2009-000432 Klamath County, Oregon



01/14/2009 03:22:33 PM

Fee: \$96.00

FIDELITY NATIONAL DEFAULT SOLUTION 15661 REDHILL AVE, STE. 201 TUSTIN, CA 92780

ATE 66085 RECORDING COVER SHEET FOR NOTICE OF SALE PROOF OF COMPLIANCE Per ORS 205.234

AFTER RECORDING RETURN TO: NAKIA WILLIAMS 4683 RECONTRUST COMPANY 400 COUNTRYWIDE WAY SV-35 SIMI VALLEY, CA 93065

TS No.: 08 -0103294

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:

STERLING B SUDDARTH

4/000le085

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.

State of California County of Venue	Signature
	is Off day of Off day of 1, by 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 STERLING B SUDDARTH

IVET

RECONTRUST COMPANY
Trustee TS No. 08-0103294
After Recording return to:
400 COUNTRYWIDE WAY SV-35

RECONTRUST COMPANY SIMI VALLEY, CA 93065 My commission expires:

Notary Public for

Residing at



02 080103294

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

TS No. 08-0103294

STERLING B SUDDARTH

10/17/2008

11622 Sun Forest Dr

La Pine, OR 97739

7187 7930 3131 3369 9323

Residents/Occupants

10/17/2008

11622 Sun Forest Dr

La Pine, OR 97739

7187 7930 3131 3369 9361

STERLING B SUDDARTH

10/17/2008

11622 SUN FOREST DRIVE

LA PINE, OR 97739

7187 7930 3131 3369 9330

Residents/Occupants

10/17/2008

11622 SUN FOREST DRIVE

LA PINE, OR 97739

7187 7930 3131 3369 9378

STERLING B SUDDARTH

10/17/2008

9538 APPLE HARVEST PLACE

MARTINSBURG, WV 25403

7187 7930 3131 3369 9347

STERLING B SUDDARTH

10/17/2008

PO BOX 2928

LA PINE, OR 97739

7187 7930 3131 3369 9354

AFFIDAVIT OF MAILING NOTICE TO GRANTOR

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 given pursuant to the requirements of sections 20 & 21 of Chapter 19, Oregon Laws 2008 (Amending and/or supplementing ORS 86.705 to ORS 86.795).

I gave notice to grantor(s) and occupant(s) of the real property described in the attached notice 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(s) in the trust deed and (b) occupant(s) of the subject property.

Each of the notices so mailed 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 10-16-08. 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 was recorded and on or before the date of the Notice of Trustee's Sale was mailed, served and/or posted.

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

Signature / <

State of California

County of Jentura

Subscribed and sworn to (or affirmed) before me on this 6940 day of 1000 day 1000 da

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

and STERLING B SUDDARTH

RECONTRUST COMPANY

Trustee

TS No. 08-0103294

After Recording return to: 400 COUNTRYWIDE WAY SV-35 RECONTRUST COMPANY SIMI VALLEY, CA 93065 Commission # 1774807
Notary Public — California
Ventura County
My Comm. Expires Oct 21, 2011

Residing at

My commission expires:



02 080103294

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE TO GRANTOR "EXHIBIT A"

TS No. 08-0103294

STERLING B SUDDARTH 11622 Sun Forest Dr La Pine, OR 97739 7187 7930 3131 3365 4858

10/16/2008

10/16/2008

Residents/Occupants 11622 Sun Forest Dr La Pine, OR 97739 7187 7930 3131 3365 4872

10/16/2008

STERLING B SUDDARTH 11622 SUN FOREST DRIVE LA PINE, OR 97739 7187 7930 3131 3365 4865

AFFIDAVIT OF MAILING NOTICE TO GRANTOR

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 given pursuant to the requirements of sections 20 & 21 of Chapter 19, Oregon Laws 2008 (Amending and/or supplementing ORS 86.705 to ORS 86.795).

I gave notice to grantor(s) and occupant(s) of the real property described in the attached notice 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).

SIMI VALLEY, CA 93065

Said persons include (a) the grantor(s) in the trust deed and (b) occupant(s) of the subject property.

Each of the notices so mailed 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 10/17/2008. 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 was recorded and on or before the date of the Notice of Trustee's Sale was mailed, served and/or posted.

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

				Signature	
State of California County of	Ventura				
Subscribed and Cas	na≴ o (or affi	rmed) before me or , personally known	n this Office to me or prove	y of <u>January</u> ed to me on the basis of sat	, 20 09, by
be the person(s) who			- -		oraciony evidence to
(seal)					
AFFIDAVIT OF MA RE: Trust Deed from Grantor and STERLING B S	ı UDDARTH		OF SALE	Notary Public for Califor Residing at My commission expires:	
RECONTRUST COM	MPANY			Co. 10. Acres 10	
Trustee	TS No.	08-0103294	مستستمر	IVETTE PELAYO	
After Recording retur 400 COUNTRYWID RECONTRUST COM	E WAY SV	7-35		Commission # 177480 Notary Public — Californ Ventura County	Þ



02 080103294

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE TO GRANTOR "EXHIBIT A"

TS No. 08-0103294

Residents/Occupants 11622 SUN FOREST DRIVE LA PINE, OR 97739 7187 7930 3131 3369 4557 10/17/2008

STERLING B SUDDARTH 9538 APPLE HARVEST PLACE MARTINSBURG, WV 25403 7187 7930 3131 3369 4533 10/17/2008

STERLING B SUDDARTH PO BOX 2928 LA PINE, OR 97739 7187 7930 3131 3369 4540 10/17/2008

FEI, LLC Affidavit of Posting and Service

State of Oregon County of Klamath

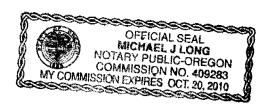
Eric Mathews, being sworn, says: That I am over 18 years of age, a resident of Oregon, and not a party to the proceeding referred to in the attached Notice of Trustee's Sale: That my business address is 422 N 6th St, Klamath Falls, OR.

