

2008-004869

Klamath County, Oregon



00043563200800048690090090

04/02/2008 03:05:43 PM

Fee: \$76.00

ATZ: 65373

FIDELITY NATIONAL DEFAULT SOLUTION
15661 REDHILL AVE, STE. 201
TUSTIN, CA 92780

RECORDING COVER SHEET FOR
NOTICE OF SALE PROOF OF COMPLIANCE
Per ORS 205.234

AFTER RECORDING RETURN TO:
JASON ANDERSON 2238
RECONTRUST COMPANY
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065

TS No.: 07 -53505

W770646

1. AFFIDAVIT OF MAILING NOTICE OF SALE
2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
3. AFFIDAVIT OF SERVICE
4. COPY OF NOTICE OF SALE

Original Grantor on Trust Deed: WESLEY KILGORE and LINDA KILGORE

Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,
INC.

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

#61-A

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, 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 11/16/07. 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
County of VENTURA

Subscribed and sworn to (or affirmed) before me on this 27 day of March, 20 08, by Daniel B. Rodriguez, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
(seal)

Signature Daniel B. Rodriguez
Daniel B. Rodriguez

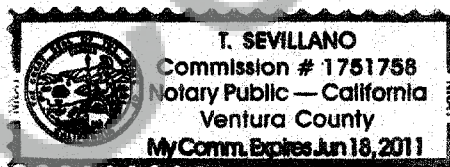
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

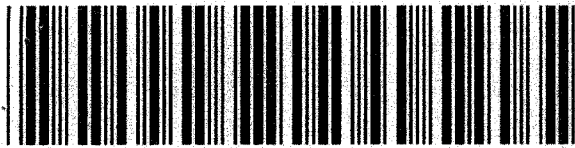
RE: Trust Deed from
Grantor
WESLEY KILGORE and LINDA KILGORE

T. Sevillano
Notary Public for California
Residing at VENTURA
My commission expires: 10-18-2011

RECONTRUST COMPANY
Trustee TS No. 07-53505

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





02 0753505

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

TS No. 07-53505

WESLEY KILGORE
1751 Etna St
Klamath Falls, OR 97603
7187 7930 3131 1573 0167

LINDA KILGORE
1751 Etna St
Klamath Falls, OR 97603
7187 7930 3131 1573 0198

Residents/Occupants
1751 Etna St
Klamath Falls, OR 97603
7187 7930 3131 1573 0235

Residents/Occupants
1751 Etna St
Klamath Falls, OR 97603
7187 7930 3131 1573 0242

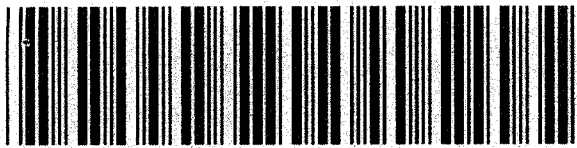
WESLEY KILGORE
1751 ETNA STREET
KLAMATH FALLS, OR 97603
7187 7930 3131 1573 0174

LINDA KILGORE
1751 ETNA STREET
KLAMATH FALLS, OR 97603
7187 7930 3131 1573 0204

Residents/Occupants
1751 ETNA STREET
KLAMATH FALLS, OR 97603
7187 7930 3131 1573 0259

WESLEY KILGORE
PO BOX 5145
KLAMATH FALLS, OR 97601
7187 7930 3131 1573 0181

LINDA KILGORE
PO BOX 5145
KLAMATH FALLS, OR 97601
7187 7930 3131 1573 0228



02 0753505

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

TS No. 07-53505

Residents/Occupants
PO BOX 5145
KLAMATH FALLS, OR 97601
7187 7930 3131 1573 0266

CACH, LLC
P.O. BOX 22338
C/O DANIEL N. GORDON, P.C.
EUGENE, OR 97402
7187 7930 3131 1573 0273

CACH, LLC
3390 WEST 11TH AVENUE, SUITE D
C/O DANIEL N. GORDON, P.C.
EUGENE, OR 97402
7187 7930 3131 1573 0280

Unofficial
Copy

IN THE _____ COURT OF THE STATE OF OREGON
COUNTY OF KLAMATH : COURT CASE NO. _____

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS INC)
vs
LINDA KILGORE AND WESLEY
KILGORE)

PROOF OF SERVICE

STATE OF OREGON)
County of KLAMATH) SS.

1006.11675

I hereby certify that on the 9 day of November, 2007, at the hour of 1649
I served OCCUPANTS (WESLEY KILGORE, LINDA KILGORE) by

- WES
LINDA
- ☒ 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:
- | | | |
|--|--|---------------------------------------|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Order | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Citation | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Notice | <input type="checkbox"/> Decree |
| <input checked="" type="checkbox"/> Other: TRUSTEES NOTICE OF SALE | | |

Together with a copy of _____

To WESLEY KILGORE At 1751 ETNA ST
KLAMATH FALLS, OR. 97603

NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 20____
and after due and diligent search and inquiry, I have been unable to locate
within the county of _____ 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.

