

05 JAN 12 PM 10:40

Aspen: 5990151  
WHEN RECORDED MAIL TO:  
ForeclosureLink, Inc.  
5006 Sunrise Blvd. #200  
Fair Oaks, CA 95628

Vol M05 Page 02380

State of Oregon, County of Klamath  
Recorded 01/12/2005 10:40 a m  
Vol M05 Pg 02380-87  
Linda Smith, County Clerk  
Fee \$ 56<sup>00</sup> # of Pgs 8

FIDELITY NATIONAL TITLE - NDS

Recorder's Use

T.S. NO.: fc13545-5  
Title Order: 4410348

## AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF California)  
COUNTY OF Sacramento)

I, Lauren Meyer, 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 interested named in the attached original or copy of 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:


NAME & ADDRESS

CERTIFIED NO.

**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 ForeclosureLink, Inc , for 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 Fair Oaks, California, on September 13, 2004. 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.

  
Lauren Meyer, Sr. Trustee Sale Officer

Handwritten initials or mark.

# Declaration of Mailing

02381

Trustee's Sale No. fc13545-5

I, the undersigned, declare:

That I am an officer, agent, or employee of FORECLOSURELINK, INC.  
whose business address is 5006 SUNRISE BLVD., SUITE 200, FAIR OAKS, CA 95628

I am over the age of eighteen years; On 09/13/2004 by Certified mail, enclosed in a sealed envelope with postage fully prepaid, I deposited in the United States Post Office at Fair Oaks notices, a true and correct copy of which is hereunto attached and made part hereof, addressed to the following:

Date: 09/13/2004

Mailing: Required Mailin

Page: 1

Number of Article	Name of Addressee, Street, and Post Office Address	Cert. Fee	R.R. Fee
71788518801019283151	Evelyn V. Fandrey 313 Ward St. Crescent, OR 97733	\$2.30	\$1.75
71788518801019283168	Evelyn V. Fandrey P.O. Box 28 Crescent, OR 97733	\$2.30	\$1.75
71788518801019283175	Evelyn V. Fandrey 12108 Redwood Highway Wilderville, OR 97543	\$2.30	\$1.75
71788518801019283182	Clyde Fladwood, as Trustee Anthony James Anderson Trust 585 SW 6th Street Redmond, OR 97756	\$2.30	\$1.75
71788518801019283199	Louie Huserick c/o Clyde Fladwood, as Trustee Anthony James Anderson Trust 585 SW 6th Street Redmond, OR 97756	\$2.30	\$1.75

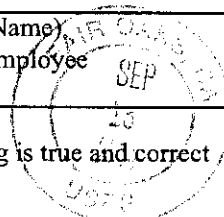
\$11.50 \$8.75

Number of Pieces by Sender 5	Number of Pieces Received 5	Postmaster (Name) Receiving Employee	Mail By (Name) Sending Employee
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I certify (or Declare) under penalty of perjury under the laws of the State of CA that the foregoing is true and correct

9/13/04  
(Date)

*[Signature]*  
(Declarant)



02382

STATE OF California  
COUNTY OF Sacramento

On January 10, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Lauren Meyer personally known to me (or provided to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

*Misty Montgomery*



# **AFFIDAVIT OF SERVICE**

## **TRUSTEE'S NOTICE OF SALE**

Case Number: 220221

02383

Beneficiary:

**CIT GROUP/CONSUMER FINANCE, INC.,**

vs.

Grantor(s):

**EVELYN V. FANDREY,**

For:

ForeclosureLine

Received by Prompt Process Serving Agency on the 16th day of September, 2004 at 5:09 pm to be served on **OCCUPANT(S), 313 Ward St., Crescent OR 97733.**

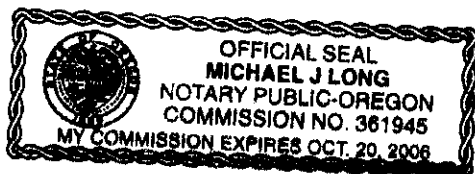
I, Jared Butler, being duly sworn, depose and say that on the **23rd day of September, 2004 at 6:55 pm, I:**

Did **PERSONALLY SERVE** true copies of the within **TRUSTEE'S NOTICE OF SALE** by delivering said copies personally and in person, to **EVELYN FANDREY** at the aforementioned address and at the same time I did **SUBSTITUTE SERVE ALL OTHERS** by delivering a true copy to the above named, and informing said person of the contents thereof. Said person is 14 years of age or older, and is a co-occupant of the dwelling house or usual place of abode.

**CERTIFICATE OF MAILING:** I hereby certify that on September 24, 2004, I did cause to be **MAILED**, first class postage affixed, a copy of the aforementioned documents together with this statement of the date, time, place and person to which **SUBSTITUTED SERVICE** was made at the above address.

(If mailed by other than server \_\_\_\_\_)

I further certify that I am a competent person over the age of 18 and a resident of the state of Oregon, and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise: that the person served by me is the identical person named in the action. I also declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service including service fees is true and correct.



Subscribed and Sworn to before me on the 24th day of September, 2004 by the affiant who is personally known to me.

