

M05-69271

Klamath County, Oregon

11/17/2005 10:54:31 AM

Pages 8 Fee: \$56.00

WHEN RECORDED MAIL TO:

ForeclosureLink, Inc.

5006 Sunrise Blvd. #200

Fair Oaks, CA 95628

ATE-61983

Recorder's Use _____

T.S. NO.: fc14072-5

Title Order: 5410156

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:

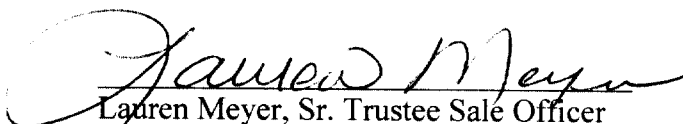
NAME & ADDRESS

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 August 2, 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.


Lauren Meyer, Sr. Trustee Sale Officer

56-A

Declaration of Mailing

Trustee's Sale No. fc14072-5

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 08/02/2005 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: 08/02/2005

Mailing: Required

Page: 1

| Number of Article | Name of Addressee, Street, and Post Office Address | Cert. Fee | R.R. Fee |
|----------------------|--|-----------|----------|
| 71788518801022234980 | Kenneth W. Hanner 12533 Alderwood Drive LaPine, OR 97739 | \$2.30 | \$1.75 |
| 71788518801022234997 | Randi Lynn Pokorny 12533 Alderwood Drive LaPine, OR 97739 | \$2.30 | \$1.75 |
| 71788518801022235000 | LILA MAXINE GEDDES 300 SE LACREAL, #271 DALLAS, OR 97338 | \$2.30 | \$1.75 |
| 71788518801022235017 | LILA MAXINE GEDDES C/O NORMAN F. WEBB, ATTORNEY WEBB MARTINIS & HILL 1114-12TH STREET SE SALEM, OR 97302 | \$2.30 | \$1.75 |
| 71788518801022235024 | STATE OF OREGON C/O CIRCUIT COURT 316 MAIN ST. KLAMATH FALLS, OR 97601 | \$2.30 | \$1.75 |
| 71788518801022235031 | RANDI LYNN POKORNY 53094 LOOP D. LAPINE, OR 97739 | \$2.30 | \$1.75 |
| 71788518801022235048 | KENNETH W. HANNER 53094 LOOP DR. LAPINE, OR 97739 | \$2.30 | \$1.75 |
| | | \$16.10 | \$12.25 |

| Number of Pieces by Sender | Number of Pieces Received | Postmaster (Name) Receiving Employee | Mail By (Name) Sending Employee |
|----------------------------|---------------------------|--------------------------------------|---------------------------------|
| 7 | | | |

I certify (or Declare) under penalty of perjury under the laws of the State of CA that the foregoing is true and correct

(Date)

(Declarant)

STATE OF California
COUNTY OF Sacramento

On November 15, 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: 232833

Beneficiary:

THE CIT GROUP/CONSUMER FINANCE INC.,

vs.

Grantor(s):

RANDI-LYNN POKORNY and KENNETH HANNER,

For:

PRIORITY POSTING AND PUBLISHING

17501 Irvine Blvd.

Suite 1

Tustin, CA 92780

Received by Prompt Process Serving Agency on the 22nd day of July, 2005 at 11:45 am to be served on **OCCUPANT(S), 12533 Alderwood Drive, La Pine OR 97739.**

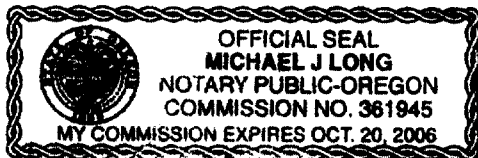
I, Brian Robertson, being duly sworn, depose and say that on the **27th day of July, 2005 at 6:22 pm, I:**

Did **PERSONALLY SERVE** true copies of the within **TRUSTEE'S NOTICE OF SALE** by delivering said copies personally and in person, to JANE DOE belived to be RANDI-LYNN POKORNY kna HANNER at the aforementioned address and at the same time I did **SUBSTITUTE SERVE ALL OCCUPANTS** 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 August 1, 2005, 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 31st day of July, 2005 by the affiant who is personally known to me.

