

05 MAY 16 PM 11:51

Vol M05 Page 35205

RECORDING COVER SHEET
Pursuant to ORS 205.234

State of Oregon, County of Klamath
Recorded 05/16/05 11:51 a m
Vol M05 Pg 35205-212
Linda Smith, County Clerk
Fee \$ 71.00 # of Pgs 8

After recording return to:

Northwest Trustee Services, Inc.
Attention: Kathy Taggart
P.O. Box 997
Bellevue, WA 98009-0997

1st 516957

1. AFFIDAVIT OF MAILING
2. TRUSTEE'S NOTICE OF SALE
3. AFFIDAVIT OF NON OCCUPANCY
4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Richard H. Bailey and Arlene F. Bailey, as tenants by the entirety

Beneficiary: CitiMortgage, Inc.

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS CONTAINED IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

*56 Fxv
15*

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF WASHINGTON, County of KING) 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 Washington, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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 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:

Arlene F. Bailey
1200 Diamond Peak Circle
Crescent Lake, OR 97425

Richard H. Bailey
1200 Diamond Peak Circle
Crescent Lake, OR 97425

Arlene F. Bailey
25860 Southwest Canyon Creek Road, #G302
Wilsonville, OR 97070-5640

Richard H. Bailey
25860 Southwest Canyon Creek Road, #G302
Wilsonville, OR 97070-5640

Arlene F. Bailey
18746 Clear Spring Way
Crescent Lake, OR 97425

Richard H. Bailey
18746 Clear Spring Way
Crescent Lake, OR 97425

Arlene F. Bailey
5460 Woodmill Drive Southeast
Salem, OR 97306

Richard H. Bailey
5460 Woodmill Drive Southeast
Salem, OR 97306

Occupant(s)
1200 Diamond Peak Circle
Crescent Lake, OR 97425

Occupant(s)
18746 Clear Spring Way
Crescent Lake, OR 97425

Northwest Resource Federal Credit Union
221 NW 2nd Avenue
Portland, OR 97209

Northwest Resource Federal Credit Union
PO Box 2788
Portland, OR 97208

The Diamond Peaks at leisure Woods I & II HOA
c/o Mindy Wittkop, Atty
44 Club Road, Ste 200
Eugene, OR 97401

The Diamond Peaks at leisure Woods I & II HOA
c/o Mary Karp, Reg. Agent
18924 Clearsprings Way
Crescent Lake, OR 97425

The Diamond Peaks at leisure Woods I & II HOA
c/o Mary Karp, Reg. Agent
PO Box 122
Crescent Lake, OR 97425

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
RE: Trust Deed from
Bailey, Arlene F. and Richard H.
Grantor
to
Northwest Trustee Services, Inc.,
Trustee **File No. 7301.22858**

After recording return to:
Northwest Trustee Services, Inc.
Successor by merger to Northwest Trustee Services, PLLC
(fka Northwest Trustee Services, LLC)
Attn: Kathy Taggart
P.O. Box 997
Bellevue, WA 98009-0997

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, 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 Bellevue, Washington, on 2-10-05. 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.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

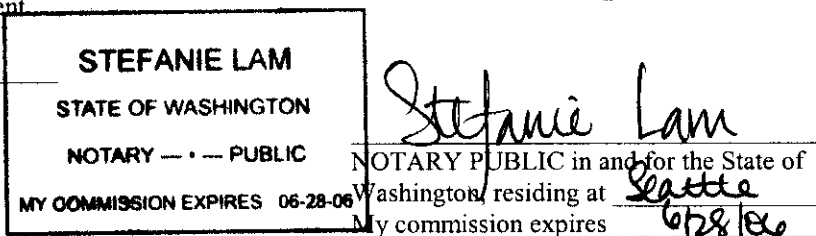
Mala Bannavong

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

Mala Bannavong

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 2/10/05



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
RE: Trust Deed from
Bailey, Arlene F. and Richard H.
Grantor
to
Northwest Trustee Services, Inc.,
Trustee **File No. 7301.22858**

After recording return to:
 Northwest Trustee Services, Inc.
 Successor by merger to Northwest Trustee Services, PLLC
 (fka Northwest Trustee Services, LLC)
 Attn: Kathy Taggart
 P.O. Box 997
 Bellevue, WA 98009-0997

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Richard H. Bailey and Arlene F. Bailey, as tenants by the entirety, as grantor, to First American Title Company, as trustee, in favor of CitiMortgage, Inc., as beneficiary, dated 11/07/03, recorded 11/12/03, in the mortgage records of Klamath County, Oregon, as Volume M03, Page 83718, covering the following described real property situated in said county and state, to wit:

Lot 1, Block 6, Tract No. 1119, Leisure Woods #2, according to the Official Plat thereof on file in the Office of the Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 1200 Diamond Peak Circle aka 18746 Clear Spring Way
Crescent Lake, OR 97425

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 \$1,521.53 beginning 09/01/04; plus late charges of \$69.17 each month beginning 09/16/04; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$225,897.55 with interest thereon at the rate of 6.125 percent per annum beginning 08/01/04; plus late charges of \$69.17 each month beginning 09/16/04 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on **June 10, 2005** at the hour of 10:00 o'clock, A.M. 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 for reinstatement or payoff quotes requested pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. 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 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 trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

35209

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.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

Dated:

11/28, 2005

Northwest Trustee Services, Inc.

