

2008-012039

Klamath County, Oregon



00052182200800120390120121

08/27/2008 11:36:43 AM

Fee: \$91.00

Recording Requested By:  
Aspen Title & Escrow, Inc.  
525 Main Street  
Klamath Falls, OR 97601

When Recorded Return To:

Aspen Title & Escrow, Inc.  
525 Main Street  
Klamath Falls, OR 97601

Until requested otherwise, send all tax statements:

05758 ATE W870376 (SPACE ABOVE THIS LINE FOR RECORDER'S USE)

## COVER SHEET

**DOCUMENT: AFFIDAVIT OF MAILING NOTICE OF SALE,  
AFFIDAVIT OF PUBLICATION NOTICE OF SALE, AFFIDAVIT OF SERVICE,  
COPY OF NOTICE OF SALE**

**GRANTOR: JEFFERY W LITTS**

**GRANTEE: BENEFICIARY: MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS INC.**

\$91-A

***RECONTRUST COMPANY***

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**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:  
MONICA PAE  
RECONTRUST COMPANY  
400 COUNTRYWIDE WAY SV-35  
SIMI VALLEY, CA 93065**

**TS No.: 08 -32035** *11870376 65758*

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:      JEFFREY W LITTS

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.

# 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 4-30-08. 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 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 6 day of 05, 2008, by \_\_\_\_\_, 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 [Signature]

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

and JEFFREY W LITTS

Notary Public for California

Residing at Ventura

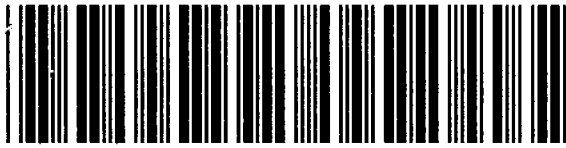
My commission expires: 01-14-09

RECONTRUST COMPANY

Trustee TS No. 08-32035

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





02 0832035

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

**TS No. 08-32035**

JEFFREY W LITTS  
PO BOX 112  
Sprague River, OR 97639  
7187 7930 3131 2375 4339

Residents/Occupants  
PO BOX 112  
Sprague River, OR 97639  
7187 7930 3131 2375 4360

JEFFREY W LITTS  
27135 WALLA WALLA STREET  
SPRAGUE RIVER, OR 97639  
7187 7930 3131 2375 4346

JEFFREY W LITTS  
PO Box 112  
Sprague River, OR 97639-112  
7187 7930 3131 2375 4322

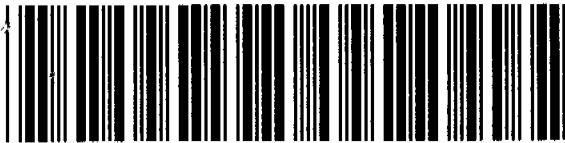
JEFFREY W LITTS  
PO Box 112  
Sprague River, OR 97639-112  
7187 7930 3131 2375 4353

ANDREW C BRANDSNESS OF ATTNY HOLMAN PREMIER REALTY  
411 PINE STREET  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4377

BRANDSNESS, BRANDSNESS & RUDD, P.C.  
411 PINE STREET  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4421

LEWIS LEONARD  
1726 MENLO WAY  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4384

PATRICIA AND HARRIETT SCHWIMMER  
832 KLAMATH AVENUE



02 0832035

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

**TS No. 08-32035**

PATRICIA AND HARRIETT SCHWIMMER  
C/O DEL PARKS, ESQ.  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4391

DEL PARKS, ESQ. PARKS & PARKS  
832 KLAMATH AVENUE  
C/O DEL PARKS, ESQ.  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4407

LYLE GENE MATHEWS  
P.O. BOX 7690  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4438

NORMA JEAN MATHEWS  
P.O. BOX 7690  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4452

