

*1st American Title Co.*

**M06-04468**

Klamath County, Oregon

03/13/2006 11:03:46 AM

Pages 8 Fee: \$61.00

*ReconTrust Company, N.A.*

**First American Title Insurance Company  
3 FIRST AMERICAN WAY  
SANTA ANA, CA 92707**

*DEF*

**RECORDING COVER SHEET FOR  
NOTICE OF SALE PROOF OF COMPLIANCE  
Per ORS 205.234**

**AFTER RECORDING RETURN TO:  
C. SLASOMEANU X5369  
ReconTrust Company, N.A.  
400 COUNTRYWIDE WAY SV-35  
SIMI VALLEY, CA 93065**

*2830712/20545*  
TS No.: 05 -19035  
Doc ID #000633014252005N

1. AFFIDAVIT OF MAILING NOTICE OF SALE
2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
- ~~3. AFFIDAVIT OF SERVICE~~
- ~~4. COPY OF NOTICE OF SALE~~

Original Grantor on Trust Deed: JAMES P MILLIGAN

Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,  
INC.

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING, ANY ERRORS CONTAINED IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

*56 F  
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# 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 12/2/2005. 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.

*David B. Rodriguez*

Subscribed and sworn to before me on 12/2, 2005, by Daniel B. Rodriguez.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

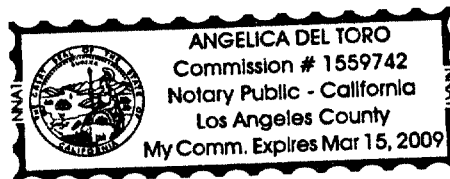
and JAMES P MILLIGAN

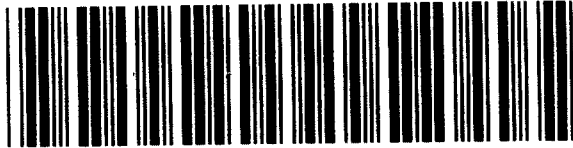
*Angelica Del Toro*  
Notary Public for California  
Residing at Los Angeles County  
My commission expires: 3-15-09

ReconTrust Company, N.A.

Trustee TS No. 05-19035

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





02 0519035

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

**TS No. 05-19035**

JAMES P MILLIGAN  
PO Box 754  
Keno, OR 97627  
7187 7930 3131 0610 0658

JAMES P MILLIGAN  
18506 FREIGHT ROAD LANE  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0610 0665

ANN M. MILLIGAN  
18506 FREIGHT ROAD LANE  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0610 0696

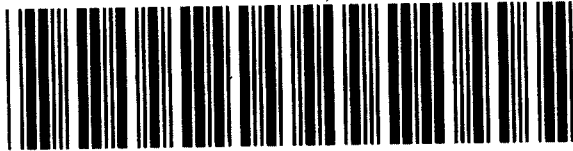
JAMES P MILLIGAN  
18506 FREIGHT ROAD LN  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0610 0672

ANN M. MILLIGAN  
18506 FREIGHT ROAD  
KENO, OR 97627  
7187 7930 3131 0610 0702

ANN M. MILLIGAN  
905 MAIN STREET, SUITE 200  
C/O NATHAN J. RATLIFF, ATTORNEY  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0610 0689

JAMES P MILLIGAN, III  
4444 BOARDMAN  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0610 0726

STATE OF OREGON, DEPARTMENT OF JUSTICE  
PO BOX 14506  
DIVISION OF CHILD SUPPORT  
SALEM, OR 97601  
7187 7930 3131 0610 0733



02 0519035

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

**TS No. 05-19035**

STATE OF OREGON, DEPARTMENT OF JUSTICE  
PO BOX 14670  
SALEM, OR 97301-4096  
7187 7930 3131 0610 0740

# 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 # 8038

Notice of Sale/James P. Milligan

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

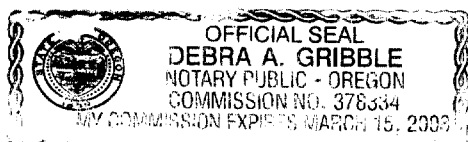
Insertion(s) in the following issues:  
January 12, 19, 26, February 2, 2006

