

2006-023589

Klamath County, Oregon

WHEN RECORDED MAIL TO:  
Quality Loan Service Corp.  
319 Elm Street, 2nd Floor  
San Diego, CA 92101



00009667200600235890080082

11/27/2006 03:14:07 PM

Fee: \$56.00

T.S. NO.: OR-06-60774-JB  
LOAN NO.: 7846447

(Above Space is for Recorder's Use)

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

SEE ATTACHED

CERTIFIED NO.

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 ~~Mike Trujillo~~ Jennifer Basom, for FIRST AMERICAN 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, San Diego, California, on 7/27/2006. 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.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

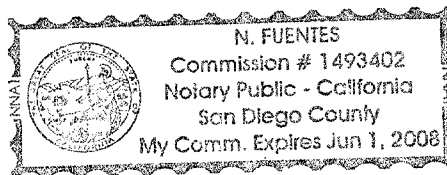
STATE OF California } SS  
COUNTY OF San Diego }

On 7/27/2006 before me N. Fuentes, the undersigned, 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

N. fuentes



56-F

# AFFIDAVIT OF MAILING

Date: 7/27/2006  
T.S. No.: OR-06-60774-JB  
Loan No.: 7846447  
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 **Quality Loan Service Corp.**, and is not a party to the within action and that on 7/27/2006, (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, INC.  
1143 PINE ST  
KLAMATH FALLS , OR 97601  
First Class and Cert. No. 71808583322003449500

STEVEN D. COX  
3005 BARNES WAY  
KLAMATH FALLS , OR 97603  
First Class and Cert. No. 71808583322003449517

STEVEN D. COX  
10030 HOMEDALE RD.  
KLAMATH FALLS , OR 97603  
First Class and Cert. No. 71808583322003449524

STEVEN D. COX  
PO BOX 2284  
KLAMATH FALLS , OR 97601  
First Class and Cert. No. 71808583322003449531

JODI COX  
3005 BARNES WAY  
KLAMATH FALLS , OR 97603  
First Class and Cert. No. 71808583322003449548

JODI ANN COX  
3005 BARNES WAY

KLAMATH FALLS , OR 97603  
First Class and Cert. No. 71808583322003449555

JODI COX  
PO BOX 2284  
KLAMATH FALLS , OR 97601  
First Class and Cert. No. 71808583322003449562

JODI ANN COX  
PO BOX 2284  
KLAMATH FALLS , OR 97601  
First Class and Cert. No. 71808583322003449579

Current Occupant(s)  
3005 Barnes Way  
Klamath Falls, OR 97603  
First Class and Cert. No. 71808583322003449586

## TRUSTEE'S NOTICE OF SALE

Loan No: 7846447

T.S. No.: OR-06-60774-JB

Reference is made to that certain deed made by, **STEVEN D. COX AND JODI COX, AS TENANTS BY THE ENTIRETY** as Grantor to **DEAN FITZWATER**, as trustee, in favor of **HOMEcomings FINANCIAL NETWORK, INC.**, as Beneficiary, dated 3/1/2000, recorded 4/4/2000, in official records of **KLAMATH** County, Oregon in book/reel/volume No. **M00** at page No. **11088**, covering the following described real property situated in said County and State, to-wit:

**APN: 879807**

**LOT 16, TRACT 1300, KLAMATH MEADOWS EAST, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

Commonly known as:

**3005 Barnes Way**

**Klamath Fal, OR 97603**

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 4/1/2006 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 **\$996.13**

Monthly Late Charge **\$40.99**

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 **\$102,780.65** together with interest thereon at the rate of **8.25000** per annum from 3/1/2006 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 **FIRST AMERICAN TITLE INSURANCE COMPANY**, the undersigned trustee will on **12/1/2006** at the hour of **10:00 am**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **the main entrance to the County Courthouse, 316 Main St., Klamath Falls, 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: 714-573-1965 or Login to: [www.priorityposting.com](http://www.priorityposting.com)**

Loan No: 7846447  
T.S. No.: OR-06-60774-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.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

Dated: 7/24/2006

**FIRST AMERICAN TITLE INSURANCE COMPANY, as trustee**  
**By: Quality Loan Service Corp., as agent**  
**Quality Loan Service Corp.**  
**319 Elm Street, 2nd Floor**  
**San Diego, CA 92101**  
**619-645-7711**

Signature By

  
Jennifer Basom, Trustee Sale Officer

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

If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holder's rights against the real property only.

**THIS OFFICE IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED  
WILL BE USED FOR THAT PURPOSE.**

As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit report agency if you fail to fulfill the terms of your credit obligations.

