

2008-010048

Klamath County, Oregon



00049666200800100480080089

07/11/2008 03:33:23 PM

Fee: \$71.00

RECORDING COVER SHEET
Pursuant to ORS 205.234

1st 1207103

After recording return to:

Northwest Trustee Services, Inc.
Attention: Vonnie McElligott
P.O. Box 997
Bellevue, WA 98009-0997

1. AFFIDAVIT OF MAILING
2. TRUSTEE'S NOTICE OF SALE
3. PROOF OF SERVICE
4. AFFIDAVIT OF PUBLICATION

Original Grantor(s) on Trust Deed: Lisa L. Phelps an Unmarried Woman

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.

F71-

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF WASHINGTON, County of KING) 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 Washington, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

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 address, to-wit:

Occupants
61186 Hilmer Creek Drive
Bend, OR 97702

Ridgewater II HOA
17700 S.W. Upper Boones Ferry Road, Suite 120
Portland, OR 97224

JPMorgan Chase Bank, N.A.
National Home Equity Post Closing KY2-1606
P.O. Box 11606
Lexington, KY 40576-1606

JPMorgan Chase Bank, N.A.
c/o Northwest Trustee Services, Inc. (BB)
P.O. Box 997
Bellevue, WA 98009-0997

Ridgewater II HOA
c/o Marshall Fant, Reg. Agent
17700 S.W. Upper Boones Ferry Road, Suite 120
Portland, OR 97224

Ridgewater II HOA
c/o Northwest Community Mgmt.
P.O. Box 23099
Tigard, OR 97281

JPMorgan Chase Bank, N.A.
1111 Polaris Parkway
Columbus, OH 43240

JPMorgan Chase Bank, N.A.
c/o Chase Home Finance LLC
250 West Huron Road
Cleveland, OH 44113

JPMorgan Chase Bank, N.A.
c/o Chase Home Finance LLC
P.O. Box 93764
Cleveland, OH 44113

Justin W. Peterson
61186 Hilmer Creek Drive
Bend, OR 97702

Justin W. Peterson
19753 Clarion Avenue
Bend, OR 97702-2326

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, 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 Bellevue, Washington, on 5/2/08. 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.



STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

Sabrina Stephens

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 5/21/08

Heather E. Casey
NOTARY PUBLIC in and for the State of
Washington, residing at renton
My commission expires 4-22-10

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
RE: Trust Deed from
Peterson, Justin W.
Grantor
to
Northwest Trustee Services, Inc.,
Trustee **File No. 7717.20102**

HEATHER E. CASEY
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
04-22-10

After recording return to:
Northwest Trustee Services, Inc.
Successor by merger to Northwest Trustee Services, PLLC
(formerly known as Northwest Trustee Services, LLC)
Attn: Vonnie McElligott
P.O. Box 997
Bellevue, WA 98009-0997

Unofficial Copy

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Justin W. Peterson, a married man as his sole and separate property, as grantor, to DSL Servie Company, as trustee, in favor of Downey Savings and Loan Association, F.A., as beneficiary, dated 04/15/04, recorded 04/29/04, in the mortgage records of Deschutes County, Oregon, as 2004-24643 and subsequently assigned to Central Mortgage Company by Assignment, covering the following described real property situated in said county and state, to wit:

Lot Fifteen, Ridgewater II, P.U.D., City of Bend, Deschutes County, Oregon.

PROPERTY ADDRESS: 61186 Hilmer Creek Drive
Bend, OR 97702

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 \$1,862.05 beginning 12/01/07; plus late charges of \$93.11 each month beginning 12/16/07; plus prior accrued late charges of \$0.00; plus advances of \$372.40; 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; and prepayment penalties/premiums, if applicable.

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: \$248,294.98 with interest thereon at the rate of 7.875 percent per annum beginning 11/01/07; plus late charges of \$93.11 each month beginning 12/16/07 until paid; plus prior accrued late charges of \$0.00; plus advances of \$372.40; 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; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on **September 19, 2008** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the main lobby of the Deschutes County Courthouse, 1164 NW Bond, in the City of Bend, County of Deschutes, 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 for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com and www.USA-Foreclosure.com.

