

2007-019563

Klamath County, Oregon



00035345200700195630090094

11/16/2007 11:30:20 AM

Fee: \$61.00

AFFIDAVIT OF MAILING

By Interface Inc.
5839 Mission Gorge Road, Suite A
San Diego, CA 92120

Reference No: 06-26835-OR
Mailing Number: 0027731-01

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } SS }

I, Rudolph Gonzalez being duly sworn, depose and say:

I am and at all times herein mentioned a citizen of the United States, over the age of eighteen years and a resident of San Diego County, California:

That at the request of Premier Trust Deed Services, Inc. on 8/6/2007, I deposited in the United States mail a copy of the attached document, in separate sealed envelopes, in accordance with the checked mailing classes defined below, postage prepaid, to the address list on exhibit A, attached hereto and made a part hereof.

☒ First Class ☐ Certified
☒ Certified Return ☐ Registered ☐ Registered International

Rudolph Gonzalez
Affiant

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On AUG 07 2007 before me, the undersigned, a Notary Public in and for said State, personally appeared Rudolph Gonzalez personally known to me (or proved to me on the basis of satisfactory evidence) to the person(s) whose names(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 Christopher Padilla



161-A

Exhibit A to Affidavit of Mailing

8/6/2007 4:30:25 PM Sender: Premier Trust Deed Services, Inc.
Null

Postal Class: First Class

Type of Mailing: OR-NOS

Affidavit Attachment: 0027731-01 000 08060917 PTD

Postal Number Sequence Recipient Name

11041994141006463938	1	PHOENIX CREDIT SOLUTIONS	Address Line 1/3	Address Line 2/4
			C/O DAVID H. DEBLASIO, ATTORNEY PORTLAND OR 97212	1737 NE BROADWAY P.O. BOX 12669
11041994141006463945	2	PHOENIX CREDIT SOLUTIONS	C/O DAVID H. DEBLASIO, ATTORNEY PORTLAND OR 97232	1737 NE BROADWAY
11041994141006463969	3	OCCUPANT	805 WOCUS STREET KLAMATH FALLS OR 97601	
11041994141006463976	4	GERALD JOSPEH NELSON	805 WOCUS STREET KLAMATH FALLS OR 97601	

Exhibit A to Affidavit of Mailing

8/6/2007 4:30:26 PM	Sender:	Premier Trust Deed Services, Inc. Null
Postal Class:	Certified - Ret	
Type of Mailing:	OR-NOS	
Affidavit Attachment: 0027731-01 000 08060917 PTD		
Postal Number	Sequence	Recipient Name
71041994141009009609	1	PHOENIX CREDIT SOLUTIONS
71041994141009009616	2	PHOENIX CREDIT SOLUTIONS
71041994141009009623	3	OCCUPANT
71041994141009009630	4	GERALD JOSPEH NELSON

Address Line 1/3	Address Line 2/4
C/O DAVID H. DEBLASIO, ATTORNEY PORTLAND OR 97212	1737 NE BROADWAY P.O. BOX 12669
C/O DAVID H. DEBLASIO, ATTORNEY PORTLAND OR 97232	1737 NE BROADWAY
805 WOCUS STREET KLAMATH FALLS OR 97601	
805 WOCUS STREET KLAMATH FALLS OR 97601	

0626835OR
ASAP #881466

PREMTD

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, together with the Notice Under the Federal Fair Debt Collection Practices Act, upon an **OCCUPANT** at the following address:

805 Wocus Street, Klamath Falls, Oregon 97601, as follows:

Personal service upon Terry Nelson, by delivering said true copy, personally and in person, at the above address on August 2nd, 2007 at 2:00 p.m.

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

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

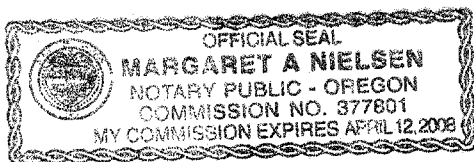
Personal service upon _____, by delivering said true copy, personally and in person, at the above address on _____, 2007 at _____:_____.m.

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

A Thompson

326348

SUBSCRIBED AND SWORN to before me this 3 day of AUGUST, 2007 by A Thompson.



Margaret A. Nielsen
Notary Public for Oregon

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.: 06-26835-OR

Reference is made to that certain Trust Deed made by GERALD JOSEPH NELSON, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY as Grantor, in which MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ACTING SOLEY AS NOMINEE FOR TLP FUNDING is named as Beneficiary and AMERITITLE as Trustee dated 02/02/2006 and recorded 02/10/2006, as Instrument No. M06-02633, of Official Records of Klamath Falls County, Oregon; covering the following described real property situated in said county and state, to-wit:

See Legal Description attached hereto and made a part hereof

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

805 WOCUS STREET, 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:

Total payments from 5/1/2006 through 07/27/2007	\$13,787.70
Total late charges	\$ 0.00
Total advances	\$2,171.41
TOTAL DUE THE BENEFICIARY	<u>\$15,959.11</u>

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:

The unpaid principal balance of **\$84,466.43** together with interest thereon at the current rate of **10.5** per cent per annum from 04/01/2006 until paid, plus all accrued late charges, escrow advances, attorney's fees and costs, and any other sums incurred or advanced by the beneficiary pursuant to the terms and conditions of said deed of trust.