Dave Davis
DAVE DAVIS (#16)
Cleveland Process Serving, LLC.
(541) 665-5162

Subscribed to and sworn to before me this
13 day of NOV 20 07
Dennis Gates
OFFICIAL SEAL
DENNIS GATES
NOTARY PUBLIC - OREGON
COMMISSION NO. 419041
MY COMMISSION EXPIRES AUGUST 12, 2011

Papers Received From FEI LLC
PO BOX 219
BELLEVUE
WA 98009-0219
425-458-2112
ATTN:

Remit to: CPS, LLC.	Service Fee	\$ 45.00
P.O. Box 5358	Mileage	\$
Central Point, OR 97502	Rush/Emergency	\$
Date: 11-12-2007	Incorrect Add.	\$
CPS File No. 6496-K		\$
Client No. 0753505	Amount Paid	\$ 0.00
	TOTAL DUE	\$ \$45.00

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Linda Kilgore And Wesley Kilgore An Estate In Fee Simple As Tenants In Common, as grantor(s), to First American Title Insurance Company Of Ore, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 08/22/2002, recorded 08/27/2002, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M02 at Page No. 48584 as Recorder's fee/file/instrument/microfilm/reception Number -, covering the following described real property situated in said county and state, to wit:

LOT 12 BLOCK 8 PLEASANT VIEW TRACTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 1751 ETNA STREET
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 \$492.24 beginning 08/01/2007; plus late charges of \$24.61 each month beginning with the 08/01/2007 payment plus prior accrued late charges of \$49.22; plus advances of \$.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: \$73,667.38 with interest thereon at the rate of 6.375 percent per annum beginning 07/01/2007 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, the undersigned Trustee will on Friday, March 21, 2008 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

Dated NOVEMBER 7, 2007



Page 1 of 2

ORNOS (07/07)

Stephanie Reyna, Assistant Secretary

For further information, please contact:

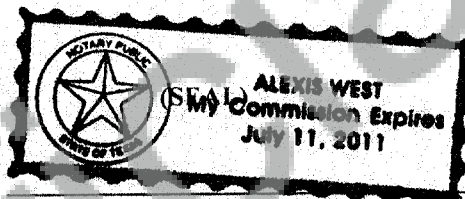
RECONTRUST COMPANY
RECONTRUST COMPANY
1757 TAPO CANYON ROAD, SVW-88
SIMI VALLEY, CA 93063
(800)-281-8219
TS No. 07 -53505

STATE OF TEXAS)
COUNTY OF DALLAS) ss.

On NOVEMBER 7, 2007, before me, ALEXIS WEST, notary public, personally appeared STEPHANIE REYNA, 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.

Alexis West
Notary Public for _____
My commission expires: _____



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.

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 # 9762

Notice of Sale/Linda & Wesley Kilgore

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:

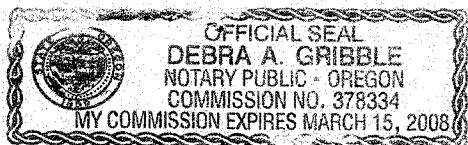
January 3, 10, 17, 24, 2008

Total Cost: \$810.59

Subscribed and sworn by Jeanine P Day
before me on: January 24, 2008

Debra A Gribble
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 Linda Kilgore And Wesley Kilgore, An Estate In Fee Simple As Tenants In Common, as grantor(s), to First American Title Insurance of Ore, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 08/22/2002, recorded 08/27/2002, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M02 at Page No. 48584 as Recorder's fee/file/instrument/microfilm/reception Number , covering the following described real property situated in said county and state, to wit:

Lot 12 Block 8 Pleasant View Tracts according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 1751 Eina Street, 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 \$492.24 beginning

08/01/2007; plus late charges of \$24.61 each month beginning 08/01/2007 payment plus prior accrued late charges of \$49.22; plus advances of \$0.00; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; 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: \$73,667.38 with interest thereon at the

rate of 6.375 percent per annum beginning 07/01/2007 until paid, plus all accrued late charges thereon, together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; 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, RECONTRUST COMPANY, the undersigned Trustee will on Friday, March 21, 2008 at the hour of 10:00 o'clock, A.M. in accordance with the standard of time established by ORS 167.110, 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 "Ben-
eficiary" include
their respective suc-
cessors in interest,
if any.

Dated: November 7,
2007. Recontrust
Company, Stephanie
Reyna, Assistant
Secretary. For fur-
ther information,
please contact: Re-
contrust Company,
1757 Tapo Canyon
Road, SVW-88, Simi
Valley, CA 93063.
(800) 281-8219. TS
No. 07-53505.
#9762 January 3, 10,
17, 24, 2008.

Unofficial
Copy