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 11622 SUN FOREST DRIVE, LA PINE, OR in a conspicuous place.

1st Attempt: Posted Real Property on 10/18/2008 at 11:00 2nd Attempt: Posted Real Property on 10/21/2008 at 16:20 3rd Attempt: Posted Real Property on 10/24/2008 at 19:11

Signed in Klamath County, Oregon by:

	Signature 1006.39485	Date
State of Oregon County of VESCHOES		
On this 24 day of oab 44 Public, Personally appeared day of day o	the within instrument, and being	he/she executed the



Statement of Property Condition

Occupancy:	Cocupied	✓Vacant
Type of Dwelling: I Single Family ☐ Commercial Bldg ☐ Multi-Family: Number of Units	☐ Condominium ☐ Mobil Home ———	Apartment Bldg Vacant Land
Property Condition: Damage:	☐ Fire	☐ Vandalism
区 Other - Describe: <u>Nextのよろ</u>	may when	
Landscape:	Good	 Poor
Other: Property Address Discrepancies	Code Enforcement Notices	
Livestock	For Sale, Sign By:	
Comments:		

Disclaimer:
Foreclosure Expeditors/Initiators, LLC provides the information herein as a courtesy. That information is obtained from field service representatives possessing varying degrees of knowledge and sophistication in the observance and reporting of real property conditions and should not be relied upon in lieu of the lender's or servicer's regular property inspections for the property. No guaranty, warranty or representation of any kind, expressed or implied, is made concerning the accuracy, completeness or correctness of the matters reported upon by FEI's representatives herein. Foreclosure Expeditors/Initiators, LLC, its affiliates, officers, directors, employees, or agents are neither responsible nor liable for any direct, indirect, incidental, consequential special, punitive, exemplary or other damages arising out of or relating in any way to the content or information contained in this Statement of Property Condition.

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 December 2, 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 11622 SUN FOREST DRIVE, LA PINE, OR, 97739 and sufficient postage was affixed to the envelope for first class delivery to the address indicated.

-

I certify that I know or have satisfactory evidence that Theresa Redulla 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.

Part of NOTARY BY COMMISSION EXPIRES TO My commission expires 3-21-13

08-0103294 / SUDDARTH, STERLING B Sales Group-OR

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Sterling B Suddarth, as grantor(s), to Amerititle, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 12/01/2006, recorded the mortgage records of in Klamath County. Oregon. fee/file/instrument/microfilm/reception Number 2006-024714, covering the following described real property situated in said county and state, to wit:

LOT 7, BLOCK 5, SUN FOREST ESTATES, TRACT 1060, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 11622 SUN FOREST DRIVE

LA PINE, OR 97739

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 \$1,058.13 beginning 05/01/2008; plus late charges of \$45.99 each month beginning with the 05/01/2008 payment plus prior accrued late charges of \$-91.98; plus advances of \$15.00; 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: \$135,746.20 with interest thereon at the rate of 6.875 percent per annum beginning 04/01/2008 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 Thursday, February 12, 2009 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.

Laura Martin, Team Member

For further information, please contact:

RECONTRUST COMPANY RECONTRUST COMPANY 1800 Tapo Canyon Rd., SV2-202 SIMI VALLEY, CA 93063 (800)-281-8219 TS No. 08 -0103294

STATE OF)	
COUNTY OF) ss.)	
On	, before me,, personally known	n to me (or proved to me on the basis of satisfactory
he/she/they executed the	same in his/her/their authorized cap	ed to the within instrument and acknowledged to me that pacity(ies), and that by his/her/their signature(s) on the the person(s) acted, executed the instrument.
WITNESS my hand and	official seal.	
Notary Public for My commission expire		(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 # 10689		
Notice of Sale/Sterling B. Suddarth		
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:		
November 24, December 1, 8, 15, 2008		

Total Cost:

\$835.52

Subscribed and sworn by Jeanine P Day before me on: December 15, 2008

Notary Public of Oregon

My commission expires May 15, 2012



AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by STER-LING B SUDDARTH, as grantor(s), to AMERITITLE, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRA-TION SYSTEMS, INC., as Beneficiary, dated 12/01/06, recorded 12/13/06, in the mortgage records of Klamath County, OR, as Recorder's fee/file/instrument/microfilm/reception Number 2006-024714, covering the following described real property

(Continued on top of next column)

(Continued from below)

situated in said county and state, to wit: LOT 7, BLOCK 5, SUN FOREST ESTATES, TRACT 1060, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. PROPERTY ADDRESS: 11622 SUN FOREST DRIVE, LA PINE, OR 97739.

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 \$1,058.13 beginning 05/01/2008; plus late charges of \$45.99 each month beginning with the 05/01/2008 payment plus prior accrued late charges of \$-91.98; plus advances of \$ 15.00; 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: \$135,746.20 with interest thereon at the rate of 6.875 percent per annum beginning 04/01/2008 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 Thursday, February 12, 2009 at the hour of 10:00AM 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 remissione 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 OSRS 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: September 30, 2008. RECONTRUST COMPANY For further information, please contact: RECONTRUST COMPANY 1800 Tapo Canyon Rd., SV2-202 SIMI VALLEY, CA. 93063 (800) 281-8219 (TS# 08-0103294) 1006.39485-FEI #10689 November 24, December 1, 8, 15, 2008.