulday</u> of <u>August</u> , 20 <u>10</u>
υ,		Notary Public
		TARAH HOLZUM

Notary Public - Notary Seal State of Missouri Warren County Commission # 10948106 MyCommission Epires March 15, 2014