

2007-019313

Klamath County, Oregon



00035052200700193130090097

11/13/2007 11:37:16 AM

Fee: \$71.00

**RECORDING COVER SHEET FOR NOTICE
OF SALE PROOF OF COMPLIANCE PER
O.R.S. 205.234**

THIS COVER SHEET HAS BEEN PREPARED BY THE
PERSON PRESENTING THE ATTACHED
INTRUMENT FOR RECORDING, ANY ERRORS IN
THIS COVER SHEET DO NOT AFFECT THE
TRANSACTION(S) CONTAINED IN THE
INSTRUMENT ITSELF.

WHEN RECORDED MAIL TO

REGIONAL TRUSTEE SERVICES CORPORATION, as Trustee
616 1st Avenue, Suite 500
Seattle, WA 98104

Trustee's Sale No: 09-FMG-47158

ATE: 65031



MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original
Grantor on Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit
of Publication Notice of Sale or Proof of Service will be considered a transaction.

☒ **AFFIDAVIT OF MAILING NOTICE OF SALE** (must have trustee's notice of sale attached)

☒ **AFFIDAVIT OF PUBLICATION NOTICE OF SALE**

☒ **PROOF OF SERVICE /AFFIDAVIT OF NON-OCCUPANCY**

Original Grantor on Trust Deed

CHARLES EDWARD WALKER JR, UNMARRIED

Beneficiary

SAXON MORTGAGE, INC. D/B/A SAXON HOME MORTGAGE

\$71-A

OR_AffRecCover

NOTICE TO BORROWER: YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.
Trustee's Sale No. 09-FMG-47158



Reference is made to that certain Deed of Trust made by, CHARLES EDWARD WALKER JR, UNMARRIED, as grantor, to FIRST AMERICAN, as Trustee, in favor of SAXON MORTGAGE, INC. D/B/A SAXON HOME MORTGAGE, as beneficiary, dated 6/7/2006, recorded 6/16/2006, under Instrument No. M06-12381, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by Deutsche Bank Trust Company Americas formerly known as Banker's Trust Company, as Trustee and Custodian. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

LOT 9 IN BLOCK 9 OF FAIRVIEW ADDITION NO.2 TO THE CITY OF KLAMATH FALLS,
ACCORDING TO THE OFFICAL PLAT THEREOF ON FILE IN THE OFFICE OF THE
COUNTY CLERK OF KLAMATH COUNTY, OREGON.

The street address or other common designation, if any, of the real property described above is purported to be:

1519 LOOKOUT AVENUE
KLAMATH FALLS, OR 97601

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 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:

	Amount due as of July 20, 2007

Delinquent Payments from March 01, 2007	
5 payments at \$ 850.27 each	\$ 4,251.35
(03-01-07 through 07-20-07)	
Late Charges:	\$ 339.55
Beneficiary Advances:	\$ 9.50
Suspense Credit:	\$ 0.00
	=====
TOTAL:	\$ 4,600.40

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 trust deed immediately due and payable, said sums being the following:

UNPAID PRINCIPAL BALANCE OF \$108,023.67, PLUS interest thereon at 8.700% per annum from 2/1/2007, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on November 26, 2007, at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the 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.

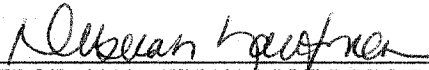
Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion 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 trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

DATED: 7/20/2007

REGIONAL TRUSTEE SERVICES CORPORATION
Trustee

By 
DEBORAH KAUFMAN, VICE PRESIDENT
616 1st Avenue, Suite 500, Seattle, WA 98104
Phone: (206) 340-2550
Sale Information: <http://www.rtrustee.com>

STATE OF WASHINGTON }
 } ss.
COUNTY OF KING }

I certify that I am an authorized representative of trustee, and the foregoing is a complete and exact copy of the original trustee's notice of sale.

Authorized Representative of Trustee

REGIONAL TRUSTEE SERVICES CORPORATION
616 1st Avenue, Suite 500
Seattle, WA 98104
Phone: (206) 340-2550 / Fax:

Trustee Sale No.: 09-FMG-47158



Affidavit of Mailing Trustee's Notice of Sale

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

The undersigned, being first duly sworn, states that I am now, and at all times herein mentioned was a citizen of the United States a resident of the State of Washington, and over the age of eighteen years, and not the beneficiary or his successor in interest named in the attached original Notice of Sale given under the terms of that certain trust deed described in said Notice.

