

RECORDING REQUESTED BY:
FIDELITY NATIONAL TITLE INSURANCE CO.
When recorded mail to:
FIDELITY NATIONAL TITLE CO.
C/O WINDSOR MANAGEMENT CO.
350 S. GRAND AVENUE, 47TH FLOOR
LOS ANGELES, CALIFORNIA 90071

M06-03953

Klamath County, Oregon

03/03/2006 11:06:26 AM

Pages 2 Fee: \$26.00

ASPEN: 63017

T.S. # 20499-OR-A Loan No.3960648 RE:TERRY & BARBARA BAILEY Title Order No.6670098

NOTICE OF DEFAULT AND ELECTION TO SELL

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

Reference is made to that certain Trust Deed made by: TERRY BAILEY AND BARBARA BAILEY, AS TENANTS IN COMMON, as Grantor to FIDELITY NATIONAL TITLE OF OREGON, as Trustee, in favor of AAMES FUNDING CORPORATION DBA AAMES HOME LOAN, as Beneficiary,

Dated 04/25/2005 and Recorded on 05/03/2005 in Volume M05, Page 31812-29, covering the following described real property situated in said county and state, to-wit:

LOT 9 IN BLOCK 3 OF TRACT NO. 1016, GREEN ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

APN# R492933

Property Address: 5212 VALLEY VIEW LN., KLAMATH FALLS, OR 97601

The undersigned hereby certifies that no assignments of the Trust Deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover debt, or any part thereof, now remaining secured by the said Trust Deed, or, if such action has been instituted, such action has been dismissed except as permitted by O.R.S. 86-735 (4).

There is a default by the Grantor or other person owing an obligation, the performance of which is secured by said Trust Deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is Grantor's failure to pay when due the following sums:

The monthly payments of \$1,687.83 beginning on 12/01/2005 and all subsequent payments, plus monthly late charges of \$84.39; plus advances of \$3.45, plus uncollected late charges of \$0.00.

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:

THE UNPAID PRINCIPAL BALANCE OF \$216,669.32 PLUS interest at 8.6% per annum from 11/01/2005, until paid, together with escrow advances, foreclosure costs, trustee's fees, 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.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclosure said Trust Deed by advertisement and sale pursuant to O.R.S. 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the said described property which the Grantor had, or had the power to convey, at the time of execution by Grantor of the Trust Deed, together with any interest the Grantor or his successors in interest acquired after the execution of the Trust Deed, to satisfy the

\$20-A

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obligations secured by said Trust Deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00AM in accord with the standard of time established by O.R.S. 187.110 on 07/28/2006 at the following place:

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, which is the hour, date and place set for said sale.

Other than as shown of record, neither the said beneficiary nor the said trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the Trust Deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

NONE

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 of 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 O.R.S. 86.753.

In construing this notice, the singular gender 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.

Dated: March 1, 2006

Fidelity National Title Insurance Company, as Trustee
By Windsor Management Company, as Agent

By: Patricia R. Lambengco
Patricia R. Lambengco, Trustee's Sale Officer

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

The foregoing instrument was acknowledged before me on March 1, 2006 by Patricia R. Lambengco of Windsor Management Company, on behalf of the trustee.

Witness my hand and official seal.

[Signature]



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