

M06-03956

Klamath County, Oregon

03/03/2006 12:03:58 PM

Pages 8 Fee: \$56.00

1st 699126
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES) 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 California, a competent person over the age of eighteen years and not the beneficiary or the beneficiary's successor in interest named in the attached original 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 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:

See attached Exhibit A for all the mailing address(es).

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 by ReconTrust Company, N.A., 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 post office at LOS ANGELES, CALIFORNIA, on 11/2/2005. 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 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.

Subscribed and sworn to before me on 11/2, 2005, by Daniel B. Rodriguez.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

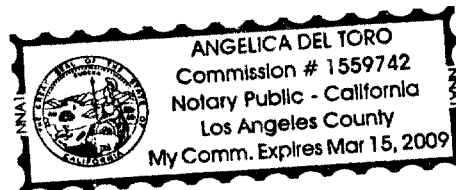
GEORGE C FISCHER and MIKELLE L FISCHER

Angelica Del Toro
Notary Public for California
Residing at Los Angeles County
My commission expires: 3-15-09

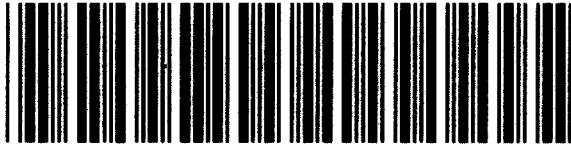
ReconTrust Company, N.A.

Trustee TS No. 05-16829

After Recording return to:
400 COUNTRYWIDE WAY SV-35
ReconTrust Company, N.A.
SIMI VALLEY, CA 93065



516



02 0516829

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"**

TS No. 05-16829

GEORGE C FISCHER
5825 Wocus Rd
Klamath Falls, OR 97601
7187 7930 3131 0596 0208

MIKELLE L FISCHER
5825 Wocus Rd
Klamath Falls, OR 97601
7187 7930 3131 0596 0246

GEORGE C FISCHER
5825 WOCUS RD
KLAMATH FALLS, OR 97601
7187 7930 3131 0596 0222

MIKELLE L FISCHER
5825 WOCUS RD
KLAMATH FALLS, OR 97601
7187 7930 3131 0596 0253

GEORGE C FISCHER
5825 WOCUS RD
KLAMATH FALLS, OR 97601-9317
7187 7930 3131 0596 0239

MIKELLE L FISCHER
5825 WOCUS RD
KLAMATH FALLS, OR 97601-9317
7187 7930 3131 0596 0260

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 # 7975

Notice of Sale/George C. Fischer & Mikelle L. Fischer

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

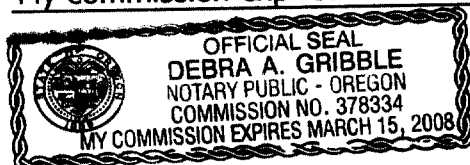
Insertion(s) in the following issues:
December 8, 15, 22, 29, 2005

Total Cost: \$793.80

Jeanine P. Day
Subscribed and sworn
before me on: December 29, 2005

Debra A. Gribble
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 George C. Fischer, And Mikelle L. Fischer, As Tenants By The Entirety, as grantor(s), to Fidelity National Title Insurance Co., as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 04/25/2005, recorded 05/02/2005, in the mortgage records of Klamath County, Oregon, at Page No. 31155 as Recorder's fee/instrument/microfilm/reception Number Vol MOS, covering the following described real property situated in said county and state, to wit:

The SE 1/4 NE 1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon. PROPERTY ADDRESS: 5825 Wocus Road, Klamath Falls, OR 97601-9317.

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 \$1,120.02 beginning 08/01/2005; plus late charges of \$56.00 each month beginning with the 08/01/2005 payment 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; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

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: \$143,829.35 with interest thereon at the rate of 8.625 percent per annum beginning 07/01/2005 until paid, plus all accrued late charges thereon together with title expense, 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 interests therein.

WHEREFORE, notice hereby is given that, RECONTRUST COMPANY, N.A., the undersigned Trustee will on Thursday, March 02, 2006 at the hour of 10:00 AM 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 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 the Trustee's and Attorney's fees not exceeding the amounts provided by OSRS 86.753

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.

Dated: October 20, 2005. Narisa Casuga, Assistant Secretary. For further information, please contact: Recontrust Company, N.A., Countrywide Home Loans, Inc., 1757 Tapo Canyon Road, SVW-88, Simi Valley, CA 93063. (800) 281-8219. TS No. 05-16829. Doc. ID#000951527942005N. #7975 December 8, 15, 22, 29, 2005.

OREGON

IN THE KLAMATH COURT OF THE STATE OF _____
COUNTY OF _____ COURT CASE NO. _____
MORTGAGE ELECTRONIC REGISTRATIONS SYTEMS

GEORGE C FISCHER
MIKELLE L FISCHER

PROOF OF SERVICE

STATE OF OREGON)
County of KLAMATH) SS.