# Affidavit Return of Service

State of Oregon )

County of Klamath )

REF#  
Court Case Number: 2352710

I HEREBY CERTIFY THAT on 072806 the within:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons           |
| <input type="checkbox"/> Complaint           | <input type="checkbox"/> Petition           | <input type="checkbox"/> Answer            |
| <input type="checkbox"/> Motion              | <input type="checkbox"/> Affidavit          | <input type="checkbox"/> Order             |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Restraining Order  | <input type="checkbox"/> Subpoena          |
| <input type="checkbox"/> Citation            | <input type="checkbox"/> Small Claim        | <input checked="" type="checkbox"/> Notice |
| <input type="checkbox"/>                     |   |  |

for service on the within named: OCCUPANTS

☒ **SERVED:** MAYEF SALEM personally and in person  
at 3005 BARNES WAY K FALLS OR 97603

☒ **SUBSTITUTE SERVICE:** By leaving a true copy with MAYEF SALEM, a person over the age of fourteen years, who resides at the place of abode of the within named JODI COX at said abode: 3005 BARNES WAY K FALLS OR 97603

☐ **OFFICE SERVICE:** By leaving a true copy with \_\_\_\_\_ the person in charge of the office maintained for the conduct of business by \_\_\_\_\_

☐ **CORPORATE:** By leaving a true copy with \_\_\_\_\_ of said corporation.

☐ **OTHER METHOD:** \_\_\_\_\_

☐ **NOT FOUND:** After due and diligent search and inquiry, I hereby return that I have been unable to find the within named \_\_\_\_\_ within Klamath County.

**ALL SEARCH AND SERVICE WAS MADE WITHIN KLAMATH COUNTY, STATE OF OREGON.**

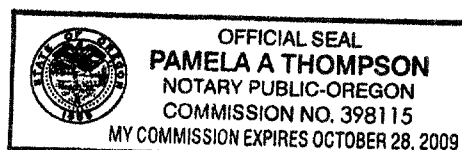
**DATE AND TIME OF SERVICE OR NOT FOUND:** 072806 @ 8:25AM

I FURTHER CERTIFY that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am 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.

By: [Signature]  
B. DAVIS

Subscribed & Sworn to before me  
this 28<sup>th</sup> of July, 2006.

**Basin Proserve**  
422 N. 6<sup>th</sup> Street  
Klamath Falls, OR 97601  
(541) 884-6060



[Signature]

# 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 # 8591

Notice of Sale/Steven D. & Jodi Cox

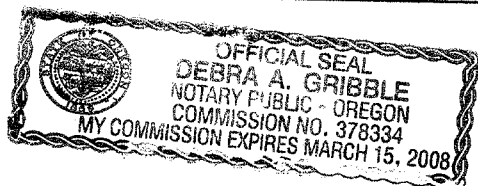
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )  
Four

Insertion(s) in the following issues:  
August 9, 16, 23, 30, 2006

Subscribed and sworn by Jeanine P Day  
before me on: August 30, 2006

Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE

Loan No.: 7846447  
T.S. No.: OR-06-60774-JB

Reference is made to that certain deed made by Steven D. Cox and Jodi Cox, as tenants by the entirety as Grantor to Dean Fitzwater, as Trustee, in favor of Homecoming Financial Network, Inc., as Beneficiary, dated 3/1/2000, recorded 04/04/2000, in official records of Klamath County, Oregon, book/reel/volume No. M00, at page No. 11088, fee/file/instrument/microfile/reception No. covering the following described real property situated in said County and State, to wit: APN: 879807 Lot 16, tract 1300, Klamath Meadows east, according to the official plat thereof on file in the office of the county clerk of Klamath County, Oregon. Commonly known as: 3005 Barnes Way, Klamath Falls, OR 97603.

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 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 4/1/2006 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 reinstatement. Monthly Payment \$996.13 Monthly Late Charge \$40.99.

By this reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to wit: The sum of \$102,780.65 together with interest thereon at the rate of 8.25000 per annum from 3/1/2006 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, First American Title Insurance Company, the undersigned trustee will, on 12/1/2006, at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at the main entrance to the County Courthouse, 316 Main St., Klamath Falls, 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 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: 714-573-1965 or Login to www.prioritypost-ing.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 their respective successors in interest, if any. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

Dated: 7/24/2006.  
First American Title  
Insurance Company,  
as Trustee. By:  
Quality Loan Serv-  
ice Corp., as agent  
Quality Loan Serv-  
ice Corp. 319 Elm  
Street, 2nd Floor  
San Diego, CA 92101  
619-645-7711 Signa-  
ture By: Jennifer  
Basom, Trustee Sale  
Officer For Non-Sale  
Information: Quali-  
ty Loan Service  
Corp., 319 Elm  
Street, 2nd Floor,  
San Diego, CA 92101  
619-645-7711. Fax:  
619-645-7716.

If you have previ-  
ously been dis-  
charged through  
bankruptcy, you  
may have been re-  
leased of personal li-  
ability for this loan  
in which case this  
letter is intended to  
exercise the note  
holder's rights  
against the real  
property only. This  
Office is attempting  
to collect a debt and  
any information ob-  
tained will be used  
for that purpose. As  
required by law, you  
are hereby notified  
that a negative cred-  
it report reflecting  
on your credit re-  
cord may be submit-  
ted to a credit re-  
port agency if you  
fail to fulfill the  
terms of your credit  
obligations.

P252710. 8/9, 8/16,  
8/23, 08/30/2006.  
#8591 August 9, 16,  
23, 30, 2006.