  
NOTARY PUBLIC

  
Jared Butler  
Process Server

**Prompt Process Serving Agency**  
**5906 N. Greeley**  
**Portland, OR 97217**  
**(503) 286-4144**

Our Job Serial Number: 2004002718

# Affidavit of Publication

02384

## 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 # 7097

Notice of Sale/Evelyn V. Fandrey

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )  
Four

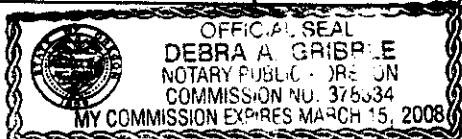
Insertion(s) in the following issues:  
November 29, December 6, 13, 20, 2004

Total Cost:

*Jeanine P. Day*  
Subscribed and sworn  
before me on: December 20, 2004

*Debra A. Gribble*  
Notary Public of Oregon

My commission expires March 15, 2008



Trustee's Notice  
Of Sale  
pursuant to O.R.S.  
86.705, et seq. and  
O.R.S. 79-5010, et  
seq. Trustee No.:  
FC13545-5 Loan No.:  
00009500062865 Title  
No.: 4410348

Reference is made to that certain Trust Deed made by Evelyn V. Fandrey, as Grantor, to Aspen Title & Escrow, as Trustee, in favor of The CIT Group/Consumer Finance, Inc., as Beneficiary, dated 10/8/2002, Recorded on 10/16/2002 in Volume M02 at Page 59054, in the mortgage records of Klamath County, Oregon. The beneficiary interest under said Trust Deed and the obligations secured thereby are presently held by The CIT Group/Consumer Finance, Inc. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: Lots 23 and 24, block 40, Crescent, according to the official plat thereof on file in the office of the clerk of Klamath County, Oregon. Account No.: R2409-030CA-05000 The street address or other common designation, if any, of the real property described above is purported to be: 313 Ward St. Crescent, OR. The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said 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 \$968.32 beginning 03/21/2004, together with title expenses, 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. Also, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Deed of Trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee. By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following: Principal balance of \$72,974.25 with interest thereon at the rate of 8.490% per annum from 02/21/2004, together with any late charge(s), delinquent taxes, insur-

ance premiums, impounds and advances; senior liens and encumbrances which are delinquent or become delinquent together with title expense, costs, trustee's fees and any attorney's fees and court costs, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

Wherefore, notice hereby is given that, Fidelity National Title Insurance Company, the undersigned trustee will, on 1/24/2005, at the hour of 10:00 AM in accord with the standard of time as established by O.R.S. 187.110, At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR, sell at public auction to the highest bidder for cash, the interest in the said described real property which the Grantor has or had power to convey at the time of execution by him of the said Trust Deed, together with any interest which the Grantor his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including reasonable charge by the trustee. Notice is further given that any person named in O.R.S. 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

BACK →

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 obligation or to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees.

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 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: September 3, 2004. Fidelity National Title Insurance Company, Trustee Name/Title: A. Fragassi, Vice President. Direct Inquiries to: The CIT Group/Consumer Finance Inc., c/o Foreclosure Link, Inc., 5006 Sunrise Blvd., #200, Fair Oaks, CA 95628. (916) 962-3453. P223028, 11/29, 12/6, 12/13, 12/20/2004. #7097 November 29, December 6, 13, 20, 2004.

**TRUSTEE'S NOTICE OF SALE**

Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79-5010, et seq.

Trustee No.: fc13545-5 Loan No.: 00009500062865 Title No: 4410348

Reference is made to that certain Trust Deed made by Evelyn V. Fandrey, as Grantor, to Aspen Title & Escrow, as Trustee, in favor of The CIT Group/Consumer Finance, Inc., as Beneficiary, dated 10/08/2002, Recorded on 10/16/2002 in Volume M02 at Page 59054, in the mortgage records of Klamath County, Oregon. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by The CIT Group/Consumer Finance, Inc.

Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

Lots 23 and 24, Block 40, Crescent, according to the Official plat thereof on file in the Office of the Clerk of Klamath County, Oregon.

ACCOUNT NO.: R2409-030CA-05000

The street address or other common designation, if any, of the real property described above is purported to be: 313 Ward St., Crescent, OR

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said 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 \$968.32 beginning 03/21/2004, together with title expenses, 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.

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Deed of Trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

**TRUSTEE'S NOTICE OF SALE**

Trustee No.: fc13545-5 Loan No.: 00009500062865 Title No: 4410348

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following:

Principal balance of \$72,974.25 with interest thereon at the rate of 8.490% per annum from 02/21/2004, together with any late charge(s), delinquent taxes, insurance premiums, impounds and advances; senior liens and encumbrances which are delinquent or become delinquent together with title expense, costs, trustee's fees and any attorney's' fees and court costs, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that, Fidelity National Title Insurance Company, the undersigned trustee will, on **01/24/2005, at the hour of 10:00AM** in accord with the standard of time as established by O.R.S. 187.110, AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN ST., KLAMATH FALLS, OR, sell at public auction to the highest bidder for cash, the interest in the said described real property which the Grantor has or had power to convey at the time of execution by him of the said Trust Deed, together with any interest which the Grantor his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including reasonable charge by the trustee.

Notice is further given that any person named in O.R.S. 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 obligation or to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees.

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 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: September 3, 2004

Fidelity National Title Insurance Company, Trustee

  
Name/Title/ A. Fragassi, Vice President

DIRECT INQUIRIES TO: The CIT Group/Consumer Finance Inc., c/o ForeclosureLink, Inc., 5006 Sunrise Blvd., #200, Fair Oaks, CA 95628 (916) 962-3453