

2008-007895

Klamath County, Oregon



00047097200800078950110110

05/30/2008 11:19:07 AM

Fee: \$81.00

**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

**ASSET FORECLOSURE SERVICES, INC.**, as Trustee  
22837 Ventura Blvd., Suite 350  
Woodland Hills, CA 91364

Trustee's Sale No: OR-MOR-082182

ATE = 65576

**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**

**JOHN E. HARMON JR AND ELLEN J. HARMON, AS TENANTS BY THE ENTIRETY**

**Beneficiary**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**

ASSET FORECLOSURE SERVICES, INC.  
22837 Ventura Blvd., Suite 350  
Woodland Hills, CA 91364  
Phone: (877)237-7878 / Fax:

Trustee Sale No.: OR-MOR-082182

Affidavit of Mailing Trustee's Notice of Sale

STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF LOS ANGELES            )

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 California, 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:

ELLEN J. HARMON, 920 APPLEWOOD ST, KLAMATH FALLS, OR, 97603  
ELLEN J. HARMON, PO BOX 7866, KLAMATH FALLS, OR, 97602  
JOHN E. HARMON, 920 APPLEWOOD ST, KLAMATH FALLS, OR, 97603  
JOHN E. HARMON, PO BOX 7866, KLAMATH FALLS, OR, 97602  
JOHN E. HARMON JR, 920 APPLEWOOD ST, KLAMATH FALLS, OR, 97603  
JOHN E. HARMON JR., PO BOX 7866, KLAMATH FALLS, OR, 97602  
OCCUPANT, 920 APPLEWOOD ST, KLAMATH FALLS, OR, 97603

NONE, , , ,

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 Woodland Hills, CALIFORNIA, on 2-20-08. 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.

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

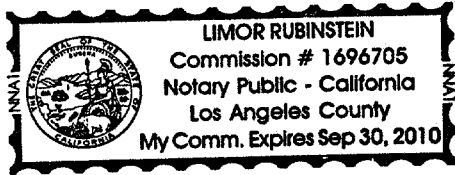
  
On behalf of ASSET FORECLOSURE SERVICES, INC.

SUBSCRIBED AND SWORN TO before me on Feb 20, 2008

Los Angeles, California

NOTARY PUBLIC for CALIFORNIA

My commission expires: Sep 30, 2010



**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. OR-MOR-082182

Reference is made to that certain Deed of Trust made by, JOHN E. HARMON JR AND ELLEN J. HARMON, AS TENANTS BY THE ENTIRETY, as grantor, to FIRST AMERICAN TITLE COMPANY, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as beneficiary, dated 10/25/2005, recorded 10/31/2005, under Instrument No. M05-67852, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by MOREQUITY, INC.. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

ATTACHED HERETO AS EXHIBIT 'A' AND INCORPORATED HEREIN AS THOUGH FULLY SET FORTH.

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

920 APPLEWOOD ST  
KLAMATH FALLS, OR 97603

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 February 19, 2008
	-----
Delinquent Payments from October 01, 2007	
5 payments at \$ 1,522.08 each	\$ 7,610.40
(10-01-07 through 02-19-08)	
Late Charges:	\$ 198.81
	=====
TOTAL:	\$ 7,809.21

FAILURE TO PAY INSTALLMENTS OF PRINCIPAL, INTEREST, IMPOUNDS AND LATE CHARGES WHICH BECAME DUE 10/1/2007 TOGETHER WITH ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, IMPOUNDS, LATE CHARGES, FORECLOSURE FEES AND EXPENSES; ANY ADVANCES WHICH MAY HEREAFTER BE MADE; ALL OBLIGATIONS AND INDEBTEDNESSES AS THEY BECOME DUE AND CHARGES PURSUANT TO SAID NOTE AND DEED OF TRUST.

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 \$161,307.29, PLUS interest thereon at 8.980% per annum from 9/1/2007, 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 June 24, 2008, 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.