That I gave notice of the 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 addresses, to-wit:

CHARLES EDWARD WALKER JR, 1519 LOOKOUT AVENUE, KLAMATH FALLS, OR, 97601
PARTIES IN POSSESSION, 1519 LOOKOUT AVENUE, KLAMATH FALLS, OR, 97601
SPOUSE OF CHARLES EDWARD WALKER JR, 1519 LOOKOUT AVENUE, KLAMATH FALLS, OR, 97601

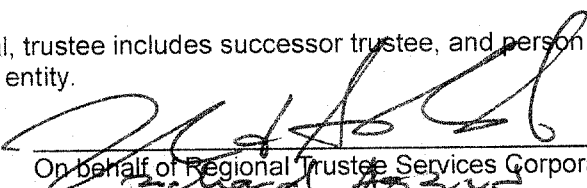
BONNIE LAM, ATTY, 111 NORTH 7TH STREET, KLAMATH FALLS, OR, 97601
CHARLES EDWARD WALKER, 1519 LOOKOUT AVE, KLAMATH FALLS, OR, 97601
KAREN M OAKES, ATTY, 120 SOYUTH 9TH STREET, KLAMATH FALLS, OR, 97601
PENNY MACCLUER(WALKER), 2465 LIKIKOI ROAD, MAUI, HI, 96708
RICHARD L GARBUTT, ATTY, 110 NORTH 7TH, KLAMATH FALLS, OR, 97601

Said persons include (a) the grantor in the trust deed, (b) 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 b ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by an authorized representative of 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 Seattle, WASHINGTON, on 07-25-09. 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.


OR_NOTS Mailing Aff

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

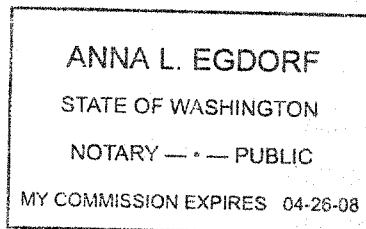

On behalf of Regional Trustee Services Corporation

SUBSCRIBED AND SWORN TO before me on

7/23/07


NOTARY PUBLIC for WASHINGTON

My commission expires: 07-26-08



OR_NOTS Mailing Aff

09-FMG-47158

**PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS**

STATE OF: Oregon
COUNTY OF: Klamath

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: Occupants of **1519 Lookout Ave. Klamath Falls, OR. 97601**

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to **Charles Edward Walker Jr.** at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to _____, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☐ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on _____ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the 26 day of July, 2007 I mailed a copy of the Trustee's Notice of Sale addressed to **Charles Edward Walker Jr.** and all other occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed

Charles Walker

1519 Lookout Ave. Klamath Falls, OR. 97601

ADDRESS OF SERVICE

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

July 25, 2007
DATE OF SERVICE

3:45pm
TIME OF SERVICE

☐ or non occupancy

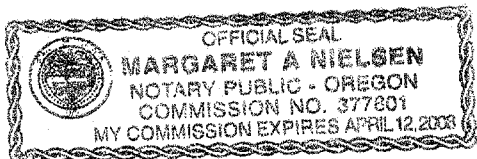
By:

Robert W. Bolenbaugh

ROBERT W. BOLENBAUGH

Subscribed and sworn to before on this 26th day of July, 2007.

Margaret A. Nielsen
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 # 9498

Notice of Sale/Charles Edward Walker, Jr.

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:

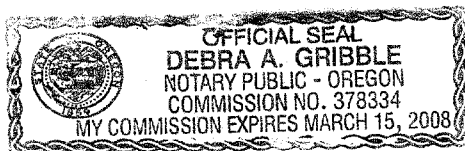
August 7, 14, 21, 28, 2007

Total Cost: \$1,001.69

Subscribed and sworn by Jeanine P Day
before me on: August 28, 2007

Notary Public of Oregon

My commission expires March 15, 2008



**TRUSTEE'S
NOTICE OF SALE**
Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq. Trustee's Sale No.: 09-FMG-47158
Notice to Borrower: You should be aware that the undersigned is attempting to collect a debt and that any information obtained will be used for that purpose.

Reference is made to that certain Trust Deed made by Charles Edward Walker, Jr., unmarried, as Grantor, to First American, as Trustee, in favor of Saxon Mortgage, Inc. D/B/A Saxon Home Mortgage, as beneficiary dated 06/07/2006 and re-recorded 06/16/2006, under Instrument No. M06-12381, Records of Klamath County, Oregon. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by Deutsche Bank Trust Company Americas formerly known as Banker's Trust Company, as Trustee and Custodian. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: Lot 9 in Block 9 of Fairview Addition No. 2 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. The street address or other common designation, if any, of the real property described above is purported to be: 1519 Lookout Avenue, Klamath Falls, Oregon 97601. 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 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: Amount due as of July 20, 2007 Delinquent Payments from March 1, 2007 5 payments at \$850.27 each \$4,251.35 (03-01-07 through 07-20-07) Late Charges: \$339.55 Beneficiary Advances: \$9.50 Suspense Credit: \$0.00 Total: \$4,600.40.

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 Trust Deed immediately due and payable, said sums being the following: Unpaid Principal Balance of \$108,023.67, Plus interest thereon at 8.700 % per annum from 2/01/2007, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee will, on November 26, 2007, at the hour of 10:00 A.M., in accord with the standard of time established by O.R.S. 187.110, at On the front steps of the Circuit Court, 316 Main Street, Klamath Falls, 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 the 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 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 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

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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 trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, 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.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

Dated: 7/19/2007.
Regional Trustee
Services Corporation
Trustee by Deborah Kaufman,
Vice President, 616
1st Avenue, Suite
500, Seattle, WA
98104 Phone (206)
340-2550. Sale Information:
<http://www.rtrustee.com> ASAP#
878280 08/07/2007,
08/14/2007,
08/21/2007,
08/28/2007.
#9498 August 7, 14,
21, 28, 2007.