

2008-014525

Klamath County, Oregon



00055232200800145250100106

10/24/2008 03:47:18 PM

Fee: \$76.00

**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.

1st 1245638

3771313-OC

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: CARRIE MCCARTHY

BENEFICIARY: CitiMortgage, Inc..

T.S. #: OR-08-170910-CM

Loan #: 12318503

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TRUSTEE'S NOTICE OF SALE

Loan No: **12318503**

T.S. No.: **OR-08-170910-CM**

Reference is made to that certain deed made by, **CARRIE MCCARTHY** as Grantor to **FIRST AMERICAN TITLE**, as trustee, in favor of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR GATEWAY FINANCIAL SERVICES**, as Beneficiary, dated 7/11/2006, recorded 7/18/2006, in official records of **KLAMATH** County, Oregon in book/reel/volume No. xxx at page No. xxx fee/file/instrument/microfile/reception No **M06-14493**, covering the following described real property situated in said County and State, to-wit:

APN: R541382

N 1/2 OF LOT 13 BLOCK 7 ALTAMONT ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

3710 BISBEE STREET

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 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 advances which became due on 3/1/2008 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 **\$1,141.92**

Monthly Late Charge **\$53.08**

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 **\$129,165.78** together with interest thereon at the rate of **9.1250** per annum from **2/1/2008** 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 **10/31/2008** at the hour of **10:00 AM**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **On the front steps of the Circuit Court, 316 Main Street., in the City of Klamath Falls, County of Klamath, Oregon.** 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: 714-730-2727 or Login to: www.fidelityasap.com

Loan No: 12318503

T.S. No.: OR-08-170910-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.

Pursuant to Oregon Law, this sale will not be deemed final until the Trustee's deed has been issued by Quality Loan Service. If there are any irregularities are discovered within 10 days of the date of this sale, that the trustee will rescind the sale, return the buyer's money and take further action as necessary.

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: 6/25/2008

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-08-170910-CM



Signature By _____
Nina-Marie Hernandez, Assistant Secretary

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.

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

T.S. NO.: OR-08-170910-CM
LOAN NO.: 12318503

(Above Space is for Recorder's Use)

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF California } SS
COUNTY OF San Diego }

I, Jose Bolanos Jose Bolanos, 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

CERTIFIED NO.

SEE ATTACHED

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.

"Notice as required by and in accordance with ORS Chapter 646 was provided to Grantor and successor in interest, if any"

Each of the notices so mailed was certified to be a true copy of the original notice of sale by **Nina-Marie Hernandez**, for **FIRST AMERICAN TITLE INSURANCE 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 mail, **San Diego, California**, on **6/26/2008**. 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.

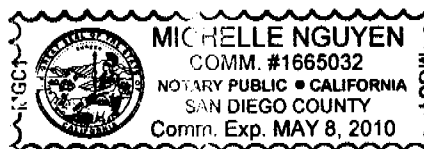
STATE OF California } SS
COUNTY OF San Diego }

On 10/21/2008 before me Michelle Nguyen, the undersigned, A Notary Public personally appeared Jose Bolanos 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 Michelle Nguyen
Michelle Nguyen




AFFIDAVIT OF MAILING

Date: 6/26/2008
T.S. No.: OR-08-170910-CM
Loan No.: 12318503
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 **6/26/2008**, (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 Jose Bolanos

Occupant
3710 BISBEE STREET
KLAMATH FALLS, OR 97603
First Class and Cert. No. 71039628594107458164

CARRIE MCCARTHY
3710 BISBEE STREET
KLAMATH FALLS, OR 97603
First Class and Cert. No. 71039628594107458195

CARRIE MCCARTHY
3710 BISBEE STREET
KLAMATH FALLS, OR 97603
First Class and Cert. No. 71039628594107458249


AFFIDAVIT OF MAILING

Date: 6/26/2008
T.S. No.: OR-08-138510-CM
Loan No.: 0018888651
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 **6/26/2008**, (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 Jose Bolanos

ASSET SYSTEMS INC
C/O NANCY A SMITH SMITH & GREAVES LLP
2121 SW BROADWAY STE 100
PORTLAND, OR 97201
First Class and Cert. No. 71039628594107482978

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 # 10462

Notice of Sale/Carrie McCarthy

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:

August 22, 29, September 5, 12, 2008

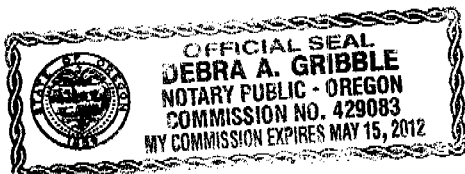
Total Cost: \$1,072.80

Subscribed and sworn by Jeanine P Day

before me on: October 14, 2008

Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE Loan No: 12318503 T.S. No.: OR-08-170910-CM

Reference is made to that certain deed made by, CARRIE MCCARTHY as Grantor to FIRST AMERICAN TITLE, as trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR GATEWAY FINANCIAL SERVICES, as Beneficiary, dated 7/11/2006, recorded 7/18/2006, in official records of KLAMATH County, Oregon in book/reel/volume No. - at page No. - fee/file/instrument/microfile/reception No M06-14493, covering the following described real property situated in said County and State, to-wit: APN: R541382 N 1/2 OF LOT 13 BLOCK 7 ALTAMONT ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. Commonly known as: 3710 BISBEE STREET, 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 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 advances which became due on 3/1/2008 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 \$1,141.92, Monthly Late Charge \$53.08.

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 \$129,165.78 together with interest thereon at the rate of 9.1250 per annum from 2/1/2008 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 11/3/2008 at the hour of 10:00:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at daily at 10:00:00 AM ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN ST, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, 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: 714-730-2727 or Login to: www.fidelityasap.com

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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 a "beneficiary" include their respective successors in interest, if any. Pursuant to Oregon Law, this sale will not be deemed final until the Trustee's deed has been issued by Quality Loan Service. If there are any irregularities discovered within 10 days of the date of this sale, that the trustee will rescind the sale, return the buyer's money and take further action as necessary. 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: 6/24/2008. 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-08-170910-CM. Signature By Nina-Marie Hernandez, Assistant Secretary. 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. ASAP# 2805317 08/22/2008, 08/29/2008, 09/05/2008, 09/12/2008. #10462 August 22, 29, September 5, 12, 2008.

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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 a "beneficiary" include their respective successors in interest, if any. Pursuant to Oregon Law, this sale will not be deemed final until the Trustee's deed has been issued by Quality Loan Service. If there are any irregularities are discovered within 10 days of the date of this sale, that the trustee will rescind the sale, return the buyer's money and take further action as necessary. 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: 6/24/2008. 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-08-170910-CM Signature By Nina-Marie Hernandez, Assistant Secretary. 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. ASAP# 2805317-08/22/2008, 08/29/2008, 09/05/2008, 09/12/2008. #10462 August 22, 29, September 5, 12, 2008.

OR08170910CM / McCARTHY
ASAP# 2805317

QLOAN

AFFIDAVIT OF SERVICE

STATE OF OREGON
County of Klamath

ss.

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 "Property Address":

**3710 Bisbee Street
Klamath Falls, OR 97603**

By delivering such copy, personally and in person to Carrie McCarthy, at the above Property Address on July 14, 2008 at 5:09 PM.

Prior to the aforementioned service, I attempted personal service at the Property Address on 07/11/2008 at 12:37 PM. I received no answer at the front door and no one appeared to be home. At that time, I POSTED such true copy conspicuously on the FRONT DOOR, pursuant to ORS 86.750 (1)(b)(a).

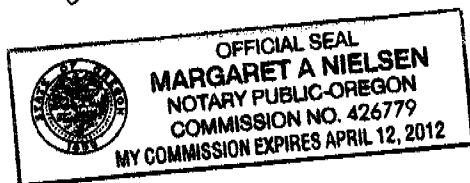
The effective date of service upon an occupant at the Property Address is 07/11/2008 as calculated pursuant to ORS 86.750 (1)(c).

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

SUBSCRIBED AND SWORN BEFORE ME
this 28th day of July, 2008
by Robert Bolenbaugh.

Margaret A. Nielsen
Notary Public for Oregon

X *[Signature]*
Robert Bolenbaugh
Nationwide Process Service, Inc.
420 Century Tower
1201 SW 12th Avenue
Portland, OR 97205
(503) 241-0636



177006