

**M06-13967**

Klamath County, Oregon

07/11/2006 11:24:13 AM

Pages 9 Fee: \$61.00

WHEN RECORDED MAIL TO:  
Fidelity National Title Insurance Company  
C/o Windsor Management Co.  
350 S. Grand Avenue, 47<sup>th</sup> Floor  
Los Angeles, Ca. 90071

3908 - 00100 - 02500-000

ASPEN: 63017

Space Above This Line for Recorder's Use

Loan No.: 3960648 Trustee Sale No.: 20499-OR-A Title Order No. 6670098

## AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES}ss

I, Regina Myles, 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:

### **SEE ATTACHED EXHIBITS**

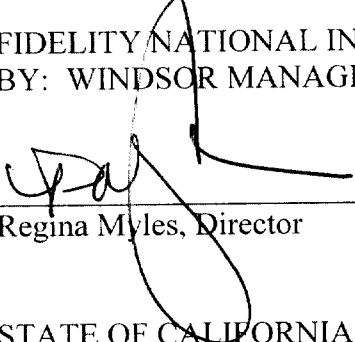
Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

#61-A

Loan No.: 3960648 Trustee Sale No.: 20499-OR-A Title Order No.  
6670098

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Patricia Lambengco, of Windsor Management Company, as Agent 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 in LOS ANGELES, on March 28, 2006. 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.

FIDELITY NATIONAL INSURANCE COMPANY, AS TRUSTEE  
BY: WINDSOR MANAGEMENT COMPANY, AS AGENT

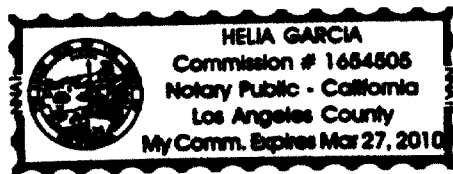
  
\_\_\_\_\_  
Regina Myles, Director

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES}ss

On July 7, 2006 before me, the undersigned, a Notary Public in and for said State, personally appeared Regina Myles, personally known to me (or provided 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 \_\_\_\_\_



# Declaration of Mailing

Trustee's Sale No. 20499-OR-A

I, Patricia Lambengco, declare:

Date: 03/28/2006

Mailing: **Required**

Page: 1

That I am an officer, agent, or employee of WINDSOR MANAGEMENT COMPANY whose business address is 350 SOUTH GRAND AVENUE, 47th Floor, LOS ANGELES, CA 90071. I am over the age of eighteen years; On 03/28/2006 by Certified mail, enclosed in a sealed envelope with postage fully prepaid, I deposited in the United States Post Office at Los Angeles notices, a true and correct copy of which is hereunto attached and made part hereof, addressed to the following:

Number of Article	Name of Addressee, Street, and Post Office Address	Cert. Fee	R.R. Fee
71788518801022187149	BARBARA BAILEY 5212 VALLEY VIEW LN. KLAMATH FALLS, OR 97601	\$2.30	\$1.75
71788518801022187156	TERRY BAILEY 5212 VALLEY VIEW LN. KLAMATH FALLS, OR 97601	\$2.30	\$1.75
71788518801022187163	CARTER JONES COLLECTION SERVICES 1143 PINE STREET KLAMATH FALLS, OR 97601	\$2.30	\$1.75
		\$6.90	\$5.25

Number of Pieces by Sender	Number of Pieces Received	Postmaster (Name) Receiving Employee	Mail By (Name) Sending Employee
3			

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

3/28/06  
(Date)

Patricia Lambengco  
(Declarant)

## Declaration of Mailing

Trustee's Sale No.20499-OR-A

I, Patricia Lambengco, declare:

That I am an officer, agent, or employee of WINDSOR MANAGEMENT COMPANY whose business address is 350 SOUTH GRAND AVENUE, 4th Floor, LOS ANGELES, CA 90071

I am over the age of eighteen years; On 03/28/2006 by First Class mail, enclosed in a fully prepaid, I deposited in the United States Post Office at Los Angeles

fully prepaid, I deposited in the United States Post Office at Los Angeles notices, a true and correct copy of which is hereunto attached and made part hereof, addressed to the following:

Date: 03/28/2006

**Mailing: Required**

Page: 1

Name of Addressee, Street, and Post Office Address

Postage  
Fee

BARBARA BAILEY  
5212 VALLEY VIEW LN.  
KLAMATH FALLS, OR 97601

\$0.39

TERRY BAILEY  
5212 VALLEY VIEW LN.  
KLAMATH FALLS, OR 97601

\$0.39

CARTER JONES COLLECTION SERVICES  
1143 PINE STREET  
KLAMATH FALLS, OR 97601

\$0.39

\$1.17

Number of Pieces by Sender 3	Number of Pieces Received	Postmaster (Name) Receiving Employee	Mail By (Name) Sending Employee
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I certify (or Declare) under penalty of perjury under the laws of the State of CA that the foregoing is true and correct

3/28/06  
(Date)

Julian Benz  
(Declarant)

## TRUSTEE'S NOTICE OF SALE

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

Trustee No.: 20499-OR-A Loan No.: 3960648 Title Order No. 6670098

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. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by AAMES CAPITAL CORPORATION, A CALIFORNIA CORPORATION. Said Trust Deed encumbers 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.  
A.P.N.: R492933

The street address or other common designation, if any, of the real property described above is purported to Be: 5212 VALLEY VIEW LN., KLAMATH FALLS, OR 97601

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:

THE MONTHLY PAYMENT IN THE AMOUNT OF \$1,687.83 WHICH BECAME DUE ON 12/01/2005 WITH INTEREST ACCRUED FROM 11/01/2005, AND ALL SUBSEQUENT PAYMENTS WHICH BECAME DUE THEREAFTER, INCLUDING BUT NOT LIMITED TO THE MATURITY PAYMENT WHICH BECOMES DUE ON 05/01/2035, AND ANY TAXES, LIENS OR ASSESSMENTS DUE AND WHICH MAY BECOME DUE, MINUS ANY UNAPPLIED AMOUNTS BEING HELD BY THE LENDER UNDER THE TERMS OF SAID NOTE AND DEED OF TRUST.

