

M05-66680

Klamath County, Oregon

10/17/2005 12:04:35 PM

Pages 9 Fee: \$61.00

WHEN REDORDED MAIL TO:
Green Tree Servicing LLC
500 South 336th Street, Ste. 202
P.O. Box 3290
Federal Way, WA 98003-6389

1st 531134

T.S. NO.: F-39328-OR-DL
LOAN NO.: 45403555-1

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF California} SS
COUNTY OF San Diego}

I, Michael Trujillo, 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 original or copy of 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 registered or certified mail and regular mail to each of the following named person's 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 Dana Linder, for 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 mail San Diego California, on 10/7/2005 and 10/11/2005. 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.

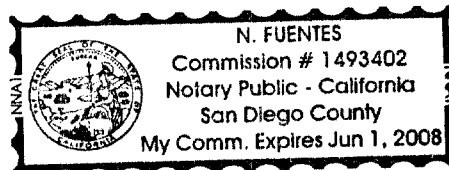
STATE OF California} SS
COUNTY OF San Diego}

On 10/13/2005 before me, the undersigned, A Notary Public in and for said State, personally appeared Michael Trujillo (notary seal) personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his./her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

N. Fuentes



6/1F

AMENDED TRUSTEE'S NOTICE OF SALE

Loan No: 45403555-1

T.S. No.: F-39328-OR-DL

Reference is made to that certain deed made by, ROBERT G MCNEAL as Grantor to BONNIE P. SERKIN, in favor of GREEN TREE FINANCIAL SERVICING CORPORATION, as Beneficiary, dated 11/1/1995, recorded 11/21/1995, in official records of Klamath county, Oregon in book/reel/volume No. M95 at page No. 31815, fee/file/instrument/microfile/reception No. *** (indicated which), covering the following described real property situated in said County and State, to-wit:

LOT 24, BLOCK 3, RIVERVIEW ADDITION ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON

Tax Assessor's #: R534443

More commonly known as:	2225 LAUREL KLAMATH FALLS, OR 97603
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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 MAKE THE 11/1/2004 PAYMENT OF PRINCIPAL AND INTEREST AND ALL
SUBSEQUENT PAYMENTS, TOGETHER WITH LATE CHARGES, IMPOUNDS, TAXES ADVANCES AND
ASSESSMENTS.

Monthly Payment \$343.68

Monthly Late Charge \$17.19

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: \$30,767.92 with interest thereon at the rate of 9.24 beginning 10/1/2004; plus late charges of \$17.19 beginning 11/1/2004 until paid; plus prior accrued late charges; plus advances; together with title expense, costs, trustee's fees and attorneys 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.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on 7/5/2005, at the hour of 10:00 AM Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR, however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the Court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. It has been determined that the current Trustor, Robert G. McNeal Jr. did not file bankruptcy. Robert G. McNeal Sr. filed a bankruptcy on 6/24/2005, under case no. 05-65202. The aforementioned bankruptcy did not list the property that has been referenced in the foreclosure action. The bankruptcy stay does not apply to the foreclosure of the property located at 2225 Laurel Klamath Falls, OR 97603. We will therefore proceed with a foreclosure sale at this time.

Whereof, notice hereby is given that, **FIRST AMERICAN TITLE INSURANCE COMPANY** the undersigned trustee will on **10/28/2005 at the hour of 10:00 AM, Standard of Time, as established by section 187,110, Oregon Revised Statutes, ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR, 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 expenses 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

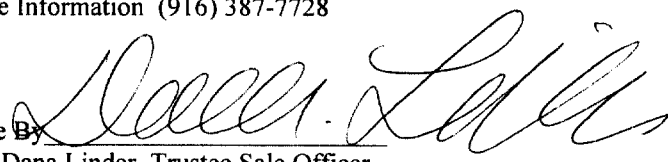
foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default 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.

For Sale Information (916) 387-7728

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" include their respective successors in interest, if any.

Dated: October 06, 2005

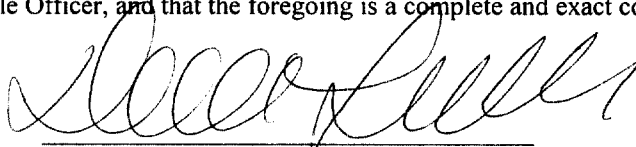
FIRST AMERICAN TITLE INSURANCE,
TRUSTEE
By: QUALITY LOAN SERVICE, AGENT
(619) 645-7711
For Sale Information (916) 387-7728

Signature By 

Dana Linder, Trustee Sale Officer

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

I, the undersigned, certify that I am the Trustee Sale Officer, and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.



Dana Linder, Trustee Sale Officer

AMENDED TRUSTEE'S NOTICE OF SALE

Loan No.: 45403555-1

T.S. No.: F-39328-OR-DL

AFFIDAVIT OF MAILING

Date: **October 07, 2005**

T.S. No.: **F-39328-OR-DL**

Loan No.: **45403555-1**

STATE OF California }
COUNTY OF San Diego }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in **San Diego** County at QUALITY LOAN SERVICE CORPORATION, and is not a party to the within action and that on **October 07, 2005**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice of Default/Notice of Sale in a sealed envelope, certified mail with return receipt or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

I declare under penalty of perjury that the foregoing is true and correct.

X

Affiant **Michael Trujillo**

ROBERT G MCNEAL
2225 LAUREL
KLAMATH FALLS, OR 97603
Z71788518801029144169

ROBERT G MCNEAL
2225 LAUREL
KLAMATH FALLS, OR 97603
First Class

ROBERT G MCNEAL
4676 TINGLEY LN
KLAMATH FALLS, OR 97603
Z71788518801029144176

ROBERT G MCNEAL
4676 TINGLEY LN
KLAMATH FALLS, OR 97603
First Class

OCCUPANTS
2225 LAUREL
KLAMATH FALLS, OR 97603
Z71788518801029144183

OCCUPANTS
2225 LAUREL
KLAMATH FALLS, OR 97603
First Class

AFFIDAVIT OF MAILING

Date: **October 07, 2005**

T.S. No.: **F-39328-OR-DL**

Loan No.: **45403555-1**

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I declare under penalty of perjury that the foregoing is true and correct.

