2007-018859 Klamath County, Oregon



11/02/2007 03:33:29 PM

Fee: \$61.00

ATE: 65003

## 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 . 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.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE RE: Trust Deed from

Grantor

MICHAEL R MONTOYA and DELORES M. MONTOYA

Notary Public for California
Residing at Ventura
My commission/expires: 315

Daniel B. Rodriguez

RECONTRUST COMPANY, N.A.

Trustee

TS No. 07-28646

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





H-16-07



02 0728646

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

#### TS No. 07-28646

MICHAEL R MONTOYA 4912 LORRAYNE PLACE KLAMMATH FALLS, OR 97603 7187 7930 3131 1238 3847

DELORES M. MONTOYA 4912 LORRAYNE PLACE KLAMMATH FALLS, OR 97603 7187 7930 3131 1238 3878

Residents/Occupants 4912 LORRAYNE PLACE KLAMMATH FALLS, OR 97603 7187 7930 3131 1238 3908

MICHAEL MONTOYA 4912 LORRAYNE PLACE KLAMMATH FALLS, OR 97603 7187 7930 3131 1238 3960

DELORES MONTOYA 4912 LORRAYNE PLACE KLAMMATH FALLS, OR 97603 7187 7930 3131 1238 3991

Residents/Occupants 4912 LORRAYNE PLACE KLAMMATH FALLS, OR 97603 7187 7930 3131 1238 3922

MICHAEL R MONTOYA 4912 LORRAYNE PLACE KLAMATH FALLS, OR 97603 7187 7930 3131 1238 3854

DELORES M. MONTOYA 4912 LORRAYNE PLACE KLAMATH FALLS, OR 97603 7187 7930 3131 1238 3885

MICHAEL MONTOYA 4912 LORRAYNE PLACE KLAMATH FALLS, OR 97603 7187 7930 3131 1238 3977

Form ormlgaffdvtexh (04/02)



02 0728646

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

### TS No. 07-28646

DELORES MONTOYA 4912 LORRAYNE PLACE KLAMATH FALLS, OR 97603 7187 7930 3131 1238 4004

Residents/Occupants 4912 LORRAYNE PLACE KLAMATH FALLS, OR 97603 7187 7930 3131 1238 3939

MICHAEL R MONTOYA 839 MAIN ST KLAMATH FALLS, OR 97601 7187 7930 3131 1238 3861

DELORES M. MONTOYA 839 MAIN ST KLAMATH FALLS, OR 97601 7187 7930 3131 1238 3892

MICHAEL MONTOYA 839 MAIN ST KLAMATH FALLS, OR 97601 7187 7930 3131 1238 3984

DELORES MONTOYA 839 MAIN ST KLAMATH FALLS, OR 97601 7187 7930 3131 1238 4028

CREDIT BUREAU OF KLAMATH COUNTY 839 MAIN ST KLAMATH FALLS, OR 97601 7187 7930 3131 1238 3953

Residents/Occupants 839 MAIN ST KLAMATH FALLS, OR 97601 7187 7930 3131 1238 3946

## 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.

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## See attached Exhibit A for all the mailing address(es).

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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 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 Ventura County of Subscribed and sworn to (or affirmed) before me on this day of which the bethe person(s) who appeared before me. asis of satisfactory evidence to (seal) Signature Daniel B. Rodriquez

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

MICHAEL R MONTOYA and DELORES M. MONTOYA

Notary Public for California
Residing at Ventura
My commission expires: 3-15

RECONTRUST COMPANY, N.A.

Trustee

TS No. 07-28646

After Recording return to: 400 COUNTRYWIDE WAY SV-35 RECONTRUST COMPANY, N.A. SIMI VALLEY, CA 93065 ANGELICA DEL TORO
Commission # 1559742
Notary Public - California
Los Angeles County
MyComm. Express Mar 15, 2009

Form ormlgaffdvt (03/02)



02 0728646

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

### TS No. 07-28646

SECRETARY OF HOUSING AND URBAN DEVELOPMENT 4111 S. DARLINGTON, SUITE 300 ATTN: MORRIS-GRIFFIN/FIRST MADISON SERVICES, INC. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TULSA, OK 74135 7187 7930 3131 1295 7833

