

2007-017203

Klamath County, Oregon



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10/02/2007 03:17:52 PM

Fee: \$26.00

ATE: 65256

W770495

## TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705, et seq.

Trustee Sale No.: **OR0812898** Loan No.: **12272761** Title Order No.: **W770495**

Reference is made to that certain Deed of Trust made by KRISTINA EVATT, JOHN EVATT, as Grantor, to CAL-WESTERN RECONVEYANCE CORPORATION, as Trustee, in favor of FIDELITY MORTGAGE INC., A CORPORATION OF DELAWARE, as Beneficiary, dated 11/17/2005, and Recorded on 11/23/2005 as Document No. M05-69751 in the County of Klamath, state of Oregon. The beneficial interest under said Deed of Trust and the obligations secured thereby are presently held by HSBC MORTGAGE SERVICES, INC.

Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: **TRACT 7 OF LANDIS PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON**

**A.P.N. # R-3909-010DA-03500-0**

The street address or other common designation, if any, of the real property described above is purported to be: **3964 CLINTON AVE, KLAMATH FALLS, OREGON 97603**

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the Trustee have elected to sell the said real property to satisfy the obligations secured by said Deed of Trust 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: **THE INSTALLMENT OF PRINCIPAL AND INTEREST WHICH BECAME DUE ON 06/01/2007 AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL AND INTEREST, ALONG WITH LATE CHARGES, PLUS FORECLOSURE COSTS AND LEGAL FEES.**

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the Note and Deed of Trust, the Beneficiary may insist that you do so in order to reinstate your account in good standing. The Beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Deed of Trust immediately due and payable, said sums being the following to wit:

**\$127,965.62** with interest thereon at the rate of **7.990** from **05/01/2007**; plus late charges of **\$44.73** each month beginning **06/01/2007** and prior accrued late charges until paid; together with title expenses, costs, trustee's fees and attorney 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.

WHEREFORE, notice hereby is given that the undersigned Trustee will, on **02/15/2008**, at the hour of **10:00AM** in accord with the standard of time established by O.R.S. 187.110; **AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN ST. KLAMATH FALLS, OR.** 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 has or had power to convey at the time of execution by him of the said Deed of Trust, together with any interest which the Grantor his successors in interest acquired after the execution of said Deed of Trust, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including reasonable charge by the Trustee.

**If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee and the successful bidder shall have no further recourse.**

#26-17

Notice is further given that any person named in O.R.S. 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 Deed of Trust 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 to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust, together with Trustee's and attorney's fees.

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 person owing an obligation, the performance of which is secured by said Deed of Trust, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated: \_\_\_\_\_

**LSI TITLE COMPANY OF OREGON, as Successor Trustee** by *LSI Title Agency, Inc.*

By: *G. Sheppard*

c/o **\*TRUSTEE CORPS\***

**2112 Business Center Drive, 2<sup>nd</sup> floor, Irvine, CA 92612**

**For Sale Information contact: (714) 573-1965, (714) 573-7777, (949) 252-8300**

STATE OF *California*

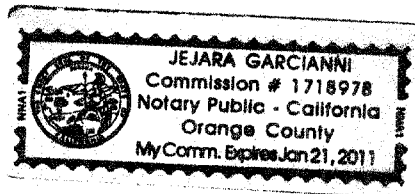
COUNTY OF *Orange*

On *10-1-07*, before me, *Jejara Garciani* the undersigned, a Notary

Public in and for said state, personally appeared *Gerri Sheppard*, personally known to me (or provided 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 entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal,

*[Signature]*  
Notary Public in and for said County and State



**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**