

AFFIDAVIT OF MAILING



Date:

T.S. No.:

12/15/2006 03:40:47 PM

Fee: \$56.00

Loan No.:

1001356417

1st 921282  
06-581

STATE OF California }  
COUNTY OF Orange }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in **Orange** County at **ALLNation Default Services**, and is not a party to the within action and that on **October 25, 2006**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice 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 Les Poppitt

State of California } SS.  
County of Orange }

On **October 25, 2006** before me, the undersigned, a Notary Public for the state, personally appeared **Les Poppitt**, personally know to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn declared that the statements therein are true, and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal,

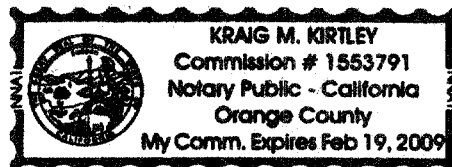
Signature  (Seal)  
KRAIG M. KIRTLEY

ROBERT L. THOMPSON  
3606 EVERGREEN DRIVE  
KLAMATH FALLS, OR 97603  
Z71808583322006558698

ROBERT L. THOMPSON  
3606 EVERGREEN DRIVE  
KLAMATH FALLS, OR 97603  
First Class

SUSAN T. THOMPSON  
3606 EVERGREEN DRIVE  
KLAMATH FALLS, OR 97603  
Z71808583322006558704

SUSAN T. THOMPSON  
3606 EVERGREEN DRIVE  
KLAMATH FALLS, OR 97603  
First Class



First American Title Ins. Co. has recorded this  
instrument by request as an accommodation only,  
and has not examined it for regularity and sufficiency  
or as to its effect upon the title to any real property  
that may be described therein.

Sta-F

# AFFIDAVIT OF MAILING

Date: **October 25, 2006**  
T.S. No.: **06-5635-OR**  
Loan No.: **1001356417**

STATE OF California }  
COUNTY OF Orange }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in **Orange County at ALLNation Default Services**, and is not a party to the within action and that on **October 25, 2006**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice 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 **Les Poppitt**

State of California } SS.  
County of Orange }

On **October 25, 2006** before me, the undersigned, a Notary Public for the state, personally appeared **Les Poppitt**, personally know to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn declared that the statements therein are true, and acknowledged to me that he/she executed the same.

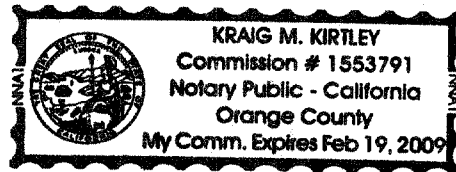
WITNESS my hand and official seal.

Signature

**KRAIG M. KIRTLEY**

OCCUPANT  
3606 EVERGREEN DRIVE  
KLAMATH FALLS, OR 97603  
Z71808583322006558711

OCCUPANT  
3606 EVERGREEN DRIVE  
KLAMATH FALLS, OR 97603  
First Class



## TRUSTEE'S NOTICE OF SALE

Loan No: 1001356417  
T.S. No.: 06-5635-OR

Reference is made to that certain deed made by, ROBERT L. THOMPSON AND SUSAN T. THOMPSON AS TENANTS BY THE ENTIRETY as Grantor to AMERITITLE, as trustee, in favor of INDYMAC BANK BANK, F.S.B., as Beneficiary, dated 3/16/2001, recorded 3/21/2001, in official records of Klamath County, Oregon in book/reel/volume No. M01 at page No. 11369, fee/file/instrument/microfile/reception No. (indicated which), covering the following described real property situated in said County and State, to-wit:

**APN: 3910-008AD-00500**

LOT 3 IN BLOCK 1 OF PINE GROVE PONDEROSA, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY OREGON

Commonly known as:  
3606 EVERGREEN DR, 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 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 3/1/2006 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE PURSUANT TO THE NOTE AND/OR THE DEED OF TRUST.