By

Assistant Vice President

Northwest Trustee Services, Inc. is successor by merger to Northwest Trustee Services, PLLC (formerly known as Northwest Trustee Services, LLC)

For further information, please contact:

Kathy Taggart
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900
File No. 7301.22858/Bailey, Arlene F. and Richard H.

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

By Authorized Signer

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

IN THE _____ COURT OF THE STATE OF _____
COUNTY OF KLAMATH : COURT CASE NO. _____

OREGON

35210

CITIMORTGAGE INC

vs

RICHARD H BAILEY AND ARLENE R BAILEY

PROOF OF SERVICE

STATE OF OREGON)

) SS.

County of KLAMATH

I hereby certify that on the 4 day of February, 2005, at the hour of _____
I served OCCUPANTS (VACANT) by _____

- _____ Personal Service (personally and in person)
_____ Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
_____ Office Service (by serving the person apparently in charge)
_____ By posting (said residence)

A certified/true copy of:

- | | | |
|--|---------------------------|--------------------|
| _____ Summons | _____ Writ of Garnishment | _____ Small Claims |
| _____ Motion | _____ Order | _____ Affidavit |
| _____ Complaint | _____ Citation | _____ Subpoena |
| _____ Petition | _____ Notice | _____ Decree |
| <u>X</u> Other: <u>TRUSTEES NOTICE OF SALE</u> | | |

Together with a copy of _____

To OCCUPANTS (VACANT) At 1200 DIAMOND PEAK CIRCLE NKA 18746
Clear Spring Way CRESCENT LAKE, OR. 97425

NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20_____
and after due and diligent search and inquiry, I have been unable to locate
within the county of _____ Dated this _____ day of _____, 20____

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this

_____ day of _____, 20____



DAVE DAVIS (#16)

Cleveland Legal Support Service
(541) 665-5162

Papers

Received From FEI LLC
PO BOX 219
BELLEVUE
WA 98009-0219

425-458-2112
ATTN: IRENE X 1944

Remit to: CLSS, Inc.	Service Fee	\$
P.O. Box 5358	Mileage	\$
Central Point, OR 97502	Rush/Emergency	\$
Date: 02-07-2005	Incorrect Add.	\$
CLSS File No. 582-KADDL	MILE	
Client No. 1002.31974	Amount Paid	\$ 0.00
	TOTAL DUE	\$

Affidavit of Publication

35211

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 # 7310

Trustee's Notice of Sale: Richard H. Bailey

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:
March 17, 24, 31, April 7, 2005

Total Cost: \$1,146.60

Subscribed and sworn

before me on: April 7, 2005

Notary Public of Oregon

My commission expires March 15, 2008

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Richard H. Bailey and Arlene F. Bailey, as tenants by the entirety, as grantor, to First American Title Company, as trustee, in favor of CitiMortgage, Inc., as beneficiary, dated 11/07/03, recorded 11/12/03, in the mortgage records of Klamath County, Oregon as Volume M03, Page 83718, covering the following described real property situated in said county and state, to wit:

Lot 1, Block 6, Tract No. 1119, Leisure Woods #2, according to the Official Plat thereof on file in the Office of the Clerk of Klamath County, Oregon.

PROPERTY

ADDRESS:
1200 Diamond Peak Circle aka 18746 Clear Spring Way, Crescent Lake, OR 97425

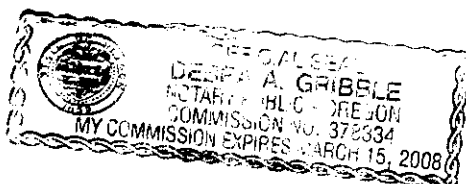
Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$1,521.53 beginning 09/01/04; plus late charges of \$69.17 each month beginning 09/16/04;

plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

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: \$225,897.55 with interest thereon at the rate of 6.125 percent per annum beginning 08/01/04; plus late charges of \$69.17 each month beginning 09/16/04 until paid; plus prior accrued late charges of \$0.00; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 10, 2005 at the hour of 10:00 o'clock A.M. in accord with the standard of time estab-

lished 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 for reinstatement or payoff quotes requested pursuant to ORS 86.745 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimat-



REC'D APR 11 2005

ed or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com.

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 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 trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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.

The trustee's rules of auction may be accessed at www.northwesttrustee.com in and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com.

Dated: January 28, 2005

By: Kathy Taggart,
Assistant Vice
President.
Northwest Trustee
Services, Inc. is suc-
cessor by merger to
Northwest Trustee
Services, PLLC
(formerly known as
Northwest Trustee
Services, LLC).

For further information, please contact:
Kathy Taggart
Northwest Trustee
Services, Inc.,
PO Box 997,
Bellevue, WA
98009-0997.
(425) 586-1900.
File No. 7301.22858/
Bailey, Ariene F.
and Richard H.

State of Washington,
County of King) ss:

I, the undersigned,

certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.
David E. Fennell
By Authorized
Signer

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

#7310 March 17, 24,
31, 2005 April 7, 2005