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2009-004778

Klamath County, Oregon



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04/06/2009 03:28:44 PM

Fee: \$31.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED
BY THE PERSON REPRESENTING THE
ATTACHED INSTRUMENT FOR RECORDING.
ANY ERRORS IN THIS COVER SHEET DO NOT
AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.

After Recording, Return To:

Lee M. Hess
4888 NW Bethany Blvd, Suite K5 # 322
Portland, OR 97229

1. Name(s) of the Transaction(s):

Affidavit of Publication

2. Direct Party (Grantor):

Phillip Mardini

3. Indirect Party (Grantee):

N/A

4. True and Actual Consideration Paid:

N/A

5. Legal Description:

See Attached

26AMT

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Heidi Wright, Publisher,
being first duly sworn, depose and say
that I am 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 # 10991

Notice of Sale/Phillip Mardini

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:

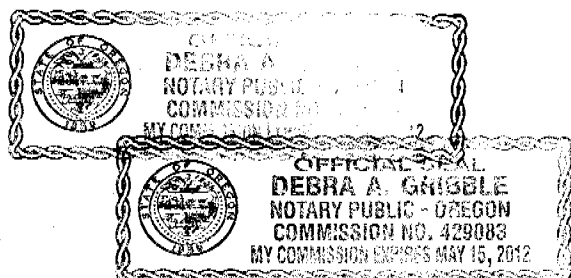
March 5, 12, 19, 26, 2009

Total Cost: \$1,132.65

Subscribed and sworn by Heidi Wright
before me on: March 26, 2009

Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE

The trust deed to be foreclosed pursuant to Oregon law is referred to as follows (the "Trust Deed"):

Grantor: Phillip Mardini

Trustee: First American Title Insurance Company

Beneficiary: CIT Small Business Lending Corporation

Date: May 9, 2007

Recording Date: May 10, 2007

Recording Reference: 2007-008580

County of Recording: Klamath

The Trust Deed covers the following described real property situated in the County of Klamath, State of Oregon, ("the property"):

Lots 1 and 2, Block 66 KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, PLAT NO. 3, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Commonly known as: 9637-9638 Canary Drive, Bonanza, Oregon 97623

The default for which foreclosure is permitted is the Grantor's failure to pay when due the following sums:

The Monthly installment of \$8,114.06 Due December 1, 2007 and failure to pay the variable installments due on the first of each month thereafter, continuing through the installment due November 1, 2008, plus interest and penalties.

By reason of the default, the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable as follows:

\$651,350.80 together with interest thereon at the rate of Prime plus 2.25 percent per annum from September 18, 2008, until paid, together with Trustee's fees, attorney's fees, foreclosure costs and any sums advanced by the Beneficiary pursuant to the Trust Deed.

NOTICE

By reason of the default, the Beneficiary and the Trustee

(Continued on top of next page)

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have elected to foreclose the Trust Deed by advertisement and sale pursuant to ORS 86.705 to 86.795. At public auction, the Trustee shall sell to the highest bidder for cash the interest in the Property which the Grantor had, or had the power to convey, at the time of the execution by Grantor of the Trust Deed, together with any interest Grantor or Grantor's successors in interest acquired after the execution of the Trust Deed, to satisfy the debt secured by the Trust Deed and the expenses of the sale, including the compensation the Trustee as provided by law, and the reasonable fees of Trustee's attorneys.

The sale will be held at the hour of 2:00 o'clock, P. M., on Thursday, April 27, 2007, at the following place: Front entrance of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon 97601.

NOTICE OF RIGHT TO CURE

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 doing all of the following:

1. Paying the Beneficiary the entire amount then due (other than such portion of the principal as would not then be due had no default occurred);
2. Curing any other default complained of herein that is capable of being cured by tendering the performance required under the debt or Trust Deed; and
3. Paying all costs and expenses actually incurred in enforcing the debt and Trust Deed, together with Trustee's and attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 the Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

DATED November 25, 2008.

/s/ Lee M. Hess

Lee M. Hess, Successor Trustee

4888 NW Bethany Blvd.

Suite K5, #322

Portland, Oregon 97229-9260

Phone: (503) 273-8674

STATE OF OREGON)

) ss.

County of Washington)

I, the undersigned, certify that I am one of the attorneys for the above named Successor Trustee and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

/s/ Lee M. Hess, Attorney for the Trustee

#10991 March 5, 12, 19, 26, 2009.