Dated: 5/14, 2008

Northwest Trustee Services, Inc.

By

Vonnie McElligott

Assistant Vice President,

Northwest Trustee Services, Inc. is successor by merger to Northwest Trustee Services, PLLC (formerly known as Northwest Trustee Services, LLC)

For further information, please contact:

Vonnie McElligott
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900
File No. 7717.20102/Peterson, Justin W.

State of Washington, County of King) ss:

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

By Authorized Signer

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

AFFIDAVIT OF SERVICE

State of

County of

Court

Case Number: NO VENUE

Beneficiary:

DOWNEY SAVINGS AND LOAN ASSOCIATION F.A.

vs.

Grantor:

JUSTIN W PETERSON

For:

FEI LLC

P.O. Box 219

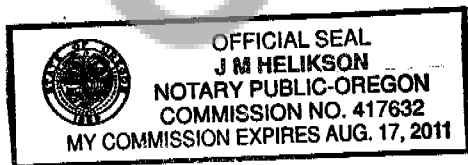
Bellevue, WA 98009-0219

Received by Tri-County Legal Process Service to be served on **OCCUPANTS, 61186 HILMER CREEK DR, BEND, OR 97702.**

I, Mark Smith, being duly sworn, depose and say that on the **21st day of May, 2008 at 7:00 pm, I:**

PERSONALLY served by delivering a true copy of the **Trustee's Notice of Sale** to: **ERIN SMITH** as OCCUPANT at the address of **61186 HILMER CREEK DR, BEND, OR 97702** and informed said person of the contents therein, in compliance with state statutes.

I certify that I am a competent person, over the age of 18, a resident of the State of Oregon, not a party or an officer, director, or employee of, nor an attorney for any party, corporate or otherwise.



Subscribed and Sworn to before me on the 28th day of May, 2008 by the affiant who is personally known to me

NOTARY PUBLIC



Mark Smith
Process Server

Tri-County Legal Process Service
P.O. Box 309
Bend, OR 97709
(541) 317-5680

Our Job Serial Number: 2008004815
Ref: 1002.91137

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 # 10179

Notice of Sale/Lisa L. Phelps

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:

May 15, 22, 29, June 5, 2008

Total Cost: \$1,057.72

Subscribed and sworn by Jeanine P Day

before me on: June 5, 2008

Beth Furtado
Notary Public of Oregon

My commission expires November 15, 2008



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Lisa L. Phelps an Unmarried Woman, as grantor, to Amerititle, as trustee, in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, dated 01/19/07, recorded 01/22/07, in the mortgage records of Klamath County, Oregon, as 2007-001092, covering the following described real property situated in said county and state, to wit: Lot 21 in Block 3, Tract 1112 Eighth Addition to Sunset Village, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. PROPERTY ADDRESS: 6304 Harlan Drive, 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 \$1,447.35 beginning 12/01/07; plus late charges of \$85.59 each month beginning 12/16/07; plus prior accrued late charges of \$770.18; plus advances of \$75.89; 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; and prepayment penalties/premiums, if applicable.

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: \$243,018.56 with interest thereon at the rate of 7.5 percent per annum beginning 11/01/07; plus late charges of \$85.59 each month beginning 12/16/07 until paid; plus prior accrued late charges of \$770.18; plus advances of \$75.89; 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; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 13, 2008 at the hour of 10:00 o'clock, A.M. 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 for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid.

Lender bid information is also available at the trustee's website, www.northwesttrustee.com. 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. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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. The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com and www.USA-Foreclosure.com. Northwest Trustee Services, Inc. is successor by merger to Northwest Trustee Services, PLLC (formerly known as Northwest Trustee Services, LLC) For further information, please contact: Vonnie McElligott Northwest Trustee Services, Inc. P.O. Box 997 Bellevue, WA 98009-0997 586-1900 File No.7081.21023/Phelps, Lisa. (TS# 7081.21023) 1002.88882-FE1 #10179 May 15, 22, 29, June 5, 2008.