Total Cost: \$808.50

*Jeanine P. Day*  
Subscribed and sworn  
before me on: February 2, 2006

*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 James P. Milligan, as grantor(s), to Fidelity National Title Insurance Co., as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 05/19/2004, recorded 05/24/2004, in the mortgage records of Klamath County, Oregon, in Book/Real/Volume No. M04 at Page No. 32654-68 as Recorder's fee/file/instrument/microfilm/reception Number, covering the following described real property situated in said county and state, to wit:

Lot 3, Block 26, Tract 1005, Fourth Addition to Klamath River Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.  
PROPERTY ADDRESS: 18506 Freight Road Lane, Klamath Falls, OR 97601.

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 \$754.88 beginning 09/01/2005; plus late charges of \$37.74 each month beginning with the 09/01/2005 payment plus prior accrued late charges of \$37.74; plus advances of \$25.00; 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: \$119,375.71 with interest thereon at the rate of 6.375 percent per annum beginning 08/01/2005 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 Wednesday, April 05, 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: November 22, 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. 05-19035. Doc. ID#000633014252005N. #8038 January 12, 19, 26, February 2, 2006.

IN THE \_\_\_\_\_ COURT OF THE STATE OF OREGON  
COUNTY OF KLAMATH \_\_\_\_\_ COURT CASE NO. \_\_\_\_\_

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS

vs  
JAMES P MILLIGAN

PROOF OF SERVICE

STATE OF OREGON )  
County of KLAMATH ) SS.

I hereby certify that on the 4 day of December, 2005, at the hour of 2205  
I served OCCUPANTS(ANN MILLIGAN) by

- ☒ XX 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 ☐ Writ of Garnishment ☐ Small Claims  
☐ Motion ☐ Order ☐ Affidavit  
☐ Complaint ☐ Citation ☐ Subpoena  
☐ Petition ☐ Notice ☐ Decree  
☒ X Other: TRUSTEES NOTICE OF SALE

Together with a copy of \_\_\_\_\_

To ANN MILLIGAN At 18506 FREIGHT RD LN  
(SOLE OCCUPANT) 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\_\_\_\_

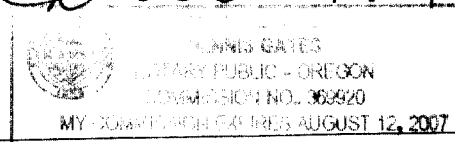
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

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  
5 day of DEC 20 25

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	\$ 40.00
P.O. Box 5358	Mileage	\$ 25.00
Central Point, OR 97502	Rush/Emergency	\$
Date: 12-05-2005	Incorrect Add.	\$
CLSS File No. 6022-K		\$
Client No.	Amount Paid	\$ 0.00
1006.01946	TOTAL DUE	\$ \$65.00

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LOT 3, BLOCK 26, TRACT NO. 1005, FOURTH ADDITION TO KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 18506 FREIGHT ROAD LANE  
KLAMATH FALLS, OR 97601

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 \$754.88 beginning 09/01/2005; plus late charges of \$37.74 each month beginning with the 09/01/2005 payment plus prior accrued late charges of \$37.74; plus advances of \$25.00; 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.

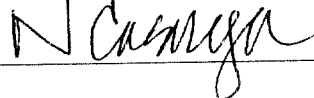
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In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated Nov. 22, 2005

RECONTRUST COMPANY, N.A.



Form ORNOS (03/02)

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 -19035  
Doc ID #000633014252005N**

STATE OF California )  
 ) ss.  
COUNTY OF Ventura )

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared  
Narisa Casuga, 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 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.**