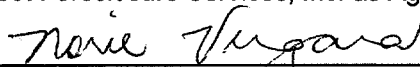
Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

DATED: 2/19/2008

LSI TITLE OF OREGON, LLC AS TRUSTEE

By: Asset Foreclosure Services, Inc. as Agent for the Trustee

By



Norie Vergara, Sr. Trustee Sale Officer

22837 Ventura Blvd., Suite 350, Woodland Hills, CA 91364

Phone: (877)237-7878 Sale Information Line (714)258-7850

STATE OF CALIFORNIA

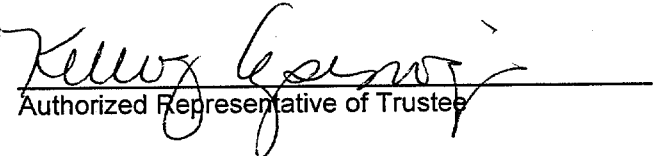
)

) ss.

COUNTY OF LOS ANGELES

)

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

TS # OR-MOR 082182

**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

That portion of Lots 47 and 48 of Old Orchard Manor in the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, described as follows:

Beginning at the Northeast corner of said Lot 48; thence South along the East line of said Lot, 34.3 feet to a point; thence West parallel to the South line of said Lot to a point which is 34.3 feet South of the Northwest corner of said Lot; thence North along the West line of said Lot 48 and Lot 47 to a point which is 42.7 feet North of the Southwest corner of said Lot 47; thence East parallel to the South line of said Lot 47 to a point on the East line of said Lot 47 which is 42.7 feet North of the Southeast corner of said Lot 47; thence South along the East line of said Lots to the point of beginning.

Tax Parcel Number: 443915

# 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 # 9925

Notice of Sale/John E. Harmon, Jr., &  
Ellen J. Harmon

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:

March 5, 12, 19, 26, 2008

Total Cost: \$1,178.09

Subscribed and sworn by Jeanine P Day  
before me on: March 26, 2008

Notary Public of Oregon

My commission expires Nov 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. OR-MOR-082182 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 Deed of Trust made by, John E. Harmon Jr and Ellen J. Harmon, as tenants by the entirety, as grantor, to First American Title Company, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, dated 10/25/2005, recorded 10/31/2005, under Instrument No. M05-67852, records of Klamath County, Oregon. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by Morequity, Inc. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: Real property in the County of Klamath, State of Oregon, described as follows: That portion of Lots 47 and 48 of Old Orchard Manor in the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, described as follows: Beginning at the Northeast corner of said Lot 48; thence South along the East line of said Lot, 34.3 feet to a point; thence West parallel to the South line of said Lot to a point which is 34.3 feet South of the Northwest corner of said Lot; thence North along the West line of said Lot 48 and Lot 47 to a point which is 42.7 feet North of the Southwest corner of said Lot 47; thence East parallel to the South line of said Lot 47 to a point on the East line of said Lot 47 which is 42.7 feet North of the Southeast corner of said Lot 47; thence South along the East line of said Lots to the point of beginning. Tax Parcel Number: 443915 The street address or other common designation, if any, of the real property described above is purported to be: 920 Applewood St., Klamath Falls, OR 97603. 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 February 19, 2008 Delinquent Payments from October 01, 2007 5 payments at \$1,522.08 each \$7,610.40 (10-01-07 through 02-19-08) Late Charges: \$198.81 Total: \$7,809.21 Failure to pay installments of principal, interest, impound and late charges which became due 10/1/2007 together with all subsequent installments of principal, interest, impounds, late charges, foreclosure fees and expenses; any advances which may hereafter be made; all obligations and indebtednesses as they become due and charges pursuant to said note and Deed of Trust.

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 reinstate, 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 \$161,307.29, Plus interest thereon at 8.980% per annum from 9/1/2007, 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 June 24, 2008, at the hour of 10:00 AM, in accordance 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. Any one 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: 2/19/2008. LSI TITLE OF OREGON, LLC as Trustee By Asset Foreclosure Services, Inc. as Agent for the Trustee By Norie Vergara, Sr. Trustee Officer 22837 Ventura Blvd, Suite 350, Woodland Hills, CA 91364 Phone: (877) 237-7878 Sale Information: (714) 289-8500 FAX: (714) 289-8500 03/12/2008 03/19/2008 03/26/2008 03/12/2008 03/19/2008 03/26/2008

