

3041180

2006-024377

Klamath County, Oregon



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12/08/2006 02:54:28 PM

Fee: \$66.00

1st- 869259

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

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

**AFTER RECORDING RETURN TO:**

Quality Loan Service Corp.  
319 Elm Street, 2nd Floor  
San Diego, CA 92101

**AFFIDAVIT OF MAILING NOTICE OF SALE**

**AFFIDAVIT OF PUBLICATION**

**PROOF OF SERVICE**

**ORIGINAL GRANTOR: BRIAN J HOLMES**

**BENEFICIARY: CITIFINANCIAL INC BY CITIFINANCIAL MORTGAGE  
COMPANY INC**

**T.S. #: OR-06-62032-NF**

**Loan #: 20-0051-0248942**

61-F

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

T.S. NO.: OR-06-62032-NF  
LOAN NO.: 20-0051-0248942

(Above Space is for Recorder's Use)

**AFFIDAVIT OF MAILING NOTICE OF SALE**

STATE OF California } SS  
COUNTY OF San Diego }

I, Tony Rodriguez, 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**

**CERTIFIED NO.**

**SEE ATTACHED**

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 **Nicole Fuentes**, 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 **8/15/2006**. 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.

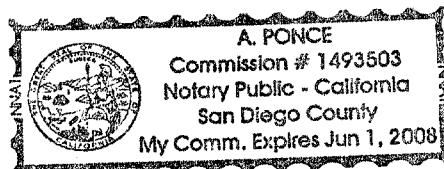
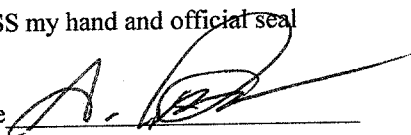
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

STATE OF California } SS  
COUNTY OF San Diego }

On **12/1/2006** before me A. PONCE, the undersigned, A Notary Public in and for said State, personally appeared Tony Rodriguez (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



# AFFIDAVIT OF MAILING

Date: 8/15/2006  
T.S. No.: OR-06-62032-NF  
Loan No.: 20-0051-0248942  
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 **8/15/2006**, (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 Tony Rodriguez

CITIFINANCIAL INC  
2848 SOUTH 6TH ST #1  
KLAMATH FALLS, OR 97603  
First Class and Cert. No. 71808583322003567389

BRIAN J HOLMES  
1820 LAUREL STREET  
KLAMATH FALLS, OR 97601  
First Class and Cert. No. 71808583322003567396

EUNICE HOLMES  
1820 LAUREL STREET  
KLAMATH FALLS, OR 97601  
First Class and Cert. No. 71808583322003567402

EUNICE HOLMES  
1820 LAUREL STREET  
KLAMATH FALLS, OR 97601  
First Class and Cert. No. 71808583322003567419

## TRUSTEE'S NOTICE OF SALE

Loan No: **20-0051-0248942**  
T.S. No.: **OR-06-62032-NF**

Reference is made to that certain deed made by, **EUNICE HOLMES** as Grantor to **ASPEN TITLE AND ESCROW**, as trustee, in favor of **CITIFINANCIAL INC.**, as Beneficiary, dated **6/24/2002**, recorded **6/26/2002**, in official records of **KLAMATH** County, Oregon in book/reel/volume No. **M02** at page No. **36922** fee/file/instrument/microfile/reception No **\*\*\***, covering the following described real property situated in said County and State, to-wit:

**APN: R533391**  
**LOTS 3 AND 4, BLOCK 5, RIVERVIEW ADDITION TO THE CITY OF KLAMATH FALLS**  
**ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF**  
**KLAMATH COUNTY, OREGON.**

Commonly known as:  
**1820 LAUREL STREET**  
**KLAMATH FALLS, OR 97601**

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 2/16/2006 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 **\$992.51**                      Monthly Late Charge **\$10.00**

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 **\$100,230.02** together with interest thereon at the rate of **11.77200** per annum from **1/16/2006** 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 **12/20/2006** at the hour of **10:00 AM**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **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 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: 714-259-7850 or Login to: [www.fnasap.com](http://www.fnasap.com)**

