

2007-013194

Klamath County, Oregon



07/25/2007 03:05:38 PM

Fee: \$51.00

3262792  
WHEN RECORDED MAIL TO:  
EXECUTIVE TRUSTEE SERVICES  
15455 SAN FERNANDO MISSION BLVD, SUITE 208  
MISSION HILLS, CA 91345  
(818) 837-2300

T.S. NO.: HC-103630-C LOAN NO.: 0442209078

Space above line for Recorder's Use

1st- 1001534

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF California} SS  
COUNTY OF Los Angeles}

I, CHRISTIAN PAULSON being first duly sworn, depose, 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 his successor in interest named in the attached original or copy of 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 registered or certified mail and regular mail to each of the following named person's at their last known address, to-wit:

NAME & ADDRESS

SEE ATTACHED

CERTIFIED NO.

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Karen J. Cooper, for FIRST AMERICAN TITLE INSURANCE COMPANY, 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 mail LOS ANGELES CALIFORNIA, on March 29, 2007. 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.

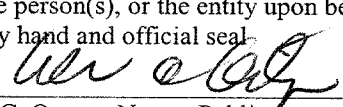
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

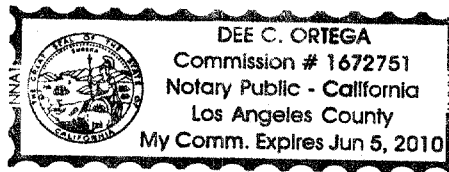
STATE California} SS  
COUNTY Los Angeles}

  
CHRISTIAN PAULSON

On March 29, 2007 before me, Dee C. Ortega the undersigned, a Notary Public in and for said State, personally appeared CHRISTIAN PAULSON 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

  
Dee C. Ortega, Notary Public



F-51

## TRUSTEE'S NOTICE OF SALE

Loan No: 0442209078  
T.S. No.: HC-103630-C

Reference is made to that certain deed made by, KEVIN C. DAVIS as Grantor to AMERITITLE, as trustee, in favor of "MERS" MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR LENDER EAGLE HOME MORTGAGE, INC., as Beneficiary, dated 9/15/2006, recorded 9/22/2006, in official records of Klamath County, Oregon in book/reel/volume No. at page No. , fee/file/instrument/microfile/reception No. 2006-019064 (indicated which), covering the following described real property situated in said County and State, to-wit:

**APN: R567069**

LOT 18 IN BLOCK 1 OF TRACT 1116, SUNSET EAST, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:  
7138 SIERRA PLACE  
KLAMATH FALLS, OREGON 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:

UNPAID PRINCIPAL BALANCE OF \$313,500.00; PLUS ACCRUED INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 11/1/2006 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Monthly Payment \$2,610.48

Monthly Late Charge \$130.52

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 \$313,500.00 together with interest thereon at the rate of 9.79 % per annum from 10/1/2006 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 **8/1/2007** at the hour of **10:00 AM**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OREGON** 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.

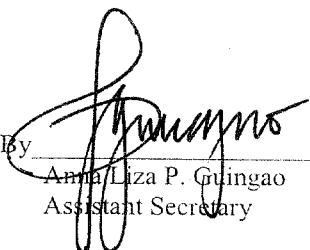
Loan No: 0442209078  
T.S. No: HC-103630-C

### 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: March 13, 2007

FIRST AMERICAN TITLE INSURANCE COMPANY  
C/O EXECUTIVE TRUSTEE SERVICES, LLC  
15455 San Fernando Mission Blvd., Suite 208  
Mission Hills, CA 91345  
(818) 361-6998

Signature By   
Anna Liza P. Gungao  
Assistant Secretary

State of California ) ss.  
County of Los Angeles)

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.

  
MARVELL L. CARMOUCHE  
Trustee Sale Officer

**EXECUTIVE TRUSTEE SERVICES, LLC.**  
**15455 SAN FERNANDO MISSION BLVD**  
**SUITE #208**  
**MISSION HILLS, CA 91345**

**(818) 837-2300**

Date: March 13, 2007

T.S. Number: HC-103630-C  
Loan Number: 0442209078

### **DEBT VALIDATION NOTICE**

1. The enclosed document relates to a debt owed to the current creditor:

#### **MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC.**

You may send us a written request for the name and address of the original creditor, if different from the current creditor, and we will obtain and mail the information to you.

