

2009-005531

Klamath County, Oregon



00064634200900055310110117

04/21/2009 02:49:10 PM

Fee: \$71.00

WHEN RECORDED MAIL TO:

Cal-Western Reconveyance Corporation  
P.O. Box 22004  
525 East Main Street  
El Cajon, CA 92022-9004

15r 1325611

\*1187879-09\*

\*ANOSXR\*

T.S. NO.: 1187879-09

LOAN NO.: 0004846535

## AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS  
COUNTY OF SAN DIEGO }

I, Clifton McBride 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 Notice of Sale given under the terms of that certain trust deed described in said notice.

I gave notice of the 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 persons at their last known address, to-wit:

**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.

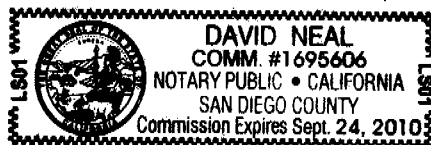
Each of the notices so mailed was certified to be a true copy of the original notice of sale by TAMMY LAIRD, for CAL-WESTERN RECONVEYANCE CORPORATION, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail in San Diego County, California, on January 06, 2009. 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. The additional notice required under HB3630 was mailed to grantors at least 25 days prior to sale via first class and certified mail with return receipt requested.

Clifton McBride  
Affiant

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this 1/7/2009 day of \_\_\_\_\_, 20\_\_\_\_

[Signature]  
Notary Public



**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:  
9924 SPLIT RAIL RD  
LAPINE OR 97739

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 December 31, 2008 to bring your mortgage loan current was \$9,505.14. 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 the details about the amount you owe, if you ask. You may call (877)626-2873 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:

LOSS MITIGATION DEPT  
3232 NEWMARK DRIVE  
MIAMISBURG OH 45342

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

Date and time: May 08, 2009 at 1:00pm

Place: AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY  
COURTHOUSE 316 MAIN STREET  
KLAMATH FALLS, Oregon

Trustee Sale No.: 1187879-09

**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 LOSS MITIGATION DEPT at (877)626-2873 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 **<http://www.osbar.org>**. 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.

Dated: December 31, 2008  
Trustee Sale No.: 1187879-09

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Trustee signature: Michelle Boisvert

**Michelle Boisvert**

Trustee telephone number: (800) 546-1531

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX6535

T.S. No: 1187879-09

Reference is made to that certain deed made by

LARRY D ARMSTRONG

as Grantor to

ASPEN TITLE & ESCROW INC, as Trustee, in favor of

NATIONAL CITY BANK

as Beneficiary,

dated September 05, 2006, recorded September 08, 2006, in official records of KLAMATH County, OREGON in book/reel/volume No. XX at page No. XX, fee/file/instrument/microfilm/reception No. 2006-018159 covering the following described real property situated in the said County and State, to-wit:

LOT 53, BLOCK 2, TRACT NO. 1098, SPLIT RAIL RANCHOS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

9924 SPLIT RAIL RD LAPINE OR 97739

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:

Failure to pay the monthly payment due September 1, 2008 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust.

Monthly payment \$1,557.94    Monthly Late Charge \$72.65

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 following, to-wit; The sum of \$242,000.00 together with interest thereon at the rate of 6.000 % per annum, from August 01, 2008 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of the said deed of trust.

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX6535

T.S. No: 1187879-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on May 08, 2009 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at  
AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE  
316 MAIN STREET

City of KLAMATH FALLS, 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 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 expense 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" includes their respective successors in interest, if any.

Dated: December 31, 2008

CAL-WESTERN RECONVEYANCE CORPORATION  
525 EAST MAIN STREET  
P.O. BOX 22004  
EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: Michelle Boisvert  
**Michelle Boisvert**

1/6/2009 11:28:01 PM Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: NOS

Affidavit Attachment: 1187879-09 030 01061037 CWR

Postal Number Sequence Recipient Name

11041994141018318103  
1

LARRY D ARMSTRONG

Address Line 1/3

9924 SPLIT RAIL RD

Address Line 2/4

LAPINE OR 97739

11041994141018318110  
2

OCCUPANT

9924 SPLIT RAIL RD

LAPINE OR 97739

11041994141018318127  
3

LARRY D ARMSTRONG

PO BOX 251

LAPINE OR 97733

11041994141018318141  
4

LARRY D. ARMSTRONG

9924 SPLIT RAIL ROAD

LAPINE OR 97739

1/6/2009 11:28:01 PM      Sender:      CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class:      Certified - Ret

Type of Mailing:      NOS

Affidavit Attachment: 1187879-09 030 01061037 CWR

Postal Number      Sequence Recipient Name

71041994141024375598  
1

LARRY D ARMSTRONG

Address Line 1/3

9924 SPLIT RAIL RD

Address Line 2/4

LAPINE OR 97739

71041994141024375628  
2

OCCUPANT

9924 SPLIT RAIL RD

LAPINE OR 97739

71041994141024375666  
3

LARRY D ARMSTRONG

PO BOX 251

LAPINE OR 97733

71041994141024375680  
4

LARRY D. ARMSTRONG

9924 SPLIT RAIL ROAD

LAPINE OR 97739

Unofficial Copy

**AFFIDAVIT OF SERVICE**

1187879

215081

**BENEFICIARY: NATIONAL CITY MORTGAGE**

**GRANTOR: LARRY D. ARMSTRONG**

**T.S. NO:**

**COUNTY OF: DESCHUTES**

I hereby certify that on **MONDAY, JANUARY 5, 2009** at **5:32 PM**, I served the OCCUPANT(S) of **9924 SPLIT RAIL RD., LAPINE, OR 97739** with a copy of the document(s): **TRUSTEE'S NOTICE OF SALE**