## Affidavit of Publication

## STATE OF OREGON, COUNTY OF KLAMATH

Legal # 9523

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

Notice of Sale/Michael R. & Delores M. Montoya				
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:				
August 23, 30, September 6, 13, 2007				
<u>Total Cost:</u> \$810.59				
$^{\prime}$ / $^{\prime}$				
- flammer of				
Subscribed and sworn by Jeanine P Day				
before me on: September 13, 2007				
$\gamma$				
Marco A Luiter				
NOVA A SUBE				
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 R. Montoya And Delores M. Montoya, Husband And Wife, as grantor(s), fo T.D. Service Company, A California Corporation, ice Company, A California Corporation, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 12/13/2006, recorded 12/29/2006, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number 2006-025528, covering the following described real property situated in said county and state, to wit: wit:
Lot 42, Block 1,
Tract No. 1078, Second Addition to Kelene Gardens, according to the official plat thereof on file in the office of the County Clerk of Klamath County,
Oregon. the County Clerk of Klamath County, Oregon, PROPERTY AD-DRESS: 4912 Lor-rayne Place, Kla-math Falls, OR Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obliga-tions secured by the Trust Deed and a notice of default has 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 \$1,065.70 beginning 04/01/2007; plus late charges of \$53.29 each month beginning with the 04/01/2007 payment plus prior accrued late charges of \$53.29; plus advanlate charges of §53.29; plus advan-

ces of \$0.00; 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 terest therein. By reason of said default the Benefi-ciary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, said sums being the following to wit: \$111,300.00 with interest thereon at the terest thereon at the rate of 11.4899997711182 percent per annum beginning 03/01/2007 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 the above described real property and its interests therein. WHEREFORE, notice hereby is given that, RECONTRUST COMPANY, N.A., the undersigned Trustee will on Tuesday, November 13, 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 Streef, 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 est acquired after the execution of the Irust Deed, to satis-

fy 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

sor 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: June 29, 2007. Recontrust Company, N.A., Alexis West, 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. 07-28646. Doc.

#0001579080052005N. #9523 August 23, 30, September 6, 13, 2007.

