

2008-004928

Klamath County, Oregon



00043640200800049280100106

04/03/2008 02:42:59 PM

Fee: \$76.00

ATE = 65350

**RECORDING COVER SHEET  
FOR NOTICE OF SALE PROOF  
OF COMPLIANCE, PER ORS 205.234**

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

**AFTER RECORDING RETURN TO:**

Quality Loan Service Corp.  
2141 5th Avenue  
San Diego, CA 92101

**AFFIDAVIT OF MAILING NOTICE OF SALE**

**AFFIDAVIT OF PUBLICATION**

**PROOF OF SERVICE**

**ORIGINAL GRANTOR: JOHNNY M OYSTER, BELINDA L OYSTER**

**BENEFICIARY: HSBC Bank USA, National Association, as Indenture Trustee of the  
Fieldstone Mortgage Investment Trust, Series 2005-3**

**T.S. #: OR-07-107750-CM**

**Loan #: 91259697**

7/6/08  
#1017

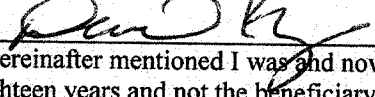
WHEN RECORDED MAIL TO:  
Quality Loan Service Corp.  
2141 5th Avenue  
San Diego, CA 92101

T.S. NO.: OR-07-107750-CM  
LOAN NO.: 91259697

(Above Space is for Recorder's Use)

**AFFIDAVIT OF MAILING NOTICE OF SALE**

STATE OF California } SS  
COUNTY OF San Diego }

I, David Fry , being first duly sworn, depose, 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 his successor in interest named in the attached original or copy of 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 registered or certified mail and regular mail to each of the following named person's at their last known address, to-wit:

**NAME & ADDRESS**

**SEE ATTACHED**

**CERTIFIED NO.**

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Nina Hernandez, for LSI TITLE COMPANY OF OREGON, LLC, 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 mail, San Diego, California, on 11/30/07. 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 } SS  
COUNTY OF San Diego }

On 3/19/2008 before me MC Aquiningoc A Notary Public in and for said State, personally appeared David Fry (notary seal) 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

Signature

  
MC Aquiningoc



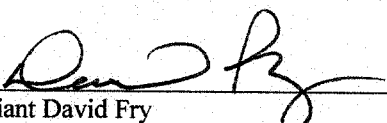
# AFFIDAVIT OF MAILING

Date: 11/30/2007  
T.S. No.: OR-07-107750-CM  
Loan No.: 91259697  
Mailing: Notice of Sale

STATE OF California }  
COUNTY OF San Diego }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in San Diego County by **LSI TITLE COMPANY OF OREGON, LLC**, located at **2141 5th Avenue, San Diego, CA 92101** and that on **11/30/2007**, (s)he personally served the Notice of Sale, of which the annexed is a true copy, by causing to be deposited in the United States Mail a copy of such Notice of Sale in a sealed envelope, certified or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

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

X   
Affiant David Fry

TO THE OCCUPANT  
2546 PATKIN CIRCLE  
LA PINE, OR 97739  
First Class and Cert. No. 71034266499002726273

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
P.O. BOX 2026  
FLINT, MI 48501-2026  
First Class and Cert. No. 71034266499002726280

BELINDA L. OYSTER  
2546 PAKTIN CIRCLE  
LA PINE, OR 97739  
First Class and Cert. No. 71034266499002726297

BELINDA L. OYSTER  
19640 RIVERWOODS CIRCLE  
BEND, OR 97702  
First Class and Cert. No. 71034266499002726303

JOHNNY M. OYSTER  
19640 RIVERWOODS CIRCLE  
BEND, OR 97702  
First Class and Cert. No. 71034266499002726310

JOHNNY M. OYSTER  
2546 PATKIN CIRCLE  
LA PINE, OR 97739

First Class and Cert. No. 71034266499002726327

FIELDSTONE MORTGAGE COMPANY  
11000 BROKEN LAND PKWY, #600  
COLUMBIA, MD 21044  
First Class and Cert. No. 71034266499002726334

C/O MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
FIELDSTONE MORTGAGE COMPANY  
P.O. BOX 2026  
FLINT, MI 48501-2026  
First Class and Cert. No. 71034266499002726341

JOHNNY M. OYSTER  
2546 Patkin Circle  
La Pine, OR 97739  
First Class and Cert. No. 71034266499002726358

JOHNNY M. OYSTER  
Q546 PATKIN CIR  
LA PINE, OR 97739  
First Class and Cert. No. 71034266499002726365

