

2007-002089

Klamath County, Oregon

3124003



00014551200700020890080086

02/06/2007 02:09:07 PM

Fee: \$66.00

151851395

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

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

AFTER RECORDING RETURN TO:  
CHRIS GULLEY 77-1618  
RECONTRUST COMPANY, N.A.  
400 COUNTRYWIDE WAY SV-35  
SIMI VALLEY, CA 93065

TS No.: 06 -22534  
Doc ID #000207720902005N

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: WESLEY KILGORE and LINDA KILGORE

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.

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1757 TAPO CANYON ROAD, SVW-88, SIMI VALLEY, CA 93063, PHONE: (800) 281-8219

Form ORRCRDNOS (03/02)

# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) 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 VENTURA, CALIFORNIA, on 11-1-06. 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.

State of California  
County of Ventura

Subscribed and sworn to (or affirmed) before me on this 2 day of Feb, 2007, by Daniel B. Rodriguez, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.  
(seal)

Signature Daniel B. Rodriguez

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

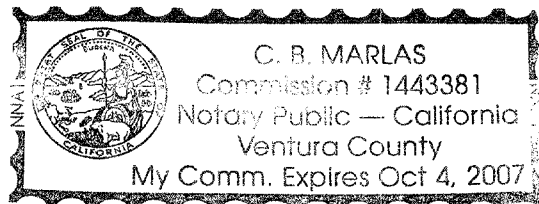
Grantor

WESLEY KILGORE and LINDA KILGORE

C. B. Marlas  
Notary Public for California  
Residing at \_\_\_\_\_  
My commission expires: \_\_\_\_\_

RECONTRUST COMPANY, N.A.  
Trustee TS No. 06-22534

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





02 0622534

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

**TS No. 06-22534**

WESLEY KILGORE  
1751 Etna St  
Klamath Falls, OR 97603  
7187 7930 3131 0819 7571

LINDA KILGORE  
1751 Etna St  
Klamath Falls, OR 97603  
7187 7930 3131 0819 7595

WESLEY KILGORE  
1751 ETNA STREET  
KLAMATH FALLS, OR 97603  
7187 7930 3131 0819 7588

LINDA KILGORE  
1751 ETNA STREET  
KLAMATH FALLS, OR 97603  
7187 7930 3131 0819 7601

# 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 # 8860

Notice of Sale/Linda & Wesley Kilgore

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:  
December 7, 14, 21, 28, 2006

Total Cost: \$824.38

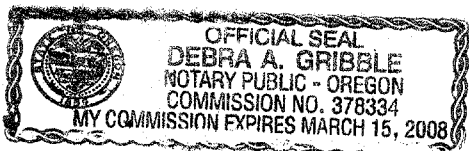
*Jeanine P Day*

Subscribed and sworn by Jeanine P Day  
before me on: December 28, 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 Linda Klignore and Wesley In Fee Simple As Tenants In Common, as grantor(s), to First American Title Insurance Company Of Ore, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 08/27/2002, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M02 at Page No. 48584 as Recorder's fee/file/instrument/microfilm/reception Number \_\_\_\_\_ covering the following described real property situated in said

county and state, to Lot 12 Block 8 Pleasant View Tracts, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 1751 Etha Street, Klamath Falls, OR 97603.

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 \$686.63 beginning 08/01/2006; plus late charges of \$24.61 each month beginning with the 08/01/2006 payment plus prior accrued late charges of \$49.22; plus advances of \$.00; together with title expense, 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.

said sums being the following to wit: \$75,060.07 with interest thereon at the rate of 6.375 percent per annum beginning 07/01/2006 until paid, plus all accrued late charges thereon together with title expense, 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 Friday, March 02, 2007 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 the 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: October 19, 2006.  
ReconTrust Company, N.A.,  
Brian Myers, Team Member.  
For further information, please contact: ReconTrust Company, N.A., Countrywide Home Loans, Inc., 1757 Tapo Canyon Road, SVMW-88, Simi Valley, CA 93063.  
(800) 281-8219. TS  
No. 06-22534. Doc. ID #000207720902005N: #8860 December 7, 14, 21, 28, 2006.