2. As of **March 13, 2007** the total delinquency owed was **\$14,344.35**, but this amount will increase until the delinquency has been fully cured.
3. As of **March 13, 2007** the amount required to pay the entire debt in full was **\$328,688.45** but this amount will increase daily until the debt has been fully paid.
4. You may dispute the validity of this debt, or any portion thereof, within thirty (30) days after receiving this notice. Otherwise, we will assume that the debt is valid.
5. If you notify us in writing that you dispute all or any portion of this debt within thirty (30) days after receiving this notice, we will obtain and mail to you verification of the debt, or a copy of any judgement against you.

**WE ARE ATTEMPTING TO COLLECT A DEBT, AND ANY INFORMATION  
WE OBTAIN WILL BE USED FOR THAT PURPOSE.**

**AFFIDAVIT OF MAILING**

Date: **March 29, 2007**

T.S. No.: **HC-103630-C**

Loan No.: **0442209078**

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Los Angeles County at **Executive Trustee Service Inc.** , and is not a party to the within action and that on **March 29, 2007** , (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 **CHRISTIAN PAULSON**

KEVIN C. DAVIS  
7138 SIERRA PLACE  
KLAMATH FALLS, OREGON 97603  
P71006309264040770790

KEVIN C. DAVIS  
7138 SIERRA PLACE  
KLAMATH FALLS, OREGON 97603  
First Class

CARTER-JONES COLLECTION SERVICE, INC.  
1143 PINE ST  
KLAMATH FALLS OR 97601  
P71006309264040770806

CARTER-JONES COLLECTION SERVICE, INC.  
1143 PINE ST  
KLAMATH FALLS OR 97601  
First Class

HC103630C/DAVIS  
ASAP# 834374

EXEC

PROOF OF SERVICE

STATE OF OREGON )  
 ) ss.  
County of Klamath )

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original Trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, along with the Notice Under the Federal Fair Debt Collection Practices Act, upon an **OCCUPANT** at the following address:

**7138 SIERRA PLACE, KLAMATH FALLS, OREGON 97603**, as follows:

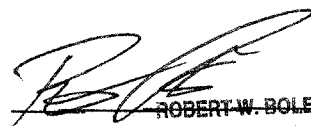
Personal service upon Kevin Davis, by delivering said true copy, personally and in person, at the above address on March 23, 2007 at 08:49 a    m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2007 at \_\_\_\_\_:\_\_\_\_\_ a    m.

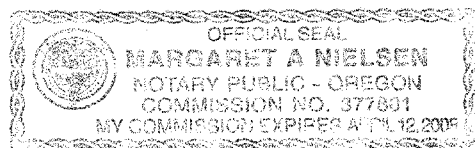
Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2007 at \_\_\_\_\_:\_\_\_\_\_ a    m.

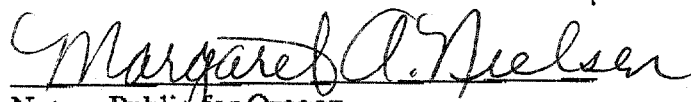
Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2007 at \_\_\_\_\_:\_\_\_\_\_ a    m.

I declare under the penalty of perjury that the above statement is true and correct.

  
ROBERT W. BOLENBAUGH  
321702

SUBSCRIBED AND SWORN to before me this 23 day of March, 2007 by ROBERT W. BOLENBAUGH



  
Notary Public for Oregon

# 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 # 9256

Notice of Sale/Kevin C. Davis

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:

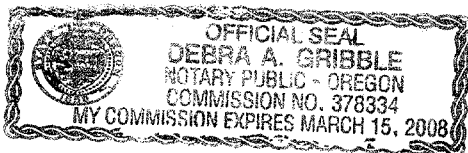
May 8, 15, 22, 29, 2007

Total Cost: \$825.29

Subscribed and sworn by Jeanine P Day  
before me on: May 29, 2007

Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE Loan No: 0442209078 TS No: HC-103630-C

