

2007-012025

Klamath County, Oregon

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



00026301200700120250090092

07/05/2007 11:17:21 AM

Fee: \$61.00

When Recorded Return To:

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

Until requested otherwise, send all tax statements:

ATE: 64538

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

COVER SHEET

DOCUMENT: AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

GRANTOR: ELWOOD H. MILLER, JR.

GRANTEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,
INC.

CONSIDERATION: \$

DATE:

LEGAL DESCRIPTION: See Attached

#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 3/16/2007. 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 28th day of June, 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

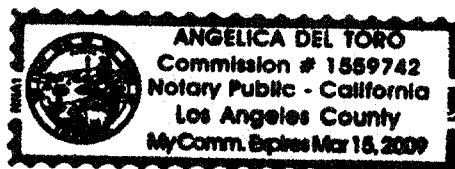
and ELWOOD H MILLER

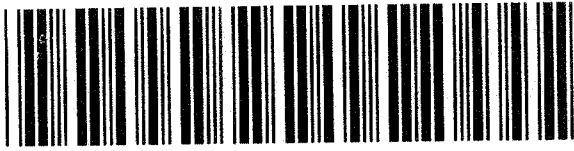
Angelica Del Toro
Notary Public for California
Residing at Ventura
My commission expires: 3-15-09

RECONTRUST COMPANY, N.A.

Trustee TS No. 07-09031

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





02 0709031

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

TS No. 07-09031

ELWOOD H. MILLER, JR.
PO Box 274
Chiloquin, OR 97624
7187 7930 3131 1005 5357

ELWOOD H MILLER
PO Box 274
Chiloquin, OR 97624
7187 7930 3131 1005 5333

ELWOOD H. MILLER, JR.
40340 RIVERVIEW DRIVE
CHILOQUIN, OR 97624
7187 7930 3131 1005 5364

ELWOOD H MILLER
40340 RIVERVIEW DRIVE
CHILOQUIN, OR 97624
7187 7930 3131 1005 5340

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 # 9188

Notice of Sale/Elwood H. Miller

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:

April 19, 26, May 3, 10, 2007

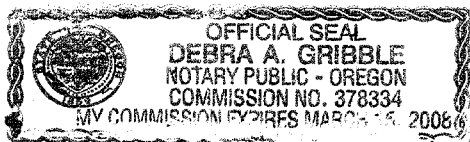
Total Cost: \$942.89

Subscribed and sworn by Jeanine P Day

before me on: May 10, 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 Elwood H. Miller, Jr., as grantor(s), to Vista Title, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 04/14/2005, recorded 05/04/2005, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M05 at Page No. 32096 as Recorder's fee/file/Instrument/microfilm/reception Number, covering the following described real property situated in said county and state, to wit: See Legal Description Attached Hereto and Made a Part Hereof as Exhibit "A"

Exhibit "A"

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

A part of Government Lot 8 in Section 27, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the intersection of the South line of Section 27 with the Westerly right of way line of Southern Pacific Railroad; thence Northerly along said right of way line 641.00 feet to the true point of beginning; thence Northerly on said Westerly right of way line 320.50 feet; thence West to the mean high water line of the Williamson River; thence Southerly along said water line to a point due West of the true point of beginning; thence East to the true point of beginning.

Tax Parcel Number: 195746.

PROPERTY ADDRESS: 40340 Riverview Drive, Chiloquin, OR 97624.

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 \$1,714.22 beginning 12/01/2006; plus late charges of \$65.49 each month beginning with the 12/01/2006 payment plus prior accrued late charges of \$129.42; plus advances of \$220.18; 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: \$189,159.87 with interest thereon at the rate of 7.25 percent per annum beginning 11/01/2006 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, July 16, 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 execu-

tion 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: March 07, 2007. Recontrust Company, N.A., Heidi Recinos, 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: 07-09031. Doc. ID #000923336852005N. #9188 April 19, 26, May 3, 10, 2007.

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

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS INC)

vs

ELWOOD H MILLER JR)

PROOF OF SERVICE

STATE OF OREGON)

) SS.

County of _____ KLAMATH _____

I hereby certify that on the _____ 10 _____ day of _____ March _____, 20 07, at the hour of _____ 1450 _____
I served _____ OCCUPANTS(ELWOOD MILLER JR, RACHEL MILLER) _____ by _____

_____ RACHEL _____ Personal Service (personally and in person)

_____ ELWOOD _____ 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

_____ Motion

_____ Complaint

_____ Petition

_____ X Other: _____ TRUSTEES NOTICE OF SALE _____

_____ Writ of Garnishment

_____ Order

_____ Citation

_____ Notice

_____ Small Claims

_____ Affidavit

_____ Subpoena

_____ Decree

Together with a copy of _____

To _____ RACHEL MILLER _____ At _____ 40340 RIVERVIEW DR
_____ CHILOQUIN, OR 97624 _____

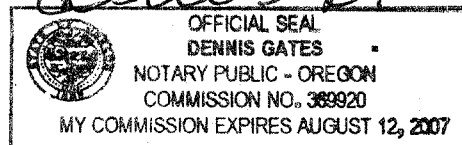
NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20 _____
and after due and diligent search and inquiry, I have been unable to locate _____
within the county of _____ Dated this _____ day of _____, 20 _____

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
13 day of _____ MAR _____, 20 07.

_____ 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	\$ 25.00
Central Point, OR 97502	Rush/Emergency	\$
Date: 03-12-2007	Incorrect Add.	\$
CPS File No. 1361-K	Amount Paid	\$ 0.00
Client No. 1006.07497	TOTAL DUE	\$ 65.00

TRUSTEE'S NOTICE OF SALE

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SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".

PROPERTY ADDRESS: 40340 RIVERVIEW DRIVE
CHILOQUIN, OR 97624

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 \$1,714.22 beginning 12/01/2006; plus late charges of \$65.49 each month beginning with the 12/01/2006 payment plus prior accrued late charges of \$129.42; plus advances of \$220.18; 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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WHEREFORE, notice hereby is given that, RECONTRUST COMPANY, N.A., the undersigned Trustee will on Monday, July 16, 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

3-07-07, 2007

Heidi Recinos
Heidi Recinos, 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. 07 -09031
Doc ID #000923336852005N

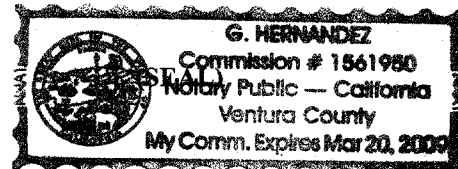
STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.

On 3-06-07, before me, G. Hernandez, notary public, personally appeared Uaida Recinos, 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.

Notary Public for Ventura Co.

My commission expires: 3/20/09



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"

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Tax Parcel Number: 195746