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  Motion Order Affidavit Compaint Compaint Compaint Content TRUSTEES NOTICE OF SALE  Office Service (by serving the person apparently in charge)  By posting (said residence)  A certified/true copy of:  Summons Motion Order Affidavit Citation Subpoena Petition Notice  Decree  Other: TRUSTEES NOTICE OF SALE  OFFOUND: I certify that I received the within document for service on the day of 20 day of 40 day of 20 day of 40 day of	COUNTY OF STATE STATE ON SYSTEMS INC REGISTRATION SYSTEMS INC MICHAEL R MONTOYA AND DELORES M MONTOYA AND DELORES M MONTOYA AND DELORES M MONTOYA AND DELORES M MONTOYA SS.  WINDY OF MICHAEL R MONTOYA SS.  WITH 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 a person over the age of 14 years, who resides at the usual place of abode of the within named)  Office 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 a person over the age of 14 years, who resides at the usual place of abode of the within named)  Office 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 a person over the age of 14 years, who resides at the usual place of abode of the within named)  Wit of Garnishment  Wit of Garnishment  Small Claims  Motion  Order  At Hildavit  Complaint  Complain	wa	IN THE	1.77		_ ORE	GON	
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MICHAEL R MONTOYA AND DELORES M MONTOYA  SS.  MICHAEL R MONTOYA SS.  MICHAEL R MONTOYA AND DELORES M MONTOYA  SS.  MICHAEL R MONTOYA  16 day of July  O'7, at the hour of 1640  1640  DELOPERS MONTOYA  DELOPERS MONTOYA  A certified five serving a person over the age of 14 years, who resides at the usual place of abode of the within named)  O'Tice Service (by serving the person apparently in charge)  By posting (said residence)  A certified five copy of:  Summons  Writ of Garnishment  O'Tice Service (by serving the person apparently in charge)  By posting (said residence)  A certified five copy of:  Summons  Writ of Garnishment  Complaint  Complaint  Citation  O'Tice Service (by serving the person apparently in charge)  Decree  O'Tice Service (by serving the person apparently in charge)  By posting (said residence)  A certified five copy of:  Summons  Writ of Garnishment  Citation  Subpoena  Notice  Decree  O'Tice Service (by serving the person apparently in charge)  By posting (said residence)  Decree  O'Tice Service (by serving the person apparently in charge)  By posting (said residence)  Decree  O'Tice Service (by serving the person apparently in charge)  By posting (said residence)  Decree  O'Tice Service (by serving the person apparently in charge)  By posting (said residence)  Decree  A certified five copy of:	MICHAEL R MONTOVA AND BELORES M MONTOVA  ATE OF OREGON    KLAMATH   SS.	MORTGE	•		COURT CASE NO	V		
MICHAEL R MENTOYA AND DELORES M MENTOYA AND DELORES M MENTOYA S.  ATE OF OREGON    Nunty of   16	MICHAEL R MONTOYA AND DELORES M MONTOYA AND DELORES M MONTOYA   16   16   16   16   16   16   16   1							. 8
MICHAEL R MENTOYA AND DELORES M MONTOYA  ATE OF OREGON  ) SS.  Junty of KLAMATH  16 day of July 20 07, at the hour of 1540  merely certify that on the 16 day of July 20 07, at the hour of 1540  DELOPANTS (MICHAEL MENTOYA) DELURES MUNITOYA)  DELUPANTS (MICHAEL MENTOYA)  A certified/frue copy of:  Summons  Writ of Garnishment Small Claims  Motion Order Affidati  Completint Order Michael Subpoena  Notice Decree  Decree  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONTOYA  At 4912 LORRAYNE PL  KLAMATH FALLS, GR. 97603  DELORES MONT	MICHAEL R MONTOYA AND DELORES M MONTOYA  ATE OF OREGON  Junty of KLAMATH  SS.  WITH OF OREGON  JULY 20 07, at the hour of 1640  DELORES MONTOYA  DELORES MICHAEL MENTOYA, DELURES PIENTOYA, DELURES AT THE USUAL PLANT PIENTOYA, DELURES PIENTOYA, DELURES AT THE USUAL PIENTOYA, DELURES PIENTOYA, DELURES AT THE USUAL PIENTOYA, DELURES PIENTOYA, DELURES AT THE USUAL PIENTOYA, DELUCE AT THE USUAL PIENTOYA, DELURES AT THE USUAL PIENTOYA, DELURES AT THE USUAL PIENTOYA, DELUCE		-	)				n
ATE OF OREGON    Number   16   3019   20 07   at the hour of   1540	DELORES M MONTOYA  ATE OF OREGON  Junty of LAMATH  SS.  KLAMATH  SS.  LAMATH  JS.  LAMATH  LAMAT	MICHAE		AND	· _			·
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unity of KLAMATH ) SS.  sreby certify that or the 16 day of DELURES MUNTOVAT, at the hour of 1640  Personal Service (personally and in person) MICH 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  Order Affidavit  Complaint Citation  Petition  Yother TRUSTEES NOTICE OF SALE  OT FOUND: I certify that I received the within document for service on the day of 20 dater due and diligent search and inquiry, I have been unable to locate.  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 Judge 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 Judge 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 Judge 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 Judge 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 p	unity of KLAMATH ) SS.  sreby certify that or the 16 day of July 20 07, at the hour of 1640 are by certify that or the 16 day of DELORES MUNTOVA?  