IN THE \_\_\_\_\_ COURT OF THE STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ : COURT CASE NO. \_\_\_\_\_

MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS INC

vs  
LINDA KILGORE AND  
WESLEY KILGORE

**PROOF OF SERVICE**

STATE OF OREGON )  
County of \_\_\_\_\_ ) SS.  
KLAMATH

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2006, at the hour of \_\_\_\_\_, 1335  
I served \_\_\_\_\_ OCCUPANTS (LINDA KILGORE, WESLEY KILGORE) \_\_\_\_\_ by

- 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:

- |  |  |                                       |
|--|--|---------------------------------------|
| <input type="checkbox"/> Summons                                   | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion                                    | <input type="checkbox"/> Order               | <input type="checkbox"/> Affidavit    |
| <input type="checkbox"/> Complaint                                 | <input type="checkbox"/> Citation            | <input type="checkbox"/> Subpoena     |
| <input type="checkbox"/> Petition                                  | <input type="checkbox"/> Notice              | <input type="checkbox"/> Decree       |
| <input checked="" type="checkbox"/> Other: TRUSTEES NOTICE OF SALE |  |                                       |

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

To LINDA KILGORE At 1751 ETNA ST  
KLAMATH FALLS, OR. 97603

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

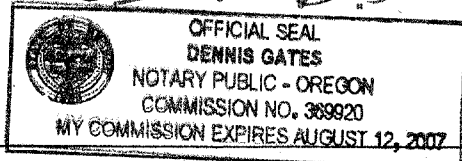
I am a competent person over the age of 18, a resident of said State, not a party to nor an officer,  
director or employee of, nor attorney for any party, corporate or otherwise and knew that the person,  
firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this

23 day of OCT 2006

*Dave Davis*  
DAVE DAVIS (#16)

Cleveland Process Serving, LLC.  
(541) 665-5162



Papers Received From FEI LLC  
PO BOX 219  
BELLEVUE  
WA 98009-0219  
425-458-2112  
ATTN:

Remit to: CPS, LLC.	Service Fee	\$ 40.00
P.O. Box 5358	Mileage	\$
Central Point, OR 97502	Rush/Emergency	\$
Date: 10-23-2006	Incorrect Add.	\$
CPS File No. 5385-K		\$
Client No. 1006.05762	Amount Paid	\$ 0.00
	TOTAL DUE	\$ \$40.00

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain Trust Deed made by Linda Kilgore And Wesley Kilgore, An Estate In Fee Simple As Tenants In Common, as grantor(s), to First American Title Insurance Company Of Ore, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 08/22/2002, recorded 08/27/2002, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M02 at Page No. 48584 as Recorder's fee/file/instrument/microfilm/reception Number -, covering the following described real property situated in said county and state, to wit:

LOT 12 BLOCK 8 PLEASANT VIEW TRACTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON

PROPERTY ADDRESS: 1751 ETNA STREET  
KLAMATH FALLS, OR 97603

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 \$686.63 beginning 08/01/2006; plus late charges of \$24.61 each month beginning with the 08/01/2006 payment plus prior accrued late charges of \$49.22; plus advances of \$ .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: \$75,060.07 with interest thereon at the rate of 6.375 percent per annum beginning 07/01/2006 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 Friday, March 02, 2007 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 ORS 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.

RECONTRUST COMPANY, N.A.

Dated 10-19, 2006

  
\_\_\_\_\_

Form ORNOS (03/02)

Brian Myers, Team Member

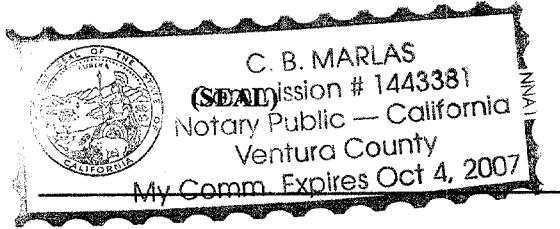
For further information, please contact:

RECONTRUST COMPANY, N.A.  
COUNTRYWIDE HOME LOANS, INC.  
1757 TAPO CANYON ROAD, SVW-88  
SIMI VALLEY, CA 93063  
(800)-281-8219  
TS No. 06 -22534  
Doc ID #000207720902005N

STATE OF California  
COUNTY OF Ventura ) ss.

On 10-19-06, before me, C.B. Marlas, notary public, personally appeared Brian Myers, 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  
C.B. Marlas  
Notary Public for \_\_\_\_\_  
My commission expires: \_\_\_\_\_



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.