JOHNNY M OYSTER  
Q546 Patkin Cir  
La Pine, OR 97739  
First Class and Cert. No. 71034266499002726372

JOHNNY M OYSTER  
2546 Patkin Circle  
La Pine, OR 97739  
First Class and Cert. No. 71034266499002726389

JOHNNY OYSTER  
Q546 Patkin Cir  
La Pine, OR 97739  
First Class and Cert. No. 71034266499002726396

BELINDA L OYSTER  
Q546 Patkin Cir  
La Pine, OR 97739  
First Class and Cert. No. 71034266499002726402

BELINDA L OYSTER  
2546 Patkin Circle  
La Pine, OR 97739  
First Class and Cert. No. 71034266499002726419

BELINDA L. OYSTER  
2546 Patkin Circle  
La Pine, OR 97739  
First Class and Cert. No. 71034266499002726426

BELINDA L. OYSTER  
Q546 PATKIN CIR  
LA PINE, OR 97739  
First Class and Cert. No. 71034266499002726433

# Affidavit of Publication

OR-07-167750-CM

## 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 # 9713

Notice of Sale/Johnny M & Belinda L Oyster

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )  
Four

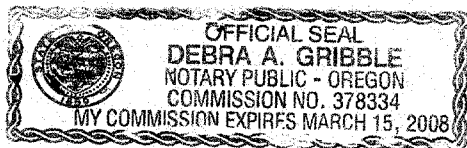
Insertion(s) in the following issues:

December 7, 14, 21, 28, 2007

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

*Debra A Gribble*  
Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE Loan No.: 91259697 T.S. No.: OR-07- 107750-CM

Reference is made to that certain deed made by Johnny M. Oyster and Belinda L. Oyster, husband and wife as Grantor to Stewart Title of Oregon C/O David Fauth, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc as nominee for Fieldstone Mortgage Company, as Beneficiary, dated 10/26/2005, recorded 10/31/2005, in official records of Klamath County, Oregon, in book/reel/volume No. \*\*\* at page No. \*\*\* fee/file/instrument/microfile/reception No. M05-67853 covering the following described real property situated in said County and State, to wit: APN: R-2309-002A0-00700-000 Lot 6 Block 1 Plat No. 1204, Little River Ranch, according to the official plat thereof on file in the office of the County Clerk of Klamath County Oregon. Commonly known as: 2546 Parkin Circle, La Pine, OR 97739.

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 has been recorded pursuant to Section 86.735 (3) of Oregon Revised Statutes; the default for which the foreclosure is made is the grantor's: installment of principal and interest plus

impounds and/or advances which became due on 7/1/2007 plus amounts that are due or may become due for the following: late charges, delinquent property taxes, insurance premiums, advances made on senior liens, taxes and/or insurance, trustee's fees, and any attorney fees and court costs arising from or associated with beneficiaries effort to protect and preserve its security must be cured as a condition of reinstatement. Monthly Payment \$1,997.96 Monthly Late Charge \$99.90.

By this reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to wit: The sum of \$260,417.38 together with interest thereon at the rate of 7.00000 per annum from 6/1/2007 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that, LSI Title Company of Oregon, LLC, the undersigned trustee will, on 4/4/2008, at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR

County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of 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 section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding, dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale. For Sale Information Call: 714-573-1965 or Login to: www.priorityposting.com.

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

339832  
4/4/08

includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, 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.

that a negative credit report reflecting on your credit record may be submitted to a credit report agency if you fail to fulfill the terms of your credit obligations. P339832 12/7, 12/14, 12/21, 12/28/2007. #9713 December 7, 14, 21, 28, 2007.

Dated: 11/27/2007.  
LSI Title Company of Oregon, LLC, as Trustee, By: Quality Loan Service Corp. of Washington, as agent, Quality Loan Service Corp. of Washington, 2141 5th Avenue, San Diego, CA 92101. 619-645-7711. Signature By: Nina Hernandez, Asst. Trustee Sale Officer. For Non-Sale Information: Quality Loan Service Corp. of Washington, 2141 5th Avenue, San Diego, CA 92101. 619-645-7711. Fax: 619-645-7716. If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holder's rights against the real property only. This Office is attempting to collect a debt and any information obtained will be used for that purpose. As required by law, you are hereby notified

**AFFIDAVIT OF SERVICE**

OR 07-107750UM

No Venue

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS PLAINTIFF:  
INC AS NOMINEE FOR  
FEILDSTONE MORTGAGE COMPANY

vs.