X

Affiant **Michael Trujillo**

ROBERT G MCNEAL JR.
2225 LAUREL ST.
KLAMATH FALLS, OR 97603
Z71788518801029144190

ROBERT G MCNEAL JR.
2225 LAUREL ST.
KLAMATH FALLS, OR 97603
First Class

ROBERT G MCNEAL
2225 LAUREL
KLAMATH FALLS, OR 97601
Z71788518801029144206

ROBERT G MCNEAL
2225 LAUREL
KLAMATH FALLS, OR 97601
First Class

OCCUPANTS
2225 LAUREL
KLAMATH FALLS, OR 97601
Z71788518801029144213

OCCUPANTS
2225 LAUREL
KLAMATH FALLS, OR 97601
First Class

AFFIDAVIT OF MAILING

Date: **October 07, 2005**

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COUNTY OF **San Diego** }

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I declare under penalty of perjury that the foregoing is true and correct.

X

Affiant **Michael Trujillo**

ROBERT G MCNEAL JR.
2225 LAUREL ST.
KLAMATH FALLS, OR 97601-5543
Z71788518801029144220

ROBERT G MCNEAL JR.
2225 LAUREL ST.
KLAMATH FALLS, OR 97601-5543
First Class

HURLEY STATE BANK FRED MEYER
C/O DERRICK E. MCGAVIC ATTORNEY
941 WEST THIRD AVE
EUGENE, OR 97440
Z71788518801029144237

HURLEY STATE BANK FRED MEYER
C/O DERRICK E. MCGAVIC ATTORNEY
941 WEST THIRD AVE
EUGENE, OR 97440
First Class

HURLEY STATE BANK FRED MEYER
C/O DERRICK E. MCGAVIC ATTORNEY
PO BOX 10163
EUGENE, OR 97440
Z71788518801029144244

HURLEY STATE BANK FRED MEYER
C/O DERRICK E. MCGAVIC ATTORNEY
PO BOX 10163
EUGENE, OR 97440
First Class

AFFIDAVIT OF MAILING

Date: **October 07, 2005**

T.S. No.: **F-39328-OR-DL**

Loan No.: **45403555-1**

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COUNTY OF **San Diego** }

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I declare under penalty of perjury that the foregoing is true and correct.

X 
Affiant **Michael Trujillo**

BEVERLY J. BAKER
817 LINCOLN ST.
KLAMATH FALLS, OR 97601
Z71788518801029144251

BEVERLY J. BAKER
817 LINCOLN ST.
KLAMATH FALLS, OR 97601
First Class

STATE OF OREGON DEPARTMENT OF JUSTICE
DIVISION OF CHILD SUPPORT
PO BOX 14506
SALEM, OR 97309
Z71788518801029144268

STATE OF OREGON DEPARTMENT OF JUSTICE
DIVISION OF CHILD SUPPORT
PO BOX 14506
SALEM, OR 97309
First Class

CREDIT BUREAU OF KLAMATH COUNTY
C/O ART MILLS AGENT
PO BOX 5107
KLAMATH FALLS, OR 97601
Z71788518801029144275

CREDIT BUREAU OF KLAMATH COUNTY
C/O ART MILLS AGENT
PO BOX 5107
KLAMATH FALLS, OR 97601
First Class

AFFIDAVIT OF MAILING

Date: **October 07, 2005**

T.S. No.: **F-39328-OR-DL**

Loan No.: **45403555-1**

STATE OF **California** }
COUNTY OF **San Diego** }

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I declare under penalty of perjury that the foregoing is true and correct.

X

Affiant **Michael Trujillo**

DANIEL WILLY DBA DMK LOGGING
C/O NEAL G. BUCHANAN ATTY
435 OAK AVE
KLAMATH FALLS, OR 97601
Z71788518801029144282

DANIEL WILLY DBA DMK LOGGING
C/O NEAL G. BUCHANAN ATTY
435 OAK AVE
KLAMATH FALLS, OR 97601
First Class

KLAMATH COUNTY, TAX OFFICE
PO BOX 340
KLAMATH FALLS, OR 97601
Z71788518801029144299

KLAMATH COUNTY, TAX OFFICE
PO BOX 340
KLAMATH FALLS, OR 97601
First Class

ROBERT G. MCNEAL JR.
2025 VINE AVE
KLAMATH FALLS, OR 97601-3365
Z71788518801029144305

ROBERT G. MCNEAL JR.
2025 VINE AVE
KLAMATH FALLS, OR 97601-3365
First Class

AFFIDAVIT OF MAILING

Date: **October 11, 2005**

T.S. No.: **F-39328-OR-DL**

Loan No.: **45403555-1**

STATE OF **California** }
COUNTY OF **San Diego** }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in **San Diego** County at QUALITY LOAN SERVICE CORPORATION, and is not a party to the within action and that on **October 11, 2005**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice of Default/Notice of Sale in a sealed envelope, certified mail with return receipt or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

I declare under penalty of perjury that the foregoing is true and correct.

X

Affiant **Michael Trujillo**

CARTER JONES COLLECTION SERVICES
1143 PINE STREET
KLAMATH FALLS, OR 97601
Z71788518801029162989

CARTER JONES COLLECTION SERVICES
1143 PINE STREET
KLAMATH FALLS, OR 97601
First Class