LYLE GENE MATHEWS  
27135 WALLA WALLA STREET  
SPRAGUE RIVER, OR 97639  
7187 7930 3131 2375 4445

NORMA JEAN MATHEWS  
27135 WALLA WALLA STREET  
SPRAGUE RIVER, OR 97639  
7187 7930 3131 2375 4469

CREDIT BUREAU OF KLAMATH COUNTY  
839 MAIN  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4476

CREDIT BUREAU OF KLAMATH COUNTY  
P.O. BOX 5107  
C/O ART MILLS, AUTHORIZED REPRESENTATIVE  
KLAMATH FALLS, OR 97601  
7187 7930 3131 2375 4483

# 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 8-5-08. 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 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

Signature [Signature]

Subscribed and sworn to (or affirmed) before me on this 8 day of August, 2008, by G. Oonjee, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(seal)

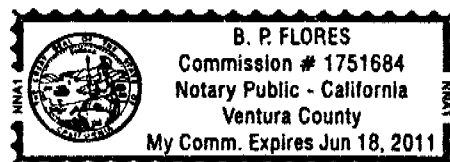
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

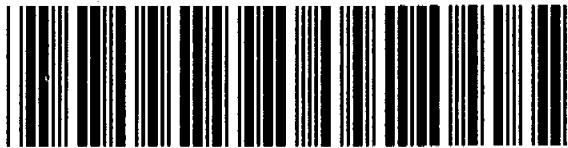
RE: Trust Deed from  
Grantor  
and JEFFREY W LITTS

[Signature]  
Notary Public for California  
Residing at VENTURA  
My commission expires 6-18-2011

RECONTRUST COMPANY  
Trustee TS No. 08-32035

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





02 0832035

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

**TS No. 08-32035**

LYLE GENE MATHEWS  
P.O. BOX 112  
SPRAGUE RIVER, OR 97639  
7187 7930 3131 2962 9204

LYLE GENE MATHEWS  
29947 SPRAGUE RIVER DR.  
CHILOQUIN, OR 97624  
7187 7930 3131 2962 9228

NORMA JEAN MATHEWS  
PO BOX 112  
SPRAGUE RIVER, OR 97639  
7187 7930 3131 2962 9235

**FEI, LLC**  
**Affidavit of Posting and Service**

State of Oregon  
County of Klamath

Dave Davis, being sworn, says: That I am over 18 years of age, a resident of Oregon, and not a party to the proceeding referred to in the attached Notice of Trustee's Sale: That my business address is 422 N 6th St, Klamath Falls, OR.

That I posted a copy of the attached Notice of Trustee's Sale on the parcel of land described in the attached Notice of Trustee's Sale, commonly referred to as 27135 Walla Walla Street, Sprague River, OR in a conspicuous place.

1st Attempt: Posted Real Property on 4/25/2008 at 16:55  
2nd Attempt: Posted Real Property on 4/28/2008 at 13:05  
3rd Attempt: Posted Real Property on 05/02/2008 at 12:03

Signed in Klamath County, Oregon by:



Signature  
1006.19429

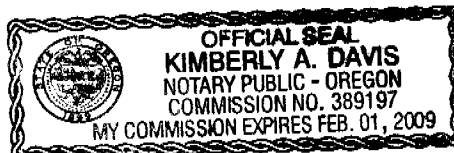
081308

Date

State of Oregon  
County of Klamath

On this 14<sup>th</sup> day of August in the year of 2008, before me a Notary Public, Personally appeared DAVE DAVIS, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Kimberly A Davis  
Notary Public for Oregon  
Residing at Klamath County  
Commission expires: 01 Feb 2009





## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Jeffrey W Litts, An Unmarried Man., as grantor(s), to Amerititle, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 04/25/2005, recorded 04/29/2005, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M05 at Page No. 30933 as Recorder's fee/file/instrument/microfilm/reception Number -, covering the following described real property situated in said county and state, to wit:

LOTS 13, AND 14, BLOCK 49, FOURTH ADDITION TO NIMROD RIVER PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON

PROPERTY ADDRESS: 27135 WALLA WALLA STREET  
SPRAGUE RIVER, OR 97639

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 \$623.02 beginning 12/01/2007; plus late charges of \$24.92 each month beginning with the 12/01/2007 payment plus prior accrued late charges of \$103.64; plus advances of \$12.50; 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: \$77,607.78 with interest thereon at the rate of 6.5 percent per annum beginning 11/01/2007 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 Monday, August 25, 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.

