

2007-007973

Klamath County, Oregon



00021509200700079730070077

05/03/2007 10:45:31 AM

Fee: \$61.00

ATE: 64329

FIDELITY NATIONAL DEFAULT SOLUTION
15661 REDHILL AVE STE. 201
TUSTIN, CA 92780

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

W770002

AFTER RECORDING RETURN TO:
JOE MCGEE
RECONTRUST COMPANY, N.A.
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065

TS No.: 07 -00346
Doc ID #0001192475902005N

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: KATHLEEN K ELLIS and DAVID M ELLIS

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.

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

Form ORRCRDNOS (03/02)

#61-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 1/20/2007. 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 27th day of April, 20 07, 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

KATHLEEN K ELLIS and DAVID M ELLIS

Angelica Del Toro
Notary Public for California

Residing at Ventura

My commission expires: 3-15-09

RECONTRUST COMPANY, N.A.

Trustee

TS No. 07-00346

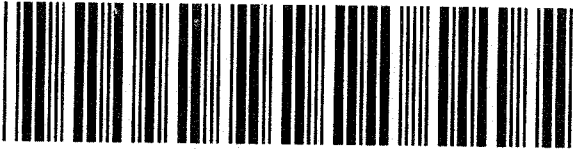
After Recording return to:

400 COUNTRYWIDE WAY SV-35

RECONTRUST COMPANY, N.A.

SIMI VALLEY, CA 93065





02 0700346

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

TS No. 07-00346

KATHLEEN K ELLIS
2407 Wantland Ave
Klamath Falls, OR 97601
7187 7930 3131 0916 2721

DAVID M ELLIS
2407 Wantland Ave
Klamath Falls, OR 97601
7187 7930 3131 0916 2745

KATHLEEN K LONG
2407 WANTLAND AVE
KLAMATH FALLS, OR 97601
7187 7930 3131 0916 2769

KATHLEEN K ELLIS
2407 WANTLAND AVE
KLAMATH FALLS, OR 97601
7187 7930 3131 0916 2738

DAVID M ELLIS
2407 WANTLAND AVE
KLAMATH FALLS, OR 97601
7187 7930 3131 0916 2752

STATE OF OREGON
875 UNION ST., NE, ROOM 107
EMPLOYMENT DEPARTMENT
SALEM, OR 97311
7187 7930 3131 0916 2776

STATE OF OREGON
1162 COURT STREET NE
C/O ATTORNEY GENERAL
SALEM, OR 97301
7187 7930 3131 0916 2783

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 # 9052

Sale/Kathleen K. & David M. Ellis

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:

February 22, March 1, 8, 15, 2007

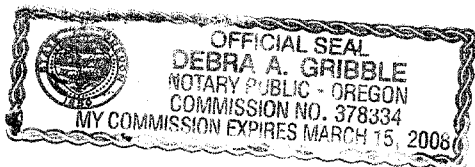
Total Cost: \$809.68

Subscribed and sworn by Jeanine P Day

before me on: March 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 Kathleen K. Ellis And David M. Ellis, Wife And Husband, as grantor(s), to Title Source Inc., as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 05/12/2006, recorded 05/23/2006, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number M06-10405, covering the following described real property situated in said county and state, to wit:

Lot 16, Block 301 of Darrow Addition to the City of Klamath Falls according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

PROPERTY ADDRESS: 2407 Wantland Ave., Klamath Falls, OR 97601.

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 \$972.05 beginning 10/01/2006; plus late charges of \$48.60 each month beginning with the 10/01/2006 payment plus prior accrued late charges of \$97.20; plus advances of \$12.50; 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: \$110,850.68 with interest thereon at the rate of 9.975 percent per annum beginning 09/01/2006 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, May 18, 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: January 15, 2007. Recontrust Company, N.A., Beatrice Paredes, Assistant Secretary. 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. 06-29711. Doc. ID #0001192475902005N.

#9052 February 22, March 1, 8, 15, 2007.

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

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS
INC _____)
VS

KATHLEEN K ELLIS
AND DAVID M ELLIS _____)

PROOF OF SERVICE

STATE OF OREGON _____)
County of _____ KLAMATH _____) SS.

I hereby certify that on the _____ 11 day of _____ January _____, 20 _____ 07, at the hour of _____ 0720
I served _____ OCCUPANTS (DAVID ELLIS, KATHLEEN ELLIS) _____ 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:
_____ Summons _____ Writ of Garnishment _____ Small Claims
_____ Motion _____ Order _____ Affidavit
_____ Complaint _____ Citation _____ Subpoena
_____ Petition _____ Notice _____ Decree
X Other: _____ TRUSTEES NOTICE OF SALE

Together with a copy of _____

To _____ DAVID ELLIS _____ At _____ 2407 WANTLAND AVE
_____ KLAMATH FALLS, OR. 97601

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 _____

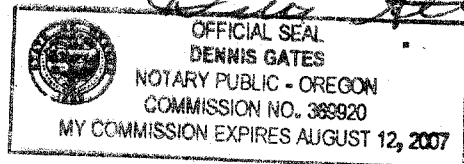
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF _____ KLAMATH

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.

Dave Davis

_____ DAVE DAVIS (#16)
Cleveland Process Serving, LLC.
(541) 665-5162

Subscribed to and sworn to before me this
_____ 11 day of _____ Jan, 20 _____ 07



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: 01-11-2007	Correct Add.	\$
CPS File No. 187-K		\$
Client No. 1006-06695	Amount Paid	\$ 0.00
	TOTAL DUE	\$ \$40.00

TRUSTEE'S NOTICE OF SALE

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LOT 16 BLOCK 301 OF DARROW ADDITION TO THE CITY OF KLAMATH FALLS ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 2407 WANTLAND AVE
KLAMATH FALLS, OR 97601

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 \$972.05 beginning 10/01/2006; plus late charges of \$48.60 each month beginning with the 10/01/2006 payment plus prior accrued late charges of \$97.20; plus advances of \$12.50; 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.

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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 1-8, 2007

Beatrice Paredes

Form ORNOS (03/02)

Beatrice Paredes, Assistant Secretary

For further information, please contact:

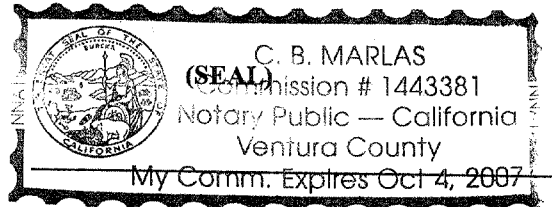
RECONTRUST COMPANY, N.A.
COUNTRYWIDE HOME LOANS, INC.
1757 TAPO CANYON ROAD, SVW-88
SIMI VALLEY, CA 93063
(800)-281-8219
TS No. 07 -00346
Doc ID #0001192475902005N

STATE OF CALIFORNIA
COUNTY OF VENTURA) ss.

On 1-8-07, before me, [Signature], notary public, personally appeared Beatrice Paredes, 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]
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.