

2009-004441

Klamath County, Oregon



00063373200900044410120124

03/30/2009 11:48:35 AM

Fee: \$91.00

First American Title Insurance Company
3 FIRST AMERICAN WAY
SANTA ANA, CA 92707

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

15r 1325871

AFTER RECORDING RETURN TO:

First American Title
3 First American Way
Santa Ana, CA 92707

TS No.:

Order: 3951759

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: Barbara Peterson

Beneficiary: AmeriQuest

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.

FG1

AFFIDAVIT OF MAILING

By Interface Inc.
5839 Mission Gorge Road, Suite A
San Diego, CA 92120

Reference No: T08-43662-OR
Mailing Number: 0062735-01

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } SS }

I, Clifton McBride being duly sworn, depose and say:

I am and at all times herein mentioned a citizen of the United States, over the age of eighteen years and a resident of San Diego County, California:

That at the request of CR Title Services on 1/2/2009, I deposited in the United States mail a copy of the attached document, in separate sealed envelopes, in accordance with the checked mailing classes defined below, postage prepaid, to the address list on exhibit A, attached hereto and made a part hereof.

☒ First Class ☐ Certified
☒ Certified Return ☐ Registered ☐ Registered International

Clifton McBride
Affiant

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On MAR 19 2009 before me, the undersigned, a Notary Public in and for said State, personally appeared CLIFTON MCBRIDE personally known to me (or proved to me on the basis of satisfactory evidence) to the person(s) whose names(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.

Signature 7-12-1



T08-43662-OR

**NOTICE:
YOU ARE IN DANGER OF LOSING
YOUR PROPERTY IF YOU DO NOT
TAKE ACTION IMMEDIATELY**

This notice is about your mortgage loan on your property at 23834 FORBES RD
SPRAGUE RIVER, OR 97639, 23834 FORBES RD SPRAGUE RIVER, OR 97639.

Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender. This is sometimes called "foreclosure."

The amount you would have had to pay as of 07-01-2008 to bring your mortgage loan current was \$3,802.26. The amount you must now pay to bring your loan current may have increased since that date.

By law, your lender has to provide you with details about the amount you owe, if you ask. You may call 800-211-6926 to find out the exact amount you must pay to bring your mortgage loan current and to get other details about the amount you owe.

You may also get these details by sending a request by certified mail to: CITI RESIDENTIAL LENDING INC., AS ATTORNEY IN FACT, PO BOX 11000, SANTA ANA, CA 92711.

**THIS IS WHEN AND WHERE
YOUR PROPERTY WILL BE SOLD
IF YOU DO NOT TAKE ACTION:**

Date and time: 05-06-2009, at 10:00 AM

Place: ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF
KLAMATH FALLS, COUNTY OF KLAMATH, OREGON

**THIS IS WHAT YOU CAN DO
TO STOP THE SALE:**

1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call CITI RESIDENTIAL LENDING INC., AS ATTORNEY IN FACT at 800-211-6926 to find out if your lender is willing to give you more time or change the terms of your loan.
4. You can sell your home, provided the sale price is enough to pay what you owe.

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at 800-SAFENET (800-723-3638). You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636 or you may visit its website at: www.osbar.org/public/ris/ris.html. Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to <http://www.oregonlawhelp.org>

WARNING: You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

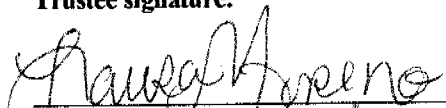
T08-43662-OR

DATED: December 23, 2008

Trustee name: LAURA MORENO

Trustee phone number: 888-485-9191

Trustee signature:


LAURA MORENO

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

CR Title Services Inc.
P.O. Box 1500
Rancho Cucamonga, CA 91729-1500
888-485-9191

TRUSTEE'S NOTICE OF SALE

Loan No: 0045222452
T.S. No.: T08-43662-OR

Reference is made to that certain deed made by, BARBARA PETERSON, AS HER SEPARATE ESTATE as Grantor to AMERITITLE INSURANCE, as trustee, in favor of AMERIQUEST MORTGAGE COMPANY, A CORPORATION, as Beneficiary, dated 03-21-2003, recorded 04-16-2003, in official records of KLAMATH County, Oregon in book/reel/volume No. M03 at page No. 24096, fee/file/instrument/microfile/reception No. (indicated which), covering the following described real property situated in said County and State, to-wit:

