

M06-00396

Klamath County, Oregon

01/09/2006 11:16:18 AM

Pages 7 Fee: \$51.00

TRUSTEE'S NOTICE OF SALE

AFE 162195

Loan No: **32359770**

T.S. No.: OR-05-51410-JB

Reference is made to that certain deed made by, **MARK K WYRICK** as Grantor to **FIRST AMERICAN TITLE**, as trustee, in favor of **NEW CENTURY MORTGAGE CORPORATION**, as Beneficiary, dated **2/13/2003**, recorded **2/21/2003**, in official records of **Klamath County, Oregon** in book No. **M03** at page No. **10651** instrument No., covering the following described real property situated in said County and State, to-wit:

APN: R-3908-014DO-01800-000

LOT 2 IN BLOCK 2 OF TRACT 1002, LAWANDA HILLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON

Commonly known as:

**5712 BLUE MOUNTAIN DRIVE
KLAMATH FALLS, OR 97601**

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:

Installment of principal and interest plus impounds and / or advances which became due on 5/1/2005 plus amounts that are due or may become due for the following: late charges, delinquent property taxes, insurance premiums, advances made on senior liens, taxes and/or insurance, trustees fees, and any attorney fees and court costs arising from or associated with beneficiaries effort to protect and preserve its security must be cured as a condition of reinstatement.

Monthly Payment **\$961.94**

Monthly Late Charge **\$48.10**

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: The sum of **\$112,320.87** together with interest thereon at the rate of **9.50000** per annum from **4/1/2005** until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that **Fidelity National Title Insurance Company**, the undersigned trustee will on **2/3/2006** at the hour of **10:00 A.M.**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN ST, 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 Call: 916-387-7728 or Login to: www.calpost.com

\$51-A

Loan No: **32359770**
T.S. No.: **OR-05-51410-JB**

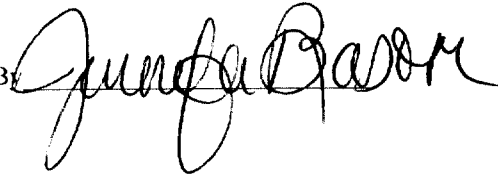
TRUSTEE'S NOTICE OF SALE

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: **9/21/2005**

Fidelity National Title Insurance Company
15661 Redhill Avenue
Suite 201
Tustin, CA 92780
By: Quality Loan Service Corporation, as Agent

Signature By

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

For Non-Sale Information:
Quality Loan Service Corp.
319 Elm Street, 2nd Floor
San Diego, CA 92101
619-645-7711
Fax: 619-645-7716

WHEN RECORDED MAIL TO:
Ocwen Loan Servicing, LLC
1575 Palm Beach Lakes
West Palm Beach, FL 33401

(Recorder's Use)

T.S. NO.: **OR-05-51410-JB**
LOAN NO.: **32359770**

AFFIDAVIT OF MAILING NOTICE OF SALE

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

I, **Mike 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.

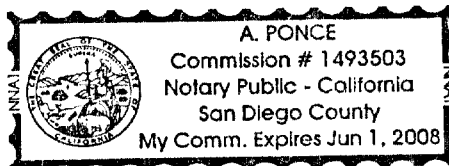
Each of the notices so mailed was certified to be a true copy of the original notice of sale by **Jennifer Basom**, for **FIDELITY NATIONAL TITLE INSURANCE COMPANY**, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail **California**, on 9/28/2005. 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 **9/28/2005** before me, ~~the undersigned~~, **A. Ponce** A Notary Public in and for said State, personally appeared **Mike 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

A. Ponce



AFFIDAVIT OF MAILING

Date: **9/28/2005**
T.S. No.: **OR-05-51410-JB**
Loan No.: **32359770**
Mailing: **Notice of Sale**

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 **FIDELITY NATIONAL TITLE INSURANCE COMPANY**, and is not a party to the within action and that on **9/28/2005**, (s)he personally served the Notice of Sale, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice of Sale in a sealed envelope, certified 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 Mike Trujillo

CARTER-JONES COLLECTION SERVICE
1143 PINE STREET
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154564

OCCUPANT AND OR PARTIES IN POSSESSION
5712 BLUE MOUNTAIN DRIVE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154571

MARK WYRICK
5712 BLUE MOUNTAIN DRIVE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154588

MARK K WYRICK
5712 BLUE MOUNTAIN DRIVE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154595

MARK K WYRICK
5712 BLUE MOUNTAIN DRIVE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154601

TAMMY L. WYRICK

5712 BLUE MOUNTAIN DRIVE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154618

TAMMY LYNN WYRICK
5712 BLUE MOUNTIAN DRIVE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154625

