

2007-003917

Klamath County, Oregon



00016784200700039170100103

03/09/2007 11:12:21 AM

Fee: \$66.00

Recording Requested By:
Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601

When Recorded Return To:

Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601

Until requested otherwise, send all tax statements:

ASPEN: 64241

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

COVER SHEET

DOCUMENT: Affidavit of Mailing Trustee's Notice of Sale

GRANTOR: Michael Zipp and Travis Zipp

LEGAL DESCRIPTION: See Attached

66-A

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 11/9/2007. 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 11th day of March, 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 D.B.R.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

MICHAEL ZIPP and TRAVIS ZIPP

Angelica Del Toro
Notary Public for California

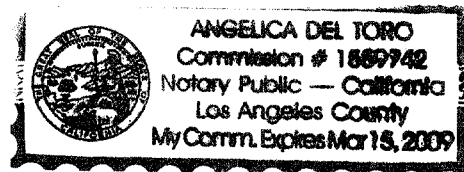
Residing at Ventura

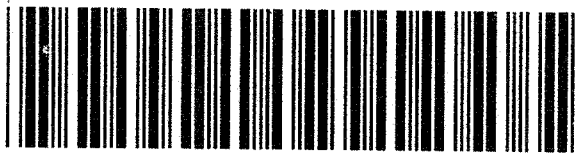
My commission expires: 3-15-09

RECONTRUST COMPANY, N.A.

Trustee TS No. 06-28633

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





02 0628633

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

TS No. 06-28633

MICHAEL W ZIPP
2140 Bailey Cir
El Dorado Hills, CA 95762
7187 7930 3131 0896 4685

MICHAEL ZIPP
2140 Bailey Cir
El Dorado Hills, CA 95762
7187 7930 3131 0896 4609

MICHAEL ZIPP
8333 HIGHWAY 140 E
KLAMATH FALLS, OR 97603
7187 7930 3131 0896 4623

MICHAEL W ZIPP
8333 HIGHWAY 140 EAST
KLAMATH FALLS, OR 97603
7187 7930 3131 0896 4692

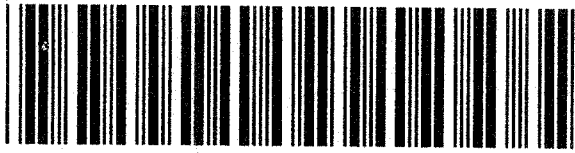
MICHAEL ZIPP
8333 HIGHWAY 140 EAST
KLAMATH FALLS, OR 97603
7187 7930 3131 0896 4630

TRAVIS ZIPP
8333 HIGHWAY 140 EAST
KLAMATH FALLS, OR 97603
7187 7930 3131 0896 4661

WILLIAM BOWN
8333 HIGHWAY 140 EAST
KLAMATH FALLS, OR 97603
7187 7930 3131 0896 4739

MICHAEL W ZIPP
735 VERONA CT
SAN DIEGO, CA 92109
7187 7930 3131 0896 4708

MICHAEL ZIPP
735 VERONA CT
SAN DIEGO, CA 92109
7187 7930 3131 0896 4647



02 0628633

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

TS No. 06-28633

TRAVIS ZIPP
735 VERONA CT
SAN DIEGO, CA 92109
7187 7930 3131 0896 4678

MICHAEL W ZIPP
DETP., 404 MAIN ST-STE #1
C/O FIRST AMERICAN TITLE, COLLECTION
KLAMATH FALLS, OR 97601
7187 7930 3131 0896 4722

MICHAEL ZIPP
DETP., 404 MAIN ST-STE #1
C/O FIRST AMERICAN TITLE, COLLECTION
KLAMATH FALLS, OR 97601
7187 7930 3131 0896 4654

WILLIAM BOWN
2219 WEST OLIVE AVE
PMB-100-52
BURBANK, CA 91506
7187 7930 3131 0896 4746

WILLIAM BOWN
1028 JEFFERSON ST
KLAMATH FALLS, OR 97601
7187 7930 3131 0896 4753

DAVID M STOREY, DBA STOREY DRILLING SERVICES
PO BOX 98
MIDLAND, OR 97634
7187 7930 3131 0896 4760

RICHARD A DALRYMPLE, ATTORNEY
303 PINE ST., SUITE 102
KLAMATH FALLS, OR 97601
7187 7930 3131 0896 4777

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 # 8942

Notice of Sale/Michael Zipp & Travis Zipp

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:

January 25, February 1, 8, 15, 2007

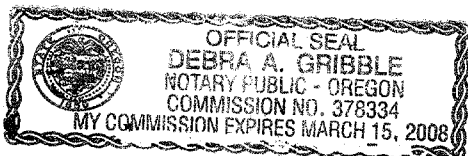
Total Cost: \$1,015.48

Subscribed and sworn by Jeanine P Day

before me on: February 15, 2007

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 Michael Zipp, And Travis Zipp, As Tenants In Common, as grantor(s), to Fidelity National Title Insurance Co., as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 09/13/2005, recorded 09/23/2005, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number M05-64983, covering the following described real property situated in said county and state, to wit:

EXHIBIT "A"

Real property in the County of, State of Oregon, described as follows:
Parcel 3 of Major Land Partition No. 36-89, situated in Lot 4, Junction Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows: A tract of land situated in Lot 4 Junction Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows: Beginning at the Southwesterly corner of Parcel 1 of Major Land Partition No. 36-89 on the Southerly line of said Lot 4, being North 71 degree 16' 48" West 484.74 feet from the Southeasterly corner of said Lot 4; thence following along the boundaries of Parcels 1 and 2 of said Land Partition No. 36-89, North 10 degree 00' 00" East 347.80 feet, South 82 degree 39' 00" East 112.57 feet

and North 07 degree 21' 00" East 301.05 feet to the North line of said Lot 4; thence South 89 degree 54' 00" West 378.42 feet to the Northwest corner of said Lot 4; thence South 00 degree 01' 00" East 569.20 feet to the Southwesterly corner of said Lot 4; thence South 71 degree 16' 48" East 177.06 feet, more or less, to the point of beginning.
Tax Parcel Number: 872712.

PROPERTY ADDRESS: 8333 Highway 140 East, 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 \$5,002.43 beginning 09/01/2006; plus late charges of \$250.12 each month beginning with the 09/01/2006 payment plus prior accrued late charges of \$1,495.72; plus advances of \$92.50; 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: \$579,432.00 with interest thereon at the rate of 9.75 percent per annum beginning 08/01/2006 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 Monday, April 23, 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 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: December 11, 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, SVW-88, Simi Valley, CA 93063. (800) 281-8219. TS No. 06-28633. Doc. ID #0001252672122005N. #8942. January 25, February 1, 8, 15, 2007.

IN THE _____ COURT OF THE STATE OF _____ OREGON
COUNTY OF _____ KLAMATH _____ : COURT CASE NO. _____

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS INC)

vs

MICHAEL ZIPP AND TRAVIS ZIPP)

PROOF OF SERVICE

STATE OF OREGON)

County of _____ KLAMATH) SS.

I hereby certify that on the _____ 16 day of _____ December, 20 06, at the hour of _____ 1650
I served _____ OCCUPANTS (RUTH BOWEN) _____ by

- ☒ XX 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 _____ RUTH BOWEN _____ At _____ 8333 HWY 140 E
_____ 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

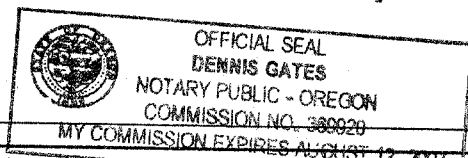
I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this

18 day of DEC 2006

Dennis Gates

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: 12-18-2006	Incorrect Add.	\$
CPS File No. 6390-K		\$
Client No. 1006.06475	Amount Paid	\$ 0.00
	TOTAL DUE	\$ 40.00

TRUSTEE'S NOTICE OF SALE

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SEE EXHIBIT A

PROPERTY ADDRESS: 8333 HIGHWAY 140 EAST
KLAMATH FALLS, OR 97603

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WHEREFORE, notice hereby is given that, RECONTRUST COMPANY, N.A., the undersigned Trustee will on Monday, April 23, 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 12.11, 2006


Brian Myers, Team Member

Form ORNOS (03/02)

For further information, please contact:

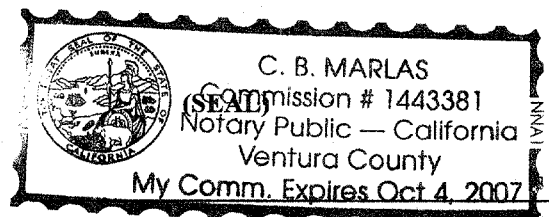
RECONTRUST COMPANY, N.A.
COUNTRYWIDE HOME LOANS, INC.
1757 TAPO CANYON ROAD, SVW-88
SIMI VALLEY, CA 93063
(800)-281-8219
TS No. 06 -28633
Doc ID #0001252672122005N

STATE OF California
COUNTY OF Ventura ss.

On 12-11-06, 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.

Exhibit "A"

Real property in the County of , State of Oregon, described as follows:

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Tax Parcel Number: 872712