

2008-005861

Klamath County, Oregon



00044706200800058610080085

04/22/2008 12:03:21 PM

Fee: \$66.00

15+ 1090136

**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: GORDON E PITTS, RENE D PITTS**

**BENEFICIARY: Deutsche Bank National Trust Company as Indenture Trustee for New  
Century Home Equity Loan Trust Series 2006-2**

**T.S. #: OR-07-93169-CM**

**Loan #: 1007676348**

Flb-

WHEN RECORDED MAIL TO:

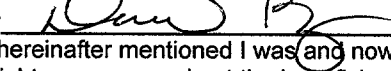
Quality Loan Service Corp.  
2141 5th Avenue  
San Diego, CA 92101

T.S. NO.: OR-07-93169-CM  
LOAN NO.: 1007676348

(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 Hazel Garcia, for **FIRST AMERICAN TITLE INSURANCE COMPANY**, 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 **1/9/2008**. 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}

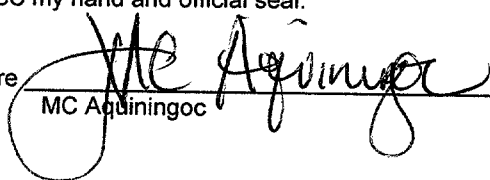
State of California)  
County of San Diego)

On 4/18/08 before me, **MC Aquiningoc**, personally appeared **David Fry**, who 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.

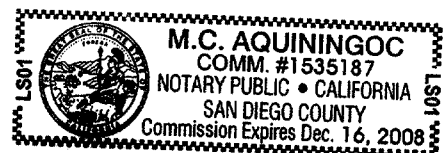
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

  
MC Aquiningoc

(Seal)



## AFFIDAVIT OF MAILING

Date: 1/9/2008  
T.S. No.: OR-07-93169-CM  
Loan No.: 1007676348  
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 **FIRST AMERICAN TITLE INSURANCE COMPANY**, located at **2141 5th Avenue, San Diego, CA 92101** and that on **1/9/2008**, (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

RENE D. PITTS  
5600 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603  
First Class and Cert. No. 71006309264081635317

GORDON E. PITTS  
5600 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603  
First Class and Cert. No. 71006309264081635324

OCCUPANT(S)  
5600 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603-000  
First Class and Cert. No. 71006309264081635331

GORDON E PITTS  
5600 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603-000  
First Class and Cert. No. 71006309264081635348

RENE D PITTS  
5600 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603-000  
First Class and Cert. No. 71006309264081635355

## TRUSTEE'S NOTICE OF SALE

Loan No: **1007676348**

T.S. No.: **OR-07-93169-CM**

Reference is made to that certain deed made by, **GORDON E. PITTS AND RENE D. PITTS, AS TENANTS BY THE ENTIRETY** as Grantor to **AMERITITLE**, as trustee, in favor of **GATEWAY BUSINESS BANK DBA MISSION HILLS MORTGAGE BANKERS**, as Beneficiary, dated **5/8/2006**, recorded **5/15/2006**, in official records of **KLAMATH** County, Oregon in book/reel/volume No. xxx at page No. xxx fee/file/instrument/microfile/reception No **M06-09747**, covering the following described real property situated in said County and State, to-wit:

**APN: R569398**

**LOT 10 IN BLOCK 2 OF TRACT NO. 1088, FERNDAL, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON**

Commonly known as:

**5600 BARTLETT AVENUE**

**KLAMATH FALLS, OR 97603-000**

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 5/1/2007 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 **\$1,395.17**

Monthly Late Charge **\$69.76**

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 **\$150,167.45** together with interest thereon at the rate of **9.55000** per annum from **4/1/2007** 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 **FIRST AMERICAN TITLE INSURANCE COMPANY**, the undersigned trustee will on **5/2/2008** at the hour of **10:00 am**, 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: 1007676348  
T.S. No.: OR-07-93169-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: 1/8/2008

FIRST AMERICAN TITLE INSURANCE COMPANY, 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-07-93169-CM

Signature By

  
Hazel Garcia, 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.

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 **5600 Bartlett Ave. Klamath Falls, Oregon 97603**

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to **Gordon Pitts** 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.

1 <sup>st</sup> Attempt:	January 11, 2008	12:35PM	Posted
2 <sup>nd</sup> Attempt:	January 14, 2008	1:04 PM	Posted
3 <sup>rd</sup> Attempt:	January 16, 2008	4:40 PM	Served

☐ **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 17<sup>th</sup> day of January, 2008 I mailed a copy of the Trustee's Notice of Sale addressed to **Gordon Pitts 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 Chelsea Meek

5600 Bartlett Ave. Klamath Falls, Oregon 97603

**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.

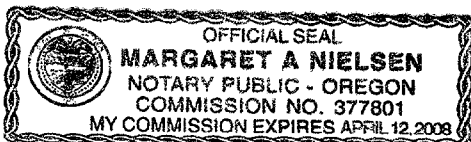
January 16, 2008                      4:40 PM  
**DATE OF SERVICE                      TIME OF SERVICE**

☐ or non occupancy

By: 

ROBERT W. BOLENBAULL

Subscribed and sworn to before on this 17<sup>th</sup> day of January, 2008.



Margaret A. Nielsen  
Notary Public for Oregon

355 886 5/2

# 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 # 9792

Notice of Sale/Gordon E. & Rene D. Pitts

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

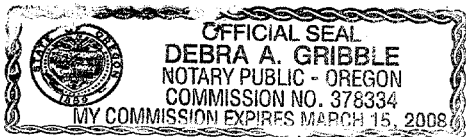
Insertion(s) in the following issues:

January 18, 25, February 1, 8, 2008

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day  
before me on: February 8, 2008

*Debra A Gribble*  
Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE Loan No.: 1007676348 T.S. No.: OR-07- 93169-CM

Reference is made to that certain deed made by GORDON E. PITTS AND RENE D. PITTS AS TENANTS BY THE ENTIRETY as Grantor to AMERITITLE, as Trustee, in favor of GATEWAY BUSINESS BANK DBA MISION HILLS MORTGAGE BANKERS, as Beneficiary, dated 5/8/2006, recorded 05/15/2006, in official records of Klamath County, Oregon, in book/reel/volume No. XXX, at page No. XXX fee/file/instrument/microfile/reception No. M06-09747 covering the following described real property situated in said County and State, to wit: APN: R569398 LOT 10 IN BLOCK 2 OF TRACT NO. 1088, FERNDAL, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. Commonly known as: 5600 BARTLETT AVENUE, KLAMATH FALLS, OR 97603.

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: In-

stallment of principal and interest plus impounds and/or advances which became due on 5/1/2007 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 \$1,395.17 Monthly Late Charge \$69.76.

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 \$150,167.45 together with interest thereon at the rate of 9.55000 per annum from 4/1/2007 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, FIRST AMERICAN TITLE INSURANCE COMPANY,

the undersigned trustee will, on 5/2/2008, at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at the main entrance to the County Court house, 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 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: 1/8/2008.  
FIRST AMERICAN  
TITLE INSURANCE COMPANY,  
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-07-93169-CM Signature By: Hazel Garcia, Asst. Trustee Sale Officer. For Non-Safe 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. P355886  
1/18, 1/25, 2/1, 02/08/2008.  
#9792 January 18, 25, February 1, 8, 2008.