MARK KEVIN WYRICK
5712 BLUE MOUNTAIN DRIVE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154632

TAMMY LYNN WYRICK
7822 BIG BUCK LANE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154649

TAMMY L WYRICK
7822 BIG BUCK LANE
KLAMATH FALLS, OR 97601
First Class and Cert. No. 71788518801029154656

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 # 7849

Notice of Sale/Mark K. Wyrick

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 12, 19, 26, November 2, 2005

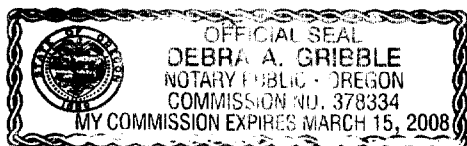
Total Cost: \$779.10

Jeanine P. Day

Subscribed and sworn
before me on: November 2, 2005

Debra A. Grizzle
Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S
NOTICE OF SALE
T.S. No.: OR-05-
51410-JB Loan No:
32359770

Reference is made to that certain deed made by, Mark K. Wyrick as Grantor to First American Title, as trustee, in favor of New Century Mortgage Corporation, as Beneficiary, dated 2/13/2003, recorded 2/21/2003, in official records of Klamath County, Oregon in book No. M03 at page No. 10651, instrument No. -- covering the following described real property situated in said County and State, to-wit: APN: R-3908-01400-01800-000 Lot 2 in Block 2 of Tract 1002, Lawanda Hills, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon Commonly known as: 5712 Blue Mountain Drive Klamath Falls, OR 97601.

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: installment of principal and interest plus impounds and / or advances which became due on 5/1/2005 plus amounts that are due or may become due for the following: late charges, delinquent property taxes, insurance premiums, advances made on senior liens, taxes and/or insurance, trustee's fees, and any attorney fees and court costs arising from or associated with beneficiaries effort to protect and preserve its security must be cured as a condition of rein-

statement. Monthly Payment \$961.94 Monthly Late Charge \$48.10.

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: The sum of \$112,320.87 together with interest thereon at the rate of 9.50000 per annum from 4/1/2005 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that, Fidelity National Title Insurance Company the undersigned trustee will on 2/3/2006 at the hour of 10:00 A.M., Standard of Time, as established by section 187.110, Oregon Revised Statutes, at on the front steps of the Circuit Court, 316 Main St. 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 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 Call: 916-387-7728 or Login to: www.calpost.com <http://www.calpost.com>

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 the respective successors in interest, if any.

Fidelity National Title Insurance Company 15661 Redhill Avenue Suite 201 Tustin, CA 92780 By: Quality Loan Service Corporation, as Agent Signature By Jennifer Basom For Non-Sale Information: Quality Loan Service Corp., 319 Elm Street, 2nd Floor, San Diego, CA 92101 619-645-7711 Fax: 619-645-7716 Dated: 9/21/2005 ASAP 724726 10/12, 10/19, 10/26, 11/2, 7849 October 12, 19, 26, November 2, 2005.

724 726
Q loan

OR0551410JB/WYRICK

QLOAN

724726

PROOF OF SERVICE

STATE OF OREGON)
) ss.
County of Klamath)

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original Trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, upon an **OCCUPANT** at the following address:

5712 BLUE MOUNTAIN DRIVE, KLAMATH FALLS, OREGON 97601, as follows:

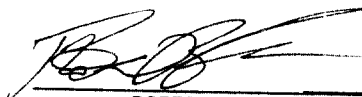
Personal service upon Mark Wyrick, by delivering said true copy, personally and in person, at the above address on October 13, 2005 at 05:18 p.m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2005 at _____:_____ .m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2005 at _____:_____ .m.

Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2005 at _____:_____ .m.

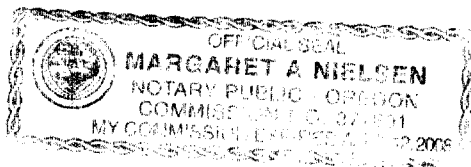
I declare under the penalty of perjury that the above statement is true and correct.

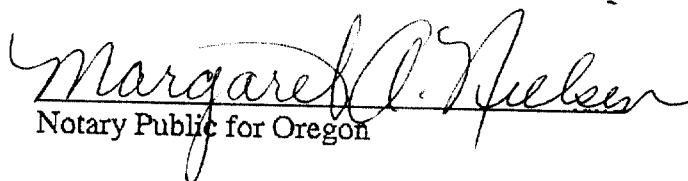


ROBERT W. BOLENBAUGH

305603

SUBSCRIBED AND SWORN to before me this 12th day of OCT, 2005 by ROBERT W. BOLENBAUGH




Notary Public for Oregon