APN: R337246

LOT 17, BLOCK 1, TRACT NO. 1164, ACCORDING TO THE OFFICIAL PLAT THERE OF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:
23834 FORBES RD
SPRAGUE RIVER, OR 97639

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 / OR ADVANCES WHICH BECAME DUE ON 08/01/2008 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Monthly Payment \$542.04 Monthly Late Charge \$27.10

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 \$65,744.17 together with interest thereon at the rate of 8.75% per annum from 07-01-2008 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 **05-06-2009** 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 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

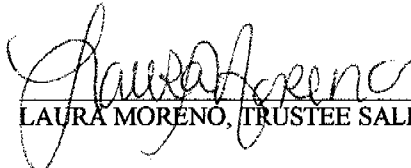
trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would 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.

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.

For sales information, please contact AGENCY SALES AND POSTING at WWW.FIDELITYASAP.COM or 714-730-2727

Dated: December 23, 2008

FIRST AMERICAN TITLE INSURANCE COMPANY
BY CR Title Services Inc. AS AGENT TO THE
TRUSTEE
P.O. Box 1500
Rancho Cucamonga, CA 91729-1500
PHONE NUMBER 888-485-9191
REINSTATEMENT LINE 800-211-6926

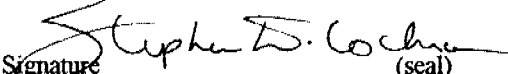

LAURA MORENO, TRUSTEE SALES OFFICER

State of AZ }ss
County of PIMA }

On December 23, 2008 before me, STEPHEN D. COCHRAN Notary Public, personally appeared LAURA MORENO, 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 Arizona that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature (seal)

STEPHEN D. COCHRAN

Notary Public

AZ

Federal Law requires us to notify you that we are acting as a debt collector. If you are currently in a bankruptcy or have received a discharge in bankruptcy as to this obligation, this communication is intended for informational purposes only and is not an attempt to collect a debt in violation of the automatic stay or the discharge injunction.

Exhibit A to Affidavit of Mailing

3/18/2009 2:54:27 PM Sender: CR Title Services
505 City Parkway West
Orange CA 92868

Postal Class: First Class

Type of Mailing: Window

Affidavit Attachment: 0062735-01 000 01022009 Town_N_C000094

Postal Number	Sequence	Recipient Name	Address Line 1/3	Address Line 2/4
11041994141018176864	1	BARBARA PETERSON	23834 FORBES RD	SPRAGUE RIVER OR 97639
11041994141018176871	2	BARBARA PETERSON	PO BOX 25	SPRAGUE RIVER OR 97639
11041994141018176888	3	BARBARA PETERSON	23834 FORBES ROAD	SPRAGUE RIVER OR 97639
11041994141018176895	4	STATE OF OREGON	KLAMATH COUNTY CIRCUIT COURT	316 MAIN ST. KLAMATH FALLS OR 97601
11041994141018176901	5	CAPITAL ONE BANK	DERRICK E. MCGAVIC	P.O. BOX 10228 EUGENE OR 97440
11041994141018176918	6	CAPITAL ONE BANK	DERRICK E. MCGAVIC	P.O. BOX 10163 EUGENE OR 97440
11041994141018176925	7	CAPITAL ONE BANK	P.O. BOX 6700	NORCROSS GA 30091
11041994141018176932	8	FIRST RESOLUTION INVESTMENT CORPORATION	DANIEL N. GORGON, P.C. AND LINDSAY K. WOSTMANN	4023 W 1ST AVE EUGENE OR 97402
11041994141018176949	9	FIRST RESOLUTION INVESTMENT CORPORATION	DANIEL N. GORGON, P.C. AND LINDSAY K. WOSTMANN	P.O. BOX 22338 EUGENE OR 97402