DELORES MUNTOVA TRUSTEES NOTICE OF SALE  OT FOUND: I certify that I received the within document for service on the day of 20 dater due and diligent search and inquiry, I have been unable to locate thin the county of 1 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.  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)  Writ of Garnishment Small Claims  Artifidavit  Artifidavit  Complaint Citation Subpoena  Notice Decree  Other: TRUSTEES NOTICE OF SALE  OT FOUND: I certify that I received the within document for service on the day of 20 dater due and diligent search and inquiry, I have been unable to locate  DELORES MONTOVA At 4912 LORRAYNE PL  KLAMATH FALLS, DR. 97503  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 Agy of 20 Develand Process Serving, LLC.  (541) 665-5162  Remit to: CPS, LLC.  PO BOX 219  BELL EVIE  MA 98009-0219  Remit to: CPS, Fie No. 36838-K  Mileage Service Fee 40  Mileage Service Fee 540  Mileage S	-	**************************************	)				. 10
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By posting (said residence)  A certifled/true copy of: Summons Motion Complaint Complaint Petition X Other: TRUSTEES NOTICE OF SALE  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  Date dthis 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 19 day of ,20  DAVE DAVIS (#16)  DAVE DAVIS (#16)  DELORES MONTOYA  SUBSCRIBED SATES MOLIST 12, 2007  DEPTI LLC PO ROX 219  DELORES MONTOYA  SUBSCRIBED SATES MOLIST 12, 2007  DELO	By posting (said residence)  A certifled/true copy of: Summons Motion Complaint Complaint Petition X Other: TRUSTEES NDTICE OF SALE  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, DR.97503  DT FOUND: I certify that I received the within document for service on the day of 20 dater due and diligent search and inquiry, I have been unable to locate. Dated this day of 20 dater due and diligent search and inquiry, I have been unable to locate. Dated this day of 20 dater due and diligent search and inquiry 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 (#16)  DAVE DAVIS (#16)  PO BOX 219 BELLEVUE WA 3B009-0219  POS BOX 5358 Central Point, OR 97502  Rustr/Emergency s Rustr/Emergency s Rustr/Emergency s Rustr/Emergency s Date: 07-17-2007 incorrect Add. s CPS File No. 3683-K Client No. Amount Paid s			serving the person an	narently in charge)			
A certifled/true copy of:  Summons Motion Order Affidavit Complaint Petition Other: TRUSTEES NOTICE OF SALE  Decree  Decree  Decree  At 4912 LORRAYNE PL KLAMATH FALLS, UR.97603  TFOUND: I certify that I received the within document for service on the day of 20 datter due and diligent search and inquiry. I have been unable to locate hin the county of 20 Dated this day of 20 Dated this day of 20 Dated this drive 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 19 day of 20 Dates 10 Dated this 20 DATED AVIS (#16)  DAVE DAVIS (#16)  DAVE DAVIS (#16)  PO BOX 219 PELLE PULP WA 38009-0219  REFLIE VILF WA 38009-0219  REPS FILE NO. 3693-K Client No.	A certifled/true copy of:  Summons Motion Order Affidavit Complaint Petition Other: TRUSTEES NDTICE OF SALE  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL ALAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL ALAMATH FALLS, OR.97503  DELORES MONTOYA  At 4912 LORRAYNE PL ALAMATH FALLS, OR.97503  Determine day of 20  Dated this day of 20  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 15 day of 20  DEVELORED REPORT OF THE LC 20  POR BOX 213  DEVELOPMENT OF THE COUNTY OF 20  Remit to CPS, LLC. POR BOX 213  DELORES MONTOYA  Remit to CPS, LLC. POR BOX 213  REFLICATION OR 97502  Rush/Emergency 3  Date: 07-17-2007 Incorrect Add. s CPS File No. 3699-K Client No. 4 Mount Paid s  Client No. Amount Paid s			•	peromy in ondige)			n z
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Motion Complaint Citation Subpoena Petition Notice Decree  X Other: TRUSTEES NOTICE OF SALE  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, DR.97603  OT FOUND: I certify that I received the within document for service on the day of , 20 datter due and diligent search and inquiry, I have been unable to locate. In the county of Dated this day of , 20 datter due and diligent search and inquiry, I have been unable to locate. In the county of Dated this day of , 20 datter due and diligent search and inquiry of Dated this day of , 20 datter due and diligent search and inquiry of 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 J day of J LCY , 20 decrease. It is 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 J day of J LCY , 20 decrease. It is 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 J day of J LCY , 20 decrease. It is 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 J day of J LCY , 20 decrease. It is 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 J day of J LCY , 20 decrease or otherwise and knew that the person of the manufacture of the person of the manufacture of the manufacture of the person of the manufacture of the per	Motion Complaint Citation Subpoena Petition Notice Decree  X Other: TRUSTEES NOTICE OF SALE  DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, DR. 97603  OT FOUND: I certify that I received the within document for service on the day of , 20 datter due and diligent search and inquiry, I have been unable to locate. In the county of Dated this day of , 20 datter due and diligent search and inquiry, I have been unable to locate. In the county of Dated this day of , 20 datter due and diligent search and inquiry of 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		A certified/true cop	y of:				te