Michael J. Long

NOTARY PUBLIC

A handwritten signature in black ink, appearing to read "B. Robertson", written over a horizontal line.

Brian Robertson
Process Server

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

Our Job Serial Number: 2005002466

Affidavit of Publication

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 # 7844

Notice of Sale/Randi Lynn Pokorny &
Kenneth W. Hanner

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

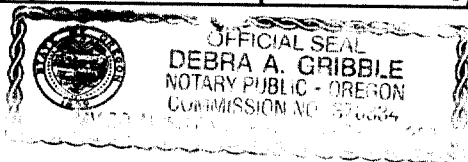
Insertion(s) in the following issues:
October 10, 17, 24, 31, 2005

Subscribed and sworn

before me on: October 31, 2005

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.:
FC14072-5 Loan No.:
00001425762373 Title
No.: 5410156

Reference is made to that certain Trust Deed made by Randi Lynn Pokorny and Kenneth W. Hanner, as Grantor, to First American Title, as Trustee, in favor of The CIT Group/Consumer Finance Inc, as Beneficiary, dated 2/14/2002, Recorded on 2/22/2002 in Volume M02 at page 10781, 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: Lot 14 in block 11 Sun Forest Estates, tract 1060, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. Account No.: R-2310-036D0-09400-000 The street address or other common designation, if any, of the real property described above is purported to be: 12533 Alderwood Drive LaPine, OR 97739. 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 \$626.44 beginning 12/22/2004, 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 \$61,692.14 with interest thereon at the rate of 10.064% per annum from 11/22/2004, 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 12/5/2005, 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: July 19, 2005
Fidelity National Title Insurance Company, Trustee
Name/Title: G. Sheppard, Title Officer
Direct Inquiries to: The CIT Group-Consumer Finance, Inc. c/o ForeclosureLink, Inc., 5006 Sunrise Blvd. #200, Fair Oaks, CA 95628 (916) 962-3453
234893. 10/10, 10/17, 10/24, 10/31/2005.
#7844 October 10, 17, 24, 31, 2005.

TRUSTEE'S NOTICE OF SALE

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

Trustee No.: fc14072-5 Loan No.: 00009425782373 Title No: 5410156

Reference is made to that certain Trust Deed made by Randi Lynn Pokorny and Kenneth W. Hanner, as Grantor, to First American Title, as Trustee, in favor of The CIT Group/Consumer Finance Inc., as Beneficiary, dated 02/14/2002, Recorded on 02/22/2002 in Volume M02 at Page 10781, 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:

Lot 14 in Block 11 Sun Forest Estates, Tract 1060, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

ACCOUNT NO.: R-2310-036D0-09400-000

The street address or other common designation, if any, of the real property described above is purported to be: 12533 Alderwood Drive, LaPine, OR 97739

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 \$626.44 beginning 12/22/2004, 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.: fc14072-5 Loan No.: 00009425782373 Title No: 5410156

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 \$61,692.14 with interest thereon at the rate of 10.064% per annum from 11/22/2004, 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.

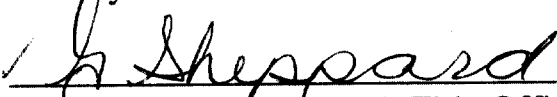
WHEREFORE, notice hereby is given that, Fidelity National Title Insurance Company, the undersigned trustee will, on **12/05/2005, at the hour of 10:00AM** in accord with the standard of time as established by O.R.S. 187.110, AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN ST., KLAMATH FALLS, 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: July 19, 2005

Fidelity National Title Insurance Company, Trustee



Name/Title: G. Sheppard, Title Officer

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