I hereby certify that on the 3 day of November, 2005, at the hour of 1810
I served OCCUPANTS MIKELLE FISCHER, GEORGE FISCHER by

MIKEL
GEORGE

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

Motion

Complaint

Petition

Other:

Writ of Garnishment

Order

Citation

Notice

Small Claims

Affidavit

Subpoena

Decree

X

TRUSTEES NOTICE OF SALE

Together with a copy of _____

To MIKELLE FISCHER At 5825 WOCUS RD
KLAMATH FALLS, OR. 97601

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____

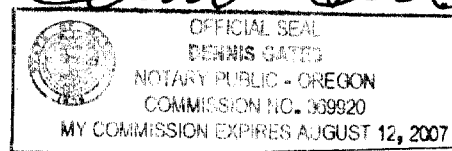
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

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
4 day of Nov, 2005

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:

Remit to: CLSS, Inc.	Service Fee	\$
P.O. Box 5358	Mileage	\$
Central Point, OR 97502	Rush/Emergency	\$
Date: 11-04-2005	Incorrect Add.	\$
CLSS File No. 5611-K		\$
Client No.	Amount Paid	\$ 0.00
1006.01564	TOTAL DUE	\$

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

MORTGAGE ELECTRONIC REGISTRATION

vs
GEORGE C FISCHER
AND MIKELLA L FISCHER)

PROOF OF SERVICE

STATE OF OREGON)
County of _____ KLAMATH) SS.

I hereby certify that on the _____ 26 day of _____ October, 20 05, at the hour of _____ 1650
I served _____ OCCUPANTS (GEORGE AND MIKELLA FISCHER) by _____

MIKE _____ Personal Service (personally and in person)

GEORGE _____ 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

_____ Motion

_____ Complaint

_____ Petition

X

Other: _____ TRUSTEES NOTICE OF SALE

_____ Writ of Garnishment

_____ Order

_____ Citation

_____ Notice

_____ Small Claims

_____ Affidavit

_____ Subpoena

_____ Decree

Together with a copy of _____

To _____ MIKELLA FISCHER At _____ 5825 WOCUS RD
KLAMATH FALLS, OR. 97601

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

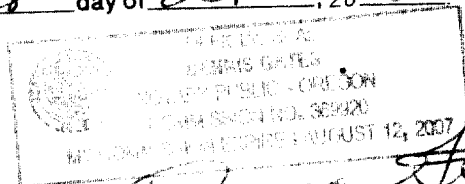
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF _____ KLAMATH

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
28 day of OCT, 2005

David Davis
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:

Remit to: CLSS, Inc.	Service Fee	\$
P.O. Box 5358	Mileage	\$
Central Point, OR 97502	Rush/Emergency	\$
Date: 11-01-2005	Incorrect Add.	\$
CLSS File No. 5477-K		\$
Client No.	Amount Paid	\$
1006 01564	TOTAL DUE	\$

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by George C Fischer, And Mikelle L Fischer , As Tenants By The Entirety, as grantor(s), to Fidelity National Title Insurance Co., as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 04/25/2005, recorded 05/02/2005, in the mortgage records of Klamath County, Oregon, at Page No. 31158 as Recorder's fee/file/instrument/microfilm/reception Number VOL M05, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED LEGAL DESCRIPTION

PROPERTY ADDRESS: 5825 WOCUS RD
KLAMATH FALLS, OR 97601-9317

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 \$1,120.02 beginning 08/01/2005; plus late charges of \$56.00 each month beginning with the 08/01/2005 payment plus prior accrued late charges of \$.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; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

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: \$143,829.35 with interest thereon at the rate of 8.625 percent per annum beginning 07/01/2005 until paid, plus all accrued late charges thereon together with title expense, 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 interests therein.

WHEREFORE, notice hereby is given that, RECONTRUST COMPANY, N.A., the undersigned Trustee will on Thursday, March 02, 2006 at the hour of 10:00 AM 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 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 the Trustee's and attorney's fees not exceeding the amounts provided by OSRS 86.753.

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.

RECONTRUST COMPANY, N.A.

Dated 11-2, 2005


HEATHER ROSE COURTON, Assistant Secretary

For further information, please contact:

RECONTRUST COMPANY, N.A.
COUNTRYWIDE HOME LOANS, INC.
1757 TAPO CANYON ROAD, SVW-88
SIMI VALLEY, CA 93063
(800)-281-8219
TS No. 05 -16829
Doc ID #000951527942005N

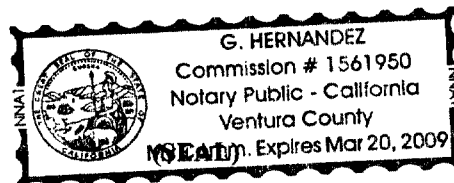
STATE OF California)
) ss.
COUNTY OF Ventura)

On 11-2-05, before me, G. Hernandez, personally appeared Holderose Courton, 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.

Notary Public for Ventura Co CA

My commission expires: 3/20/09



THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.

Exhibit "A"

Real property in the County of Klamath, State of Oregon, described as follows:

The SE1/4 NW1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is North along the quarter line a distance of 371.14 feet from the center of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, and running thence North 89°49' West a distance of 390.1 feet to a point which is on the Easterly right of way line of the Old Dalles-California Highway; thence North 6°02' East along said Easterly right of way line a distance of 114.0 feet to a point; thence South 89°49' East a distance of 378.15 feet to a point which is on the North-South quarter line of said Section 7; thence South along said quarter line a distance of 113.4 feet to the point of beginning.

Tax Parcel Number: 428941