**CASE NOTES:**

**1st Attempt (Date/Time) 1-5-09 at 17:32 (x) Posted ( ) Served HOME VACANT- LARGE SNOW BERM AT END OF DRIVEWAY. SERVER HAD TO WALK IN.**

**2nd Attempt (Date/Time) 1-08-09 at 10:40 a.m. (x) Posted ( ) Served VACANT- NO TRACKS IN SNOW**

**3rd Attempt (Date/Time) 1-10-09 at 12:40 p.m. (x) Attempted ( ) Served VACANT**

**THE OCCUPANTS WERE SERVED IN THE FOLLOWING MANNER:**

These documents have been served by posting on the main entrance door of the dwelling unit, at the address of: **9924 SPLIT RAIL RD., LAPINE, OR 97739** on the date/times listed above  
f abode.

Proof of Mailing: I do hereby certify that on **January 11, 2009**, a copy of the **TRUSTEE'S NOTICE OF SALE**, was mailed to the above address, in a postage paid, sealed envelope addressed to **OCCUPANT**.

I, **M GATES**, am a competent person over the age of eighteen, a resident of the State of Oregon, not a party to nor an officer, director or employee of, nor an attorney for any party, corporate or otherwise. I am not the beneficiary of the trustee or successor trustee named in the original trustee's Notice of Sale.

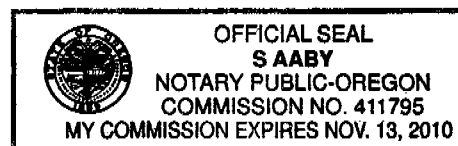
STATE OF OREGON, COUNTY OF DESCHUTES  
Subscribed and sworn to before me on **January 11, 2009**

*M Gates*

**M GATES, PROCESS SERVER**

*[Signature]*  
NOTARY PUBLIC OF OREGON

**LC Legal Couriers**  
*A division of P.I.V.*  
LC Job Number: 19310



Client: Interstate Process Serving

215081



## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX6535

T.S. No: 1187879-09

Reference is made to that certain deed made by  
LARRY D ARMSTRONG

as Grantor to  
ASPEN TITLE & ESCROW INC, as Trustee, in favor of

NATIONAL CITY BANK  
as Beneficiary,

dated September 05, 2006, recorded September 08, 2006, in official records of KLAMATH County,  
OREGON in book/reel/volume No. XX at  
page No. XX, fee/file/instrument/microfilm/reception No. 2006-018159 covering the following  
described real property situated in the said County and State, to-wit:

LOT 53, BLOCK 2, TRACT NO. 1098, SPLIT RAIL RANCHOS, ACCORDING TO THE OFFICIAL  
PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

9924 SPLIT RAIL RD LAPINE OR 97739

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:  
Failure to pay the monthly payment due September 1, 2008 of principal, interest and impounds and  
subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by  
beneficiary pursuant to the terms and conditions of said deed of trust.

Monthly payment \$1,557.94    Monthly Late Charge \$72.65

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 following, to-wit: The sum of \$242,000.00 together with  
interest thereon at the rate of 6.000 % per annum, from August 01, 2008 until paid; plus all accrued late  
charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary  
pursuant to the terms and conditions of the said deed of trust.

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX6535

T.S. No: 1187879-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on May 08, 2009 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at

AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE  
316 MAIN STREET

City of KLAMATH FALLS, 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 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 expense 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" includes their respective successors in interest, if any.

Dated: December 31, 2008

CAL-WESTERN RECONVEYANCE CORPORATION  
525 EAST MAIN STREET  
P.O. BOX 22004  
EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: Michelle Boisvert

**Michelle Boisvert**

1187879

# 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 # 10819

Notice of Sale/Larry D. Armstrong

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:

January 22, 29, February 5, 12, 2009

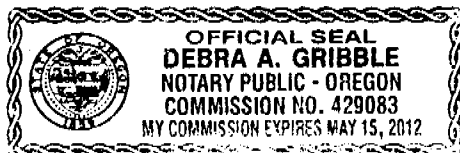
Total Cost: \$883.28

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day

Before me on: February 12, 2009

*Debra A Gribble*  
Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE Loan No: xxxxxx6535 T.S. No.: 1187879-09

Reference is made to that certain deed made by Larry D Armstrong, as Aspen Title & Escrow Inc, as Trustee, in favor of National City Bank, as Beneficiary, dated September 05, 2006, recorded September 08, 2006, in official records of Klamath, Oregon in book/reel/volume No. xx at page No. xx, fee/file/instrument/microfilm/reception No. 2006-018159 covering the following described real property situated in said County and State, to-wit: Lot 53, block 2, tract no. 1098, Split Rail Ranchos, according to the official plat thereof on file in the office of the clerk of Klamath County, Oregon. Commonly known as: 9924 Split Rail Rd., Lapine, OR 97739.

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: Failure to pay the monthly payment due September 1, 2008 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Monthly payment \$1,557.94 Monthly Late Charge \$72.65.

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 \$242,000.00 together with interest thereon at 6.000% per annum from August 01, 2008 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of the said deed of trust.

Whereof, notice hereby is given that, Cal-Western Reconveyance Corporation the undersigned trustee will on May 08, 2009 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, At the main street entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, 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 expense 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" includes their respective successors in interest, if any. Dated: December 31, 2008. Cal-Western Reconveyance Corporation 525