WHEREFORE, notice hereby is given that the undersigned trustee will, on **12/10/2007**, at the hour of **10:00 A.M.** in accord with the standard of time established by O.R.S. 187.110 at the following place:

On the front steps of the Circuit Court, 316 Main St, in the City of Klamath Falls, County of Klamath, OR

County of **Klamath Falls**, 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 Trust Deed, together with any interest which the Grantor 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 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 the obligation or 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.

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 Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

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.

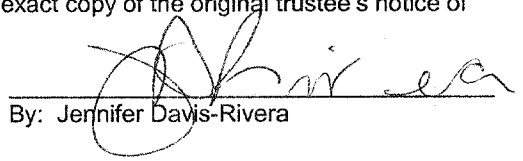
Dated: 7/27/2007

Fidelity National Title Company of Oregon by
Premier Trust Deed Services, Inc., as agent
6501 Irvine Center Drive, Mail Stop DA-AM
Irvine CA 92618
Phone (949) 784-6173

By


Kim Thorne, Assistant Secretary

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


By: Jennifer Davis-Rivera

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

Legal Description

A portion of Lots 10 and 11, Block 5, Buena Vista Addition to the City of Klamath Falls, in the county of Klamath, State of Oregon, described as follows: Beginning at the most Easterly corner of Lot 10 in Block 5 of Buena Vista Addition to the City of Klamath Falls, Oregon, running thence Northwesterly along the Southerly line of Crater Street to the most Northerly corner of Lot 11 of said Block 5; thence Southwesterly along the line between Lots 11 and 12 of said Block 5, a distance of 75 feet; thence Southeasterly parallel to Crater Street, to the Northerly line of Wocus Street, thence Northeasterly along the said line of Wocus Street, 75 feet to the point of beginning.

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 # 9486

Notice of Sale/Gerald Joseph Nelson

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:

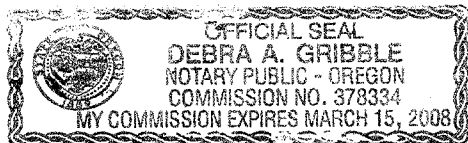
August 2, 9, 16, 23, 2007

Total Cost: \$1,031.09

Subscribed and sworn by Jeanine P Day
before me on: August 23, 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. 06-2633-OR

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
a Notice of Default
has been recorded
pursuant to Oregon
Revised Statutes
86.735 (3); the de-
fault for which the
foreclosure is made
is Grantor's failure
to pay when due, the
following sums: To-
tal payments from
5/1/2006 through
07/27/2007 \$13,787.70
Total late charges \$
0.00 Total advances
\$2,171.41 TOTAL
DUE THE BENEFI-
CIARY \$15,959.11

ALSO, if you have
failed to pay taxes
on the property, pro-
vide insurance on
the property or pay
other senior liens or
encumbrances as re-
quired 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 bene-
ficiary may require
as a condition to re-
instatement that you
provide reliable
written evidence
that you have paid
all senior liens or
encumbrances,
property taxes, and
hazard insurance
premiums. These re-
quirements for rein-
statement should be
confirmed by the un-
signed Trustee.

By reason of said
default, the benefi-
ciary has declared
all sums owing on
the obligation se-
cured by said Trust
Deed immediately
due and payable,
said sums being the
following: The un-
paid principal bal-
ance of \$84,466.43 to-
gether with interest
thereon at the cur-
rent rate of 10.5 per
cent per annum
from 04/01/2006 until
paid, plus all ac-
crued late charges,
escrow advances,
attorney's fees and
costs, and any other
sums incurred or
advanced by the
beneficiary pursuant
to the terms and
conditions of said
deed of trust.

WHEREFORE, no-
tice hereby is given
that the undersigned
trustee will, on
12/10/2007, at the
hour of 10:00 A.M. in
accord with the
standard of time es-
tablished by O.R.S.
187.110 at the follow-
ing place: On the
front steps of the
Circuit Court, 316
Main St, in the City
of Klamath Falls,
County of Klamath,
OR County of Klamath
Falls, 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 execu-
tion by him of the
said Trust Deed, to-
gether with any in-
terest which the
Grantor his succes-
sors in interest ac-
quired after the exe-
cution of said Trust
Deed, to satisfy the
foregoing obliga-
tions thereby se-
cured and the costs
and expenses of
sale, including rea-
sonable 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 foreclo-
sure proceeding dis-
missed and the
Trust Deed reinstat-
ed 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 com-
plained of herein
that is capable of
being cured by ten-
dering the perform-
ance required under
the obligation or to
cure the default, by
paying all costs and
expenses actually
incurred in enforc-
ing the obligation
and Trust Deed, to-
gether with trustee's
and attorney's fees.

Pa

PREMID

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 Trust Deed, and the words "trustee" and "bene-

ficiary" include their respective successors in interest, if any. 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.

Dated: 7/30/2007. Fidelity National Title Company of Oregon by Premier Trust Deed Services, Inc., as agent 6501 Irvine Center Drive, Mail Stop DA-AM Irvine CA 92618 Phone (949) 784-6173 By Kim Thorne, Assistant Secretary THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. ASAP# 881466 08/02/2007, 08/09/2007, 08/16/2007, 08/23/2007. #9486 August 2, 9, 16, 23, 2007.