Loan No: 20-0051-0248942  
T.S. No.: OR-06-62032-NF

## TRUSTEE'S NOTICE OF SALE

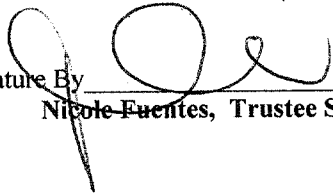
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "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: 8/15/2006

**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

  
Nicole Fuentes, 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 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 # 8623  
Notice of Sale/Eunice Holmes

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

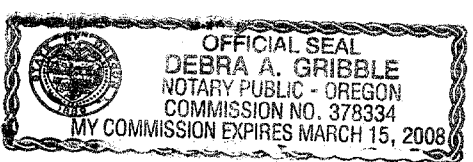
Insertion(s) in the following issues:  
August 22, 29, September 5, 12, 2006

Total Cost: \$956.68

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day  
before me on: September 12, 2006

*Debra A Gribble*  
Notary Public of Oregon

My commission expires March 15, 2008



**TRUSTEE'S NOTICE OF SALE**  
T.S. No.: OR-06-62032-NF Loan No: 20-0051-0248942

Reference is made to that certain deed made by, Eunice Holmes as Grantor to Aspen Title and Escrow, as trustee, in favor of CITIFinancial Inc., as Beneficiary, dated 6/24/2002, recorded 6/26/2002, in official records of Klamath County, Oregon in book/reel/volume No. M02 at page No. 35922, fee/ file/ instrument/ microfile/ reception No. (indicated which), covering the following described real property situated in said County and State, to-wit: APN: R533391 Lots 3 and 4, block 5, River-view Addition to the City of Klamath Falls according to the official plat thereof on file in the office of the clerk of Klamath County, Oregon, Commonly known as: 1820 Laurel Street Klamath Falls, OR 97601.

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 2/16/2006 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 \$992.51 Monthly Late Charge \$10.00.

By 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 \$100,230.02 together with interest thereon at the rate of 11.77200 per annum from 1/16/2006 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 12/20/2006 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at On the front steps of the Circuit Court, 316 Main St, in the City of Klamath Falls, County of Klamath, OR County of Klamath 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: 714-259-7850 or Login to: www.fna-sap.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 obligations, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include the 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.

10010

Date: 8/15/2006  
First American Title Insurance Company, as trustee. By: Quality Loan Services Corp., as agent  
Quality Loan Service Corp., 319 Elm Street, 2nd Floor, San Diego, CA 92101, 619-645-7711. Signature By: Nicole Fuentes, 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 been previously 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 notice is sent for the purpose of collecting a debt. This firm is attempting to collect a debt on behalf of the holder and owner of the note. Any information obtained by or provided to this firm or the creditor 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 submit-

ted to a credit report agency if you fail to fulfill the terms of your credit obligations. ASAP# 785936 08/22/2006, 08/29/2006, 09/05/2006, 09/12/2006. #8623 August 22, 29, September 5, 12, 2006.

OR0662032NF/HOLMES

**QLOAN****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 attached hereto, not 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 upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, upon an **OCCUPANT** at the following address:

**1820 LAUREL STREET, KLAMATH FALLS, OREGON 97601**, as follows:

Personal service upon Eunice Holmes, by delivering said true copy, personally and in person, at the above address on August 17, 2006 at 05:02 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.

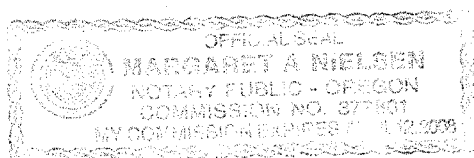
I declare under the penalty of perjury that the above statement is true and correct.

Thomas A. Bolenbaugh

Thomas A. Bolenbaugh

315432

SUBSCRIBED AND SWORN to before me this 21st day of August, 2006 by Thomas A. Bolenbaugh



Margaret A. Nielsen  
 Notary Public for Oregon