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 to wit: unpaid principal sum of \$216,669.32 with interest thereon at the rate of 8.6% per annum beginning 11/01/2005; plus late charges of \$84.39 each month beginning 12/01/2005 and prior accrued late charges until paid; together with title expenses, costs, trustee's fees and attorney 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.

WHEREFORE, notice hereby is given that the undersigned trustee will, on 07/28/2006, at the hour of 10:00AM in accord with the standard of time established by O.R.S. 187.110; 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 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.

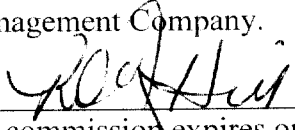
Dated: March 1, 2006

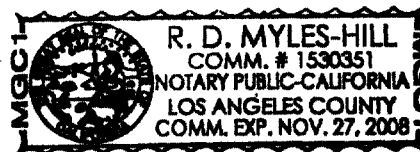
Fidelity National Insurance Company, as Trustee  
By: Windsor Management Company, as Agent

  
Patricia R. Lambengco, Trustee's Sale Officer

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

This instrument was acknowledged before me on March 1, 2006 by Patricia R. Lambengco of Windsor Management Company.

  
My commission expires on: 11/27/2008



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

**WMC**

204990RA/BAILEY

**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 and Notice of Default and Election to Sell attached hereto, nor 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 and Notice of Default and Election to Sell upon the individuals and other legal entities to be served, named below, by delivering true copies of said Trustee's Notice of Sale and Notice of Default and Election to Sell, certified to be such by the attorney for the trustee or successor trustee, upon an **OCCUPANT** at the following address:

**5212 VALLEY VIEW LANE, KLAMATH FALLS, OREGON 97601**, as follows:

Personal service upon Barbara Bailey, by delivering said true copy, personally and in person, at the above address on March 3, 2006 at 03:24 P.m.

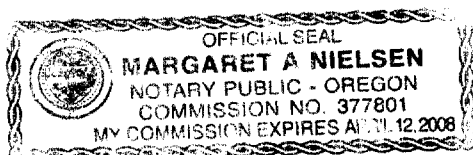
Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2006 at \_\_\_\_\_:\_\_\_\_\_.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2006 at \_\_\_\_\_:\_\_\_\_\_.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2006 at \_\_\_\_\_:\_\_\_\_\_.m.

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

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of March, 2006 by Thomas A. Bolenbaugh 310199



Margaret A. Nielsen  
 Notary Public for Oregon

# 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 # 8293

Notice of Sale/Terry & Barbara Bailey

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:  
May 3, 10, 17, 24, 2006

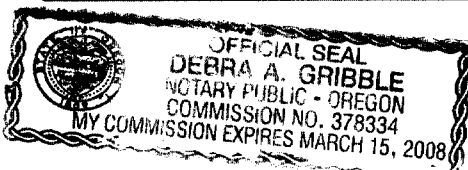
Total Cost: \$1,030.18

*Jeanine P Day*

Subscribed and sworn  
before me on: May 24, 2006

*Debra A. Gribble*  
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.:  
20499-OR-A Loan  
No.: 390445 Title  
Order No. 020026

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. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by AAMES Capital Corporation, a California corporation. Said Trust Deed encumbers 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. A.P.N.: R492933 The street address or other common designation, if any, of the real property described above is purported to be: 5212 Valley View Ln., Klamath Falls, OR 97601 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: The monthly payment in the amount of \$1,487.83 which became due on 12/01/2005 with interest accrued from 11/01/2005, and all subsequent payments which became due thereafter, including but not limited to the maturity payment which became due on 05/01/2035, and any taxes, liens or assessments due and which may become due, minus any unapplied amounts being held by the lender under the terms of said note and Deed of Trust.

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 to-wit: un-

paid principal sum of \$216,469.32 with interest thereon at the rate of 8.6% per annum beginning 11/01/2005; plus late charges of \$84.39 each month beginning 12/01/2005 and prior accrued late charges until paid; together with title expenses, costs, trustee's fees and attorney 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. Wherefore, notice hereby is given that the undersigned trustee will, on 07/28/2006, at the hour of 10:00AM in accord with the standard of time established by O.R.S. 167.110, 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 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. 86.733 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



**RECEIVED**

JUN 01 2006

**WINDSOR MGMT.**

*mm*

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 the 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: March 1, 2006. Fidelity National Insurance Company, as Trustee. By: Windsor Management Company, as Agent Patricia R. Lambengco, Trustee's "Sale" Officer, State of California, County of Los Angeles. This instrument was acknowledged before me on March 1, 2006 by Patricia R. Lambengco of Windsor Management Company. R. D. Myles-Hill, Notary Public. My commission expires on Nov. 27, 2008. This communication is from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose. ASAP# 759324  
05/03/2006  
05/10/2006  
05/17/2006  
05/24/2006  
#8293 May 3, 10, 17, 24, 2006.