Exhibit A to Affidavit of Mailing

3/18/2009 2:54:28 PM Sender: CR Title Services
505 City Parkway West
Orange CA 92868

Postal Class: Certified - Ret

Type of Mailing: Window

Affidavit Attachment: 0062735-01 000 01022009 Town_N_C000094

Postal Number Sequence Recipient Name

Postal Number	Sequence	Recipient Name	Address Line 1/3	Address Line 2/4
71041994141024194915	1	BARBARA PETERSON	23834 FORBES RD	SPRAGUE RIVER OR 97639
71041994141024195035	2	BARBARA PETERSON	PO BOX 25	SPRAGUE RIVER OR 97639
71041994141024195103	3	BARBARA PETERSON	23834 FORBES ROAD	SPRAGUE RIVER OR 97639
71041994141024195158	4	STATE OF OREGON	KLAMATH COUNTY CIRCUIT COURT	316 MAIN ST. KLAMATH FALLS OR 97601
71041994141024195189	5	CAPITAL ONE BANK	DERRICK E. MCGAVIC	P.O. BOX 10228 EUGENE OR 977440
71041994141024195257	6	CAPITAL ONE BANK	DERRICK E. MCGAVIC	P.O. BOX 10163 EUGENE OR 977440
71041994141024195295	7	CAPITAL ONE BANK	P.O. BOX 6700	NORCROSS GA 30091
71041994141024195356	8	FIRST RESOLUTION INVESTMENT CORPORATION	DANIEL N. GORGON, P.C. AND LINDSAY K. WOSTMANN	4023 W 1ST AVE EUGENE OR 97402
71041994141024195424	9	FIRST RESOLUTION INVESTMENT CORPORATION	DANIEL N. GORGON, P.C. AND LINDSAY K. WOSTMANN	P.O. BOX 22338 EUGENE OR 97402

T0843662OR / PETERSON
ASAP# 2961132

CRTS

AFFIDAVIT OF SERVICE

STATE OF OREGON
County of Klamath

ss.

I, Deputy 4131 J. Mark Borges, 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 Notice of Default and 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":

23834 Forbes Road
Sprague River, OR 97639

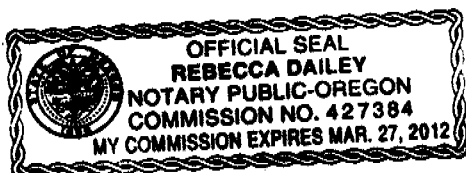
By delivering such copy, personally and in person to Barbara Haddleston-Peterson, at the above Property Address on January 06, 2009 at 1:43 PM.

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

SUBSCRIBED AND SWORN BEFORE ME
this 20th day of January, 2009
by Deputy 4131 J. Mark Borges.

Rebecca Dailey
Notary Public for Oregon

X J. Mark Borges
Deputy 4131 J. Mark Borges
Nationwide Process Service, Inc.
420 Century Tower
1201 SW 12th Avenue
Portland, OR 97205
(503) 241-0636



186572

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

CR Title Services Inc.
P.O. Box 1500
Rancho Cucamonga, CA 91729-1500
888-485-9191

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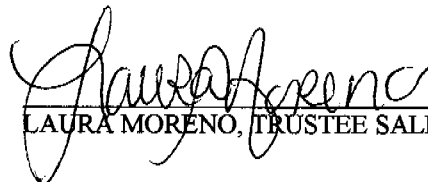
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Dated: December 23, 2008

FIRST AMERICAN TITLE INSURANCE COMPANY
BY CR Title Services Inc. AS AGENT TO THE
TRUSTEE
P.O. Box 1500
Rancho Cucamonga, CA 91729-1500
PHONE NUMBER 888-485-9191
REINSTATEMENT LINE 800-211-6926


LAURA MORENO, TRUSTEE SALES OFFICER

State of AZ }ss
County of PIMA }

On December 23, 2008 before me, STEPHEN D. COCHRAN Notary Public, personally appeared LAURA MORENO, 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 Arizona that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature (seal)
STEPHEN D. COCHRAN

Notary Public

AZ

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