Reference is made  
to that certain deed  
made by, KEVIN C.  
DAVIS as Grantor  
to AMERITITLE, as  
trustee, in favor of  
"MERS" MORT-  
GAGE ELECTRON-  
IC REGISTRATION  
SYSTEMS, INC.,  
SOLELY AS NOMI-  
NEE FOR LENDER  
EAGLE HOME  
MORTGAGE, INC.,  
as Beneficiary, dat-  
ed 9/15/2006, record-  
ed 9/22/2006, in offi-  
cial records of Klamath County, Ore-  
gon in book/reel/volume  
No. at page No. 100-1116 (Instrument #

microfile/reception  
No. 2006-019064 (indi-  
cated which), cover-  
ing the following de-  
scribed real prop-  
erty situated in said  
County and State,  
to-wit: APN:  
R567069 LOT 18 IN  
BLOCK 1 OF  
TRACT 1116, SUN-  
SET EAST, AC-  
CORDING TO THE  
OFFICIAL PLAT  
THEREOF ON  
FILE IN THE OF-  
FICE OF THE  
COUNTY CLERK  
Commonly known  
as: 7138 SIERRA  
PLACE KLAMATH  
FALLS, OREGON  
97603

Both the beneficiary  
and the trustee have  
elected to sell the  
said real property to  
satisfy the obliga-  
tions secured by  
said trust deed and  
notice has been re-  
corded pursuant to  
Section 86.735(3) of  
Oregon Revised  
Statutes: the default  
for which the fore-  
closure is made is  
the grantor's UN-  
PAID PRINCIPAL  
BALANCE OF  
\$313,500.00; PLUS

ACCRUED INTER-  
EST PLUS IM-  
POUNDS AND / OR  
ADVANCES WHICH  
BECAME DUE ON  
11/1/2006 PLUS  
LATE CHARGES,  
AND ALL SUBSE-  
QUENT INSTALL-  
MENTS OF PRIN-  
CIPAL, INTEREST,  
BALLOON PAY-  
MENTS, PLUS IM-  
POUNDS AND/OR  
ADVANCES AND  
LATE CHARGES  
THAT BECOME  
PAYABLE Monthly  
Payment \$2,610.48  
Monthly Late  
Charge \$130.52

By this reason of  
said default the ben-  
eficiary has de-  
clared all obliga-  
tions secured by  
said deed of trust  
immediately due  
and payable, said  
sums being the fol-  
lowing, to-wit: The  
sum of \$313,500.00  
together with inter-  
est thereon at the  
rate of 9.79 % per  
annum from  
10/1/2006 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 INSUR-  
ANCE COMPANY,  
the undersigned  
trustee will on  
8/1/2007 at the hour  
of 10:00 AM, Stand-  
ard of Time, as es-  
tablished by section  
187.110, Oregon Re-  
vised Statutes, at ON  
THE FRONT  
STEPS OF THE  
CIRCUIT COURT,  
316 MAIN STREET,  
IN THE CITY OF  
KLAMATH FALLS,  
COUNTY OF KLA-  
MATH, OREGON

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 in-  
terest which the  
grantor or his suc-  
cessors in interest  
acquired after the  
execution of said  
trust deed, to satisfy

the foregoing obliga-  
tions thereby se-  
cured and the costs  
and expenses of  
sale, including a  
reasonable charge  
by the trustee. No-  
tice is further given  
that any person  
named in Section  
86.753 of Oregon Re-  
vised Statutes has  
the right to have the  
foreclosure proceed-  
ing 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 occur-  
red), together with  
the costs, trustee's  
and attorney's fees  
and curing any other  
default complain-  
ed of in the Not-  
ice of Default by  
tendering the per-  
formance required  
under the obligation  
or trust deed, at any  
time prior to five  
days before the date  
last set for sale.

In construing this  
notice, the mascu-  
line gender includes  
the feminine and the  
neuter, the singular  
includes plural, the  
word "grantor" in-  
cludes any succes-  
sor 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  
a "beneficiary" in-  
clude their respec-  
tive successors in in-  
terest, if any.

Dated: March 13,  
2007 FIRST AMERI-  
CAN TITLE INSUR-  
ANCE COMPANY  
C/O EXECUTIVE  
TRUSTEE SERV-  
ICES, LLC 15455 San  
Fernando Mission  
Blvd., Suite 208 Mis-  
sion Hills, CA  
91345(818) 361-6998  
Signature By Anna  
Liza P. Guingao As-  
sistant Secretary I,  
the undersigned,  
certify that I am the  
Trustee Sale Officer,  
and that the forego-  
ing is a complete  
and exact copy of  
the original Trust-  
ee's Notice of Sale.  
MARVELL L. CAR-  
MOUCHE Trustee  
Sale Officer ASAP#  
834374 05/08/2007,  
05/15/2007,  
05/22/2007,  
05/29/2007,  
#9256 May 8, 15, 22,  
2007