082182

ORMOR082182/HARMON  
ASAP# 995784

**AFSINC****AFFIDAVIT OF SERVICE**

STATE OF OREGON     )  
                                      ) ss.  
County of Klamath     )


I, Robert Bolenbaugh, 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/or entities named below, by delivering a copy of the aforementioned documents, upon an **OCCUPANT** at the following address:

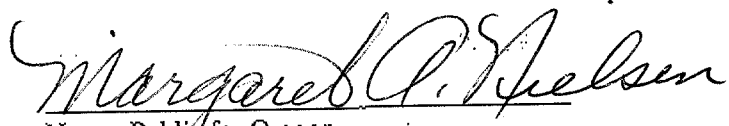
**920 Applewood Street, Klamath Falls, Oregon 97603 ("Property Address")**, as follows:

By delivering such copy, personally and in person, to ELLEN HARMON, at the Property Address on February 21, 2008 at 4:36 p.m., pursuant to ORS 86.750.

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

  
Robert Bolenbaugh (4740.334961)

SUBSCRIBED AND SWORN to before me this 26<sup>th</sup> day of February, 2008, by Robert Bolenbaugh.

  
Notary Public for Oregon



NATIONWIDE PROCESS SERVICE, INC.  
420 Century Tower  
1201 SW 12<sup>th</sup> Avenue  
Portland, Oregon 97205  
(503) 241-0536

**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. OR-MOR-082182

Reference is made to that certain Deed of Trust made by, JOHN E. HARMON JR AND ELLEN J. HARMON, AS TENANTS BY THE ENTIRETY, as grantor, to FIRST AMERICAN TITLE COMPANY, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as beneficiary, dated 10/25/2005, recorded 10/31/2005, under Instrument No. M05-67852, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by MOREQUITY, INC.. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

ATTACHED HERETO AS EXHIBIT 'A' AND INCORPORATED HEREIN AS THOUGH FULLY SET FORTH.

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920 APPLEWOOD ST  
KLAMATH FALLS, OR 97603

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 February 19, 2008 -----
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TOTAL:	\$ 7,809.21

FAILURE TO PAY INSTALLMENTS OF PRINCIPAL, INTEREST, IMPOUNDS AND LATE CHARGES WHICH BECAME DUE 10/1/2007 TOGETHER WITH ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, IMPOUNDS, LATE CHARGES, FORECLOSURE FEES AND EXPENSES; ANY ADVANCES WHICH MAY HEREAFTER BE MADE; ALL OBLIGATIONS AND INDEBTEDNESSES AS THEY BECOME DUE AND CHARGES PURSUANT TO SAID NOTE AND DEED OF TRUST.

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 \$161,307.29, PLUS interest thereon at 8.980% per annum from 9/1/2007, 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 June 24, 2008, 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.

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DATED: 2/19/2008

LSI TITLE OF OREGON, LLC AS TRUSTEE

By: Asset Foreclosure Services, Inc. as Agent for the Trustee

By



Norie Vergara, Sr. Trustee Sale Officer

22837 Ventura Blvd., Suite 350, Woodland Hills, CA 91364

Phone: (877)237-7878 Sale Information Line (714)258-7850

STATE OF CALIFORNIA

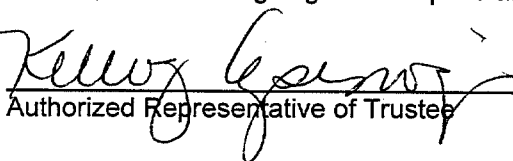
)

COUNTY OF LOS ANGELES

) ss.

)

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

**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

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Beginning at the Northeast corner of said Lot 48; thence South along the East line of said Lot, 34.3 feet to a point; thence West parallel to the South line of said Lot to a point which is 34.3 feet South of the Northwest corner of said Lot; thence North along the West line of said Lot 48 and Lot 47 to a point which is 42.7 feet North of the Southwest corner of said Lot 47; thence East parallel to the South line of said Lot 47 to a point on the East line of said Lot 47 which is 42.7 feet North of the Southeast corner of said Lot 47; thence South along the East line of said Lots to the point of beginning.

Tax Parcel Number: 443915