JOHNNY M AND BELINDA L  
OYSTER  
DEFENDANT:

I hereby certify that on **TUESDAY, DECEMBER 4, 2007** at **8:55 AM**, I served **JOHNNY M AND BELINDA L OYSTER AND ALL OTHER OCCUPANTS** with the document(s): **TRUSTEE'S NOTICE OF SALE**.

These documents have been served by posting on the main entrance door of the vacant house, at the address of: **2546 PATKIN CIRCLE, LAPINE, OR 97739**.

I, R. E. SPENCER, am a competent person over the age of eighteen, a resident of the State of Oregon, not a party to nor an officer, director or employee of, nor an attorney for any party, corporate or otherwise, and knew that **JOHNNY M AND BELINDA L OYSTER AND ALL OTHER OCCUPANTS** is the identical **JOHNNY M AND BELINDA L OYSTER AND ALL OTHER OCCUPANTS** named in the aforementioned action.

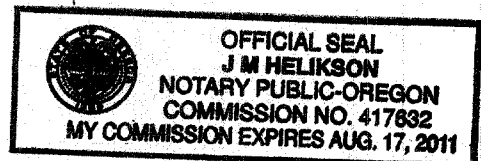
STATE OF OREGON  
COUNTY OF DESCHUTES

Subscribed and sworn to before me, on **DECEMBER 11, 2007**

  
R. E. SPENCER, PROCESS SERVER

**TRI-COUNTY LEGAL PROCESS SERVICE**  
P.O. BOX 309  
BEND, OR, 97709-0309  
(541) 317-5680 , (541) 317-0143

  
NOTARY PUBLIC OF OREGON



Capitol Investigation Company Ltd.  
TCL Job Number: 53285

229822 4/4/08



## TRUSTEE'S NOTICE OF SALE

Loan No: 91259697

T.S. No.: OR-07-107750-CM

Reference is made to that certain deed made by, **JOHNNY M. OYSTER AND BELINDA L. OYSTER, HUSBAND AND WIFE** as Grantor to **STEWART TITLE OF OREGON C/O DAVID FAUTH**, as trustee, in favor of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC AS NOMINEE FOR FIELDSTONE MORTGAGE COMPANY**, as Beneficiary, dated 10/26/2005, recorded 10/31/2005, in official records of **KLAMATH** County, Oregon in book/reel/volume No. \*\*\* at page No. \*\*\* fee/file/instrument/microfile/reception No **M05-67853**, covering the following described real property situated in said County and State, to-wit:

**APN: R-2309-002A0-00700-000**

**LOT 6 BLOCK 1 PLAT NO. 1204, LITTLE RIVER RANCH, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNT OREGON.**

Commonly known as:

**2546 Patkin Circle**

**La Pine, OR 97739**

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's:

**Installment of principal and interest plus impounds and / or advances which became due on 7/1/2007 plus amounts that are due or may become due for the following: late charges, delinquent property taxes, insurance premiums, advances made on senior liens, taxes and/or insurance, trustees fees, and any attorney fees and court costs arising from or associated with beneficiaries effort to protect and preserve its security must be cured as a condition of reinstatement.**

Monthly Payment **\$1,997.96**

Monthly Late Charge **\$99.90**

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust immediately due and payable, said sums being the following, to-wit: The sum of **\$260,417.38** together with interest thereon at the rate of **7.00000** per annum from **6/1/2007** until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that **LSI TITLE COMPANY OF OREGON, LLC**, the undersigned trustee will on **4/4/2008** at the hour of **1:00 pm**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR** County of **KLAMATH**, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had 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 Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

**For Sale Information Call: 714-573-1965 or Login to: [www.priorityposting.com](http://www.priorityposting.com)**

Loan No: 91259697  
T.S. No.: OR-07-107750-CM

## TRUSTEE'S NOTICE OF SALE

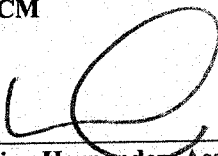
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "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: 11/27/2007

LSI TITLE COMPANY OF OREGON, LLC, as trustee  
By: Quality Loan Service Corp. of Washington, as agent  
**Quality Loan Service Corp. of Washington**  
2141 5th Avenue  
San Diego, CA 92101 619-645-7711  
OR-07-107750-CM

Signature By



Nina Hernandez, Asst Trustee Sale Officer

For Non-Sale Information:

**Quality Loan Service Corp. of Washington**  
2141 5th Avenue  
San Diego, CA 92101  
619-645-7711  
Fax: 619-645-7716

If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holder's rights against the real property only.

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

As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit report agency if you fail to fulfill the terms of your credit obligations.