Dated April 11<sup>th</sup>, 2008

RECONTRUST COMPANY

JL Eans

Julia Evans, Team Member

For further information, please contact:

**RECONTRUST COMPANY  
RECONTRUST COMPANY  
2380 Performance Dr, RGV-D7-450  
Richardson, TX 75082  
(800)-281-8219  
TS No. 08 -32035**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_, notary public, personally appeared \_\_\_\_\_, 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.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My commission expires: \_\_\_\_\_

(SEAL)

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 # 10233

Notice of Sale/Jeffrey W. Litts

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:

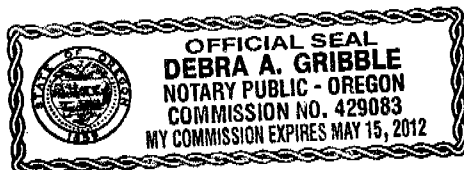
May 30, June 6, 13, 20, 2008

Total Cost: \$852.85

Subscribed and sworn by Jeanine P Day  
before me on: June 20, 2008

Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Jeffrey W. Litts, An Unmarried Man, as grantor(s) to Amerititle, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc. as Beneficiary, dated 04/25/2005, recorded 04/29/2005, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M05 at Page No. 30933 as Recorder's fee/file/instrument/microfilm/reception Number covering the following described real property situated in said county and state, to-wit:

Lots 13, and 14, Block 49 Fourth Addition to Nimrod River Park, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 27135 Walla Walla, Sprague River, OR 97639.

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 \$623.02 beginning 12/01/2007; plus late charges of \$24.92 each month beginning with the 12/01/2007 payment plus prior accrued late charges of \$103.64; plus advances of \$12.50; 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: \$77,607.78 with interest thereon at the rate of 6.5 percent per annum beginning 11/01/2007, until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees, 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 Monday, August 25, 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 said 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 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, 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 said 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.

Dated: April 11, 2008. RECONTRUST COMPANY, Julia Evans, Team Member. For further information, please contact: Recontrust Company, 2380 Performance Drive, RVG-D7-450, Richardson, TX 75082. (800)-281-8219. TS No. 08-32035.  
#10233 May 30, June 6, 13, 20, 2008.

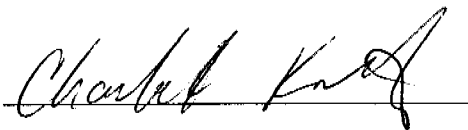
**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE TO OCCUPANT**  
**(In Lieu of Personal Service)**

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.

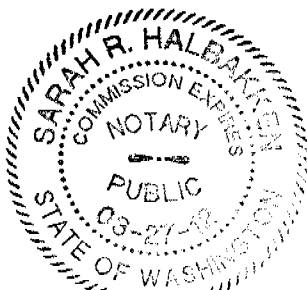
On June 3, 2008 I caused to be deposited in the United States post office at Bellevue, Washington a copy of the attached Notice of Trustee's Sale ("Notice"). The Notice was sealed in an envelope addressed to "Occupant" at 27135 Walla Walla Street, Sprague River, OR, 97639 and sufficient postage was affixed to the envelope for first class delivery to the address indicated.

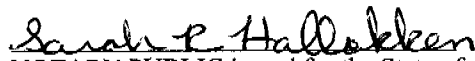


STATE OF WASHINGTON            )  
  ) ss.  
COUNTY OF KING                )

I certify that I know or have satisfactory evidence that Charlotte Kinder 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: 6/3/2008



  
NOTARY PUBLIC in and for the State of  
Washington, residing at Kirkland  
My commission expires 03/27/2012

08-32035 / Litts, Jeffrey W  
Kerri Klein