

2009-001425

Klamath County, Oregon



00059889200900014250100101

02/06/2009 11:44:49 AM

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.

ATE 66227

**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: JULIE A MOORE, MARVIN R MOORE**

**BENEFICIARY: HSBC Bank USA, National Association, as Trustee for Ownit Mortgage  
Loan Trust Mortgage Loan Asset-Backed Certificates, Series 2005-4**

**T.S. #: OR-08-198142-SH**

**Loan #: 16411191**

81 ATE

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

T.S. NO.: **OR-08-198142-SH**  
LOAN NO.: **16411191**

(Above Space is for Recorder's Use)

**AFFIDAVIT OF MAILING NOTICE OF SALE**

STATE OF **California** } SS  
COUNTY OF **San Diego** }

I, **David Fry**, *[Signature]* 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 Hernandez**, for **LSI TITLE COMPANY OF OREGON, LLC**, 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 **10/13/2008**. 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 **2-4-09** before me **Michelle Nguyen**, the undersigned, A Notary Public personally appeared **David Fry** 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 *[Signature]*  
**Michelle Nguyen**



## AFFIDAVIT OF MAILING

Date: 10/13/2008

T.S. No.: OR-08-198142-SH

Loan No.: 16411191

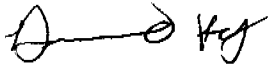
Mailing: Notice of Sale

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; and that on 10/13/2008, (s)he personally mailed 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.



Affiant David Fry

Occupant 4261 Douglas Avenue Klamath Falls,  
OR 97601 First Class and Cert. No.  
71039628594114357122

Occupant 4261 Douglas Avenue Klamath Falls,  
OR 97601 First Class and Cert. No.  
71039628594114357153

JULIE A. MOORE 4261 DOUGLAS AVENUE  
KLAMATH FALLS, OR 97601 First Class and  
Cert. No. 71039628594114357191

CREDIT BUREAU OF KLAMATH COUNTY  
839 MAIN STREET KLAMATH FALLS, OR  
97601 First Class and Cert. No.  
71039628594114357221

JULIE A MOORE 4261 Douglas Avenue  
Klamath Falls, OR 97601 First Class and Cert.  
No. 71039628594114357269

MARVIN R MOORE 4261 Douglas Avenue  
Klamath Falls, OR 97601 First Class and Cert.  
No. 71039628594114357313

MARVIN MOORE 4261 Douglas Ave Klamath  
Falls, OR 976015438 First Class and Cert. No.  
71039628594114357344

JULIE MOORE 4261 Douglas Ave Klamath  
Falls, OR 976015438 First Class and Cert. No.  
71039628594114357375

JULIE A. MOORE 4261 Douglas Avenue  
Klamath Falls, OR 97601 First Class and Cert.  
No. 71039628594114357399

MARVIN R. MOORE 4261 Douglas Avenue  
Klamath Falls, OR 97601 First Class and Cert.  
No. 71039628594114357436

CURRENT OCCUPANT 4261 DOUGLAS  
AVENUE KLAMATH FALLS, OR 97601 First  
Class and Cert. No. 71039628594114357474

MARVIN R. MOORE 4261 DOUGLAS  
AVENUE KLAMATH FALLS, OR 97601 First  
Class and Cert. No. 71039628594114357528

## TRUSTEE'S NOTICE OF SALE

Loan No: **16411191**

T.S. No.: **OR-08-198142-SH**

Reference is made to that certain deed made by, **JULIE A. MOORE AND MARVIN R. MOORE, WIFE AND HUSBAND** as Grantor to **AMERITITLE**, as trustee, in favor of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC AS NOMINEE IN FAVOR OF OWNIT MORTGAGE SOLUTIONS, INC.**, as Beneficiary, dated **6/1/2005**, recorded **6/13/2005**, in official records of **KLAMATH** County, Oregon in book/reel/volume No. **M05** at page No. **44011** fee/file/instrument/microfile/reception No xxx, covering the following described real property situated in said County and State, to-wit:

**APN: 3909-007CA-01500-000 LOT 2, BLOCK 6, STEWART ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

Commonly known as:  
**4261 Douglas Avenue**  
**Klamath Falls, OR 97601**

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 5/1/2008 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 **\$383.78** Monthly Late Charge **\$19.19**

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 **\$36,274.84** together with interest thereon at the rate of **7.5000** per annum from **4/1/2008** 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 **LSI TITLE COMPANY OF OREGON, LLC**, the undersigned trustee will on **2/13/2009** 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 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](http://www.fidelityasap.com)**

Loan No: **16411191**  
T.S. No.: **OR-08-198142-SH**

### **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 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: **10/11/2008** LSI TITLE COMPANY OF OREGON, LLC, 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-08-198142-SH**

A handwritten signature in black ink, appearing to be "Nina Hernandez", written over a horizontal line.

**Nina 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.

OR08198142SH / MOORE  
ASAP# 2911281

**QLOAN**

DUPLICATE ORIGINAL

**AFFIDAVIT OF NON-OCCUPANCY**

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 where this attempt of service was made; that I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on October 30, 2008, after personal inspection, I found the following described real property to be unoccupied:

LOT 2, BLOCK 6, STEWART ADDITION, ACCORDING TO THE OFFICIAL PLAT  
THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY,  
OREGON.

Commonly known as: **4261 Douglas Avenue**  
**Klamath Falls, OR 97601**

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

SUBSCRIBED AND SWORN BEFORE ME  
this 27<sup>th</sup> day of January, 2009  
by Robert Bolenbaugh.

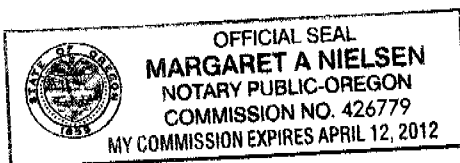
*Margaret A. Nielsen*  
Notary Public for Oregon

X

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



182850



2/13/09



# 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 # 10630

Notice of Sale/Julie A. & Marvin R. Moore

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:

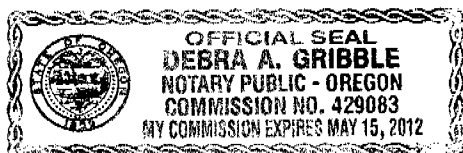
November 5, 12, 19, 26, 2008

Total Cost: \$1,076.80

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

*Debra A Gribble*  
Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE Loan No: 16411191 T.S. No: OR-08-198142-SH

Reference is made to that certain deed made by, JULIE A. MOORE AND MARVIN R. MOORE, WIFE AND HUSBAND as Grantor to AMERITITLE, as trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC AS NOMINEE IN FAVOR OF OWNIT MORTGAGE SOLUTIONS, INC., as Beneficiary, dated 6/1/2005, recorded 6/13/2005, in official records of KLAMATH County, Oregon in book/reel/volume No. M05 at page No. 44011 fee/file/instrument/microfile/reception No. , covering the following described real property situated in said County and State, to-wit: APN: 3969-007/CA-01500-000 LOT 2, BLOCK 1, ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. Commonly known as: 4261 Douglas Avenue, Klamath Falls, OR 97601.

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 5/1/2008 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 \$383.78 Monthly Late Charge \$19.19.

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 \$36,274.84 together with interest thereon at the rate of 7.5000 per annum from 4/1/2008 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 LSI TITLE COMPANY OF OREGON, LLC, the undersigned trustee will on 2/13/2009 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 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.

10010

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: 10/10/2008. LSI TITLE COMPANY OF OREGON, LLC, 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-08-198142-SH Signature By Hazel Garcia, 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# 2911281 11/05/2008, 11/12/2008, 11/19/2008, 11/26/2008  
#10630 November 5, 12, 19, 26, 2008.