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DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, DR.97603  OF FOUND: I certify that I received the within document for service on the	DELORES MONTOYA  At 4912 LORRAYNE PL KLAMATH FALLS, DR.97603  DR.97603  DR.97603  TFOUND: I certify that I received the within document for service on the day of 20 dater due and diligent search and inquiry, I have been unable to locate thin the county of Dated this day of 20		Other:	ILLE WILL LESE L	Jr amle			
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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 July 20 07  DAVE DAVIS (#16)  Eveland Process Serving, LLC.  (541) 665-5162  PO BOX 219  BELL FULF  WA 98009-0219  PO BOX 219  BELL FULF  WA 98009-0219  Date: 07-17-2007 Incorrect Add. \$ CPS File No. 36,89-K  Client No. Amount Paid \$ CIENT NO. AMOUNT PAID	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 Jucy , 20 of County (541) 665-5162  DAVE DAVIS (#16)  Eveland Process Serving, LLC.  (541) 665-5162  PO BOX 219  BELLEU  PO BOX 219  BELLEU  PO BOX 219  BELLEUIF  WA 98009-0219  Date: 07-17-2007 Incorrect Add. \$ CPS File No. 36893-K	d after due ar	ind diligent search an	d inquiry, I have been	unable to locate			****
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 day of Jucy, 20 Process Serving, LLC.  (541) 665-5162  DEVELOR (\$416)  Seveland Process Serving, LLC.  (541) 665-5162  Remit to: CPS, LLC.  PO BOX 219  BELLEVIF  WA 98009-0219  Remit to: CPS, LLC.  PO. Box 5358  Central Point, OR 97502  Rush/Emergency s  Date: 07-17-2007 Incorrect Add. s  CPS File No. 3689-K  Client No. Amount Paid s	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 day of Jucy , 20 of day of Jucy	thin the coun	nty of		Dated this	day of	, 20	
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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 day of Jucy , 20  DAVE DAVIS (#16)  Eveland Process Serving, LLC. (541) 665-5162  DENNIS GATES NOTARY PUBLIC - OREGON COMMISSION NO. 389920 MY COMMISSION EXPIRES AUGUST 12, 2007  Remit to: CPS, LLC. PO BOX 219 EFL LEUE PO BOX 219 EFL LEUE DAVIS (BEAL DENNIS GATES NOTARY PUBLIC - OREGON COMMISSION EXPIRES AUGUST 12, 2007  Remit to: CPS, LLC. PO. Box 5358 Central Point, OR 97502 Rush/Emergency s Date: 07-17-2007 Incorrect Add. s CPS File No. 3689-K CIENT No. Amount Paid s	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 J day of Jucy , 20  DAVE DAVIS (#16)  Eveland Process Serving, LLC.  (541) 665-5162  DENNIS GATES  NOTARY PUBLIC - OREGON  COMMISSION NO. 389920  MY COMMISSION EXPIRES AUGUST 12, 2007  Remit to: CPS, LLC.  PO BOX 219  EFLI LUC  PO BOX 219  EFLI EVIJE  WA 98009-0219  Date: 07-17-2007 Incorrect Add. \$ CPS File No. 3589-K  CIENT No. 425-458-2112		ALL GLANON AND	SERVICE WAS MADE	WITHIN THE COUNTY OF	3 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 -		
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#### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Michael R. Montoya And Delores M. Montoya, Husband And Wife, as grantor(s), to T.D. Service Company, A California Corporation, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 12/13/2006, recorded 12/29/2006, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number 2006-025528, covering the following described real property situated in said county and state, to wit:

LOT 42, BLOCK 1, TRACT NO. 1078, SECOND ADDITION TO KELENE GARDENS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 4912 LORRAYNE PLACE 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 \$1,065.70 beginning 04/01/2007; plus late charges of \$53.29 each month beginning with the 04/01/2007 payment plus prior accrued late charges of \$-53.29; plus advances of \$0.00; 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: \$111,300.00 with interest thereon at the rate of 11.4899997711182 percent per annum beginning 03/01/2007 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 Tuesday, November 13, 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 \(\mu\left\) 29\_\_\_\_\_, 2007\_\_

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 -28646 Doc ID #0001579080052005N

STATE OF VAS								
On								
WITNESS my hand and official seal.								
Notary Public for Texts  My commission expires: 2/20/2011	ANDRE D. JONES SEANOtary Public, State of Texas My Commission Expires February 20, 2011							

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.