Monthly Payment \$1,508.37

Monthly Late Charge \$65.72

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 \$139,403.93 together with interest thereon at the rate of 10.50 % per annum from 2/1/2006 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 **2/28/2007** at the hour of **10:00 AM**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN STREET, 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 FURTHER INFORMATION, PLEASE CONTACT ALLNATION DEFAULT SERVICES, 1201 DOVE ST., STE 400, NEWPORT BEACH, CA 92660 ph: 949-252-2800, or 714-480-5690 or 714-573-1965.**

Loan No: 1001356417  
T.S. No: 06-5635-OR

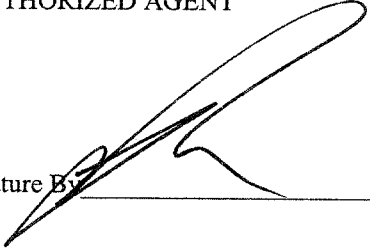
### TRUSTEE'S NOTICE OF SALE

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.

Dated: November 02, 2006

FIRST AMERICAN TITLE INSURANCE COMPANY,  
BY ALLNATION DEFAULT SERVICES, ITS DULY  
AUTHORIZED AGENT

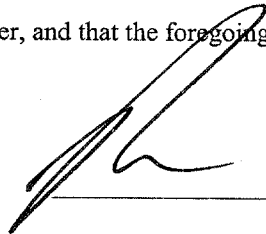
Signature By \_\_\_\_\_



STATE OF CALIFORNIA  
COUNTY OF

I, the undersigned, certify that I am the Trustee Sale Officer, and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

\_\_\_\_\_



NOTICE OF DEFAULT  
AND ELECTION TO SELL

RE: Trust Deed from ROBERT L. THOMPSON  
AND SUSAN T. THOMPSON AS TENANTS BY THE  
ENTIRETY Grantor

To FIRST AMERICAN TITLE INSURANCE  
COMPANY Successor Trustee

After recording return to(name, address, zip):  
ALLNation Default Services  
4665 MacArthur Court Suite 250  
Newport Beach, CA 92660

SPACE RESERVED  
FOR  
RECORDER'S USE

This Document was Recorded on 10/19/06  
As instrument number 2006-21032  
Book        Page         
in Klamath County Oregon

TS No: 06-5635-OR

Loan No: 1001356417

Reference is made to that certain trust deed made by ROBERT L. THOMPSON AND SUSAN T. THOMPSON AS TENANTS BY THE ENTIRETY as grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY as successor trustee, in favor of INDYMAC BANK BANK, F.S.B., as beneficiary, dated 3/16/2001, recorded 3/21/2001, in the Records of Klamath County, Oregon, in book M01 at page 11369, and/or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in the above-mentioned county and state, to wit: APN: 3910-008AD-00500

LOT 3 IN BLOCK 1 OF PINE GROVE PONDEROSA, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY OREGON

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

Principal Balance: \$139,403.93

Delinquent Payments

| FROM     | THRU       | NO. PMT | RATE | AMOUNT     | TOTAL       |
|----------|------------|---------|------|------------|-------------|
| 3/1/2006 | 10/12/2006 | 8       | 10.5 | \$1,508.37 | \$12,066.96 |

Total Late Charges:

\$460.04

Beneficiary Advances

\$12,527.00

TOTAL FORECLOSURE COST:

\$2,389.00

TOTAL REQUIRED TO REINSTATE:

\$14,916.00

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to- wit:

INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 3/1/2006 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE PURSUANT TO THE NOTE AND/OR THE DEED OF TRUST.

Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale. Including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110 on 2/28/2007, at the following place: **AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, OR**

County of Klamath, State of Oregon, which is the hour, date and place last set for sale.

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address

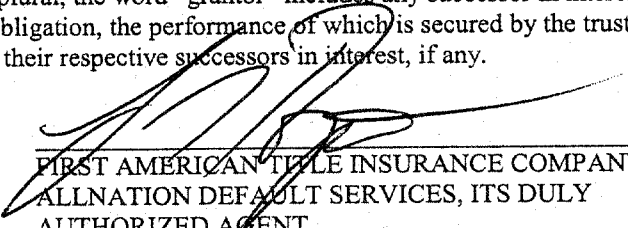
Nature of Right, Lien or Interest

3606 EVERGREEN DR  
KLAMATH FALLS, OR 97603

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 the 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 trustee's and attorney fees not exceeding the amounts provided by ORS 86.753. FOR FURTHER INFORMATION CONTACT: ALLNATION DEFAULT SERVICES, 4665 MACARTHUR COURT, STE 250. NEWPORT BEACH, CA 92660 Phone: 949-252-2800

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

Dated October 14, 2006

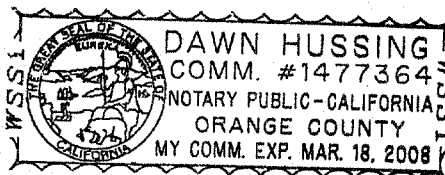
  
FIRST AMERICAN TITLE INSURANCE COMPANY, BY  
ALLNATION DEFAULT SERVICES, ITS DULY  
AUTHORIZED AGENT  
Successor Trustee

State of: CALIFORNIA  
County of: ORANGE

On 10/13/06 before me, Dawn Hussing, the undersigned, a Notary Public in and for said State, personally appeared Les Poppitt 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 hi/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

  
Dawn Hussing



06-5635-OR

Affidavit Return of Service

ALL/OK

State of Oregon )  
County of Klamath )

Court Case Number: 262648

I HEREBY CERTIFY THAT on 110406 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 |

☒ TRUSTEE'S SALE, NOTICE OF DEFAULT

for service on the within named: BY OCCUPANTS OF 3606 EVERGREEN DR K. FALLS OR 97603

☒ **SERVED:** SUSAN T. THOMPSON personally and in person  
at 3606 EVERGREEN DR KLAMATH FALLS OR 97603

☒ **SUBSTITUTE SERVICE:** By leaving a true copy with SUSAN T. THOMPSON, a person over the age of fourteen years, who resides at the place of abode of the within named ROBERT L. THOMPSON at said abode: 3606 EVERGREEN DR KLAMATH 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: 110406 AT 3:30PM

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]  
DAN PAUS

Basin Proserve  
422 N. 6<sup>th</sup> Street  
Klamath Falls, OR 97601  
(541) 884-6080

# Affidavit of Publication

06-5635-OR

ALLOR

## 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 # 8810

Notice of Sale/Robert L & Susan T Thompson

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:  
November 15, 22, 29, December 6, 2006

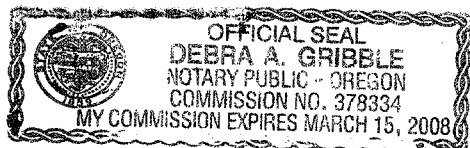
*Jeanine P Day*

Subscribed and sworn by Jeanine P Day  
before me on: December 6, 2006

*Debra A Gribble*

Notary Public of Oregon

My commission expires March 15, 2008



Trustee's Notice  
Of Sale  
Loan No.: 1001356417  
T.S. No.: 06-5635-OR

Reference is made to that certain deed made by, Robert L. Thompson and Susan T. Thompson as tenants by the entirety, as Grantor to Amerititle, as Trustee, in favor of Indymac Bank, F.S.B., as Beneficiary, dated 3/16/2001, recorded 03/21/2001, in official records of Klamath County, Oregon, in book/reel/volume No., M01 at page No. 11369 fee/file/instrument/microfile/reception No. (indicated which), covering the following described real property situated in said County and State, to wit: APN: 3910-008AD-00500 Lot 3 in block 1 of Pine Grove Ponderosa, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, Commonly known as: 3606 Evergreen Dr., 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 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 3/1/2006 plus late charges, and all subsequent installments of principal, interest, balloon payments, plus impounds and/or advances and late charges that become payable pursuant to the Note and/or the Deed of Trust. Monthly Payment \$1,508.37 Monthly Late Charge \$65.72.

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 \$139,403.93 together with interest thereon at the rate of 10.50% per annum from 2/1/2006 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 2/28/2007, 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 or said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the 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 rein-

stated 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 further information please contact Allnation Default Services, 1201 Dove St., STE 400, Newport Beach, CA 92660 ph: 949-252-2800, or 714-480-5690 or 714-573-1965.

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. Dated: 11/2/2006. First American Title Insurance Company, by Allnation Default Services, its duly authorized agent. Signature By: Les Pop-pitt P262648 11/15, 11/22, 11/29, 12/06/2006. #8810 November 15, 22, 29, December 6, 2006.

262648