

05 JUN 13 PM 03:20

1st 29-7099

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES) ss:

I, the undersigned, being first duly sworn, depose and 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 the beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known address, to-wit:

See attached Exhibit A for all the mailing address(es).

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by First American Title Insurance Company, 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 post office at LOS ANGELES, CALIFORNIA, on 6/1/05. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. 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. As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before me on 6/1, 20 05, by Daniel B. Rodriguez

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

JOHN E SAYLOR and LYNN M SAYLOR

Angelica Del Toro
Notary Public for California

Residing at Los Angeles County

My commission expires 3-15-09

First American Title Insurance Company

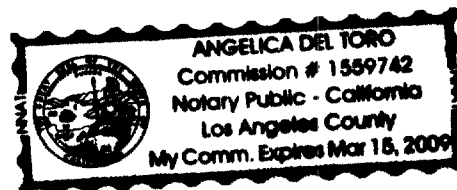
Trustee TS No. 03-15241

After Recording return to:

400 COUNTRYWIDE WAY SV-35

First American Title Insurance Company

SIMI VALLEY, CA 93065



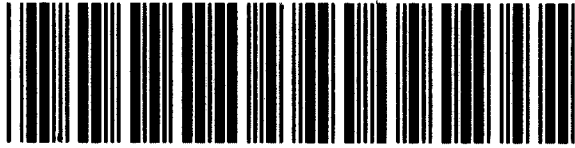
State of Oregon, County of Klamath

Recorded 06/13/05 3:28 p m

Vol M05 Pg 44086-90

Linda Smith, County Clerk

Fee \$ 41.00 # of Pgs 5



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**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"**

TS No. 03-15241

JOHN E SAYLOR
5039 VILLA DR
KLAMATH FALLS, O 97603
7187 7930 3131 0533 4108

LYNN M SAYLOR
5039 VILLA DR
KLAMATH FALLS, O 97603
7187 7930 3131 0533 4146

JOHN E SAYLOR
5039 VILLA DRIVE
KLAMATH FALLS, OR 97603
7187 7930 3131 0533 4122

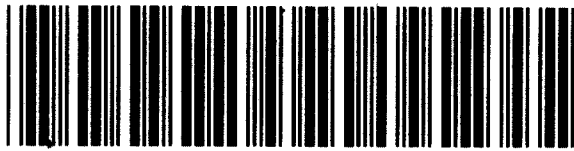
LYNN M SAYLOR
5039 VILLA DRIVE
KLAMATH FALLS, OR 97603
7187 7930 3131 0533 4153

Tenant/Occupant
5039 VILLA DRIVE
KLAMATH FALLS, OR 97603
7187 7930 3131 0533 4238

Tenant/Occupant
5039 VILLA DRIVE
KLAMATH FALLS, OR 97603
7187 7930 3131 0533 4245

JOHN E SAYLOR
5039 VILLA DR
KLAMATH FALLS, OR 97603-8019
7187 7930 3131 0533 4139

LYNN M SAYLOR
5039 VILLA DR
KLAMATH FALLS, OR 97603-8019
7187 7930 3131 0533 4160



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**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"**

TS No. 03-15241

BENEFICIAL OREGON, INC.
1345 CTR DR., STE D
MEDFORD, OR 97501
7187 7930 3131 0533 4177

BENEFICIAL OREGON, INC.
577 LAMONT ROAD
C/O RECORDS PROCESSING SERVICES
ELMHURST, IL 60126
7187 7930 3131 0533 4184

DIANE M. ROGERS
2225 KIMBERLY DRIVE
KLAMATH FALLS, OR 97601
7187 7930 3131 0533 4191

DIANE M. ROGERS
426 MAIN STREET
C/O MARCUS M. HENDERSON, ATTORNEY
KLAMATH FALLS, OR 97601
7187 7930 3131 0533 4207

JOHN SAYLER
C/O PETER J. RICHARD, ATTORNEY
122 SOUTH 5TH ST
KLAMATH, OR 97601
7187 7930 3131 0533 4221

AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust deed made by JOHN E SAYLOR AND LYNN M SAYLOR, HUSBAND AND WIFE as grantor(s), to AMERITITLE, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, dated 08/24/2001, recorded 08/29/2001, in the mortgage records of Klamath County, Oregon, in Reel No. M01 at Page No. 43955 as Recorder's fee/file/instrument/microfilm/reception Number covering the following described real property situated in said county and state, to wit:

LOT 18 IN BLOCK 12 OF TRACT NO. 1220, FOURTH ADDITION TO THE MEADOWS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 5039 VILLA DRIVE
KLAMATH FALLS, OR 97603

Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obligations secured by the Trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$1,172.00 beginning 02/01/2004; plus late charges of \$51.30 each month beginning 02/01/2004 plus prior accrued late charges of \$.00 payment plus advances of \$164.32; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the Beneficiary has declared all sums owing on the obligation secured by the Trust deed immediately due and payable, said sums being the following to wit: \$115,286.52 with interest thereon at the rate of 10 percent per annum beginning 05/01/2003 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interests therein.

The Notice of Default and original Notice of Sale given pursuant thereto stated the property would be sold on Monday, March 29, 2004, at the hour of 10:00 AM, in accord with the standard of time of established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon. However, subsequent to the recording of said Notice of Default the original proceedings were stayed by order of the court or by proceeding filed under the U.S. Bankruptcy Code or for other lawful reason. Said stay was terminated on 05/20/2005.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned Trustee will on Monday, June 27, 2005 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the Trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the Trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the Trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust deed reinstated by payment to the Beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the

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obligation or Trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default by paying all costs and expenses actually incurred in enforcing the obligation and Trust deed, together with the Trustee's and attorney's fees not exceeding the amounts provided by OSRS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Trust deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated 5/26, 2005

FIRST AMERICAN TITLE INSURANCE COMPANY

For further information, please contact:

DENNIS CANLAS, Assistant Secretary

FIRST AMERICAN TITLE INSURANCE COMPANY
C/O CTC REAL ESTATE SERVICES
5898 CONDOR DRIVE, MP-88
MOORPARK, CA 93021
(800)-281-8219
TS No. 03 -15241
Doc ID #00013044312005N

STATE OF CA)
) ss.
COUNTY OF ORANGE)

This instrument was acknowledged before me on 5/26, 2005, by
FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee.

Notary Public for ORANGE, CA
My commission expires: 8/2/07

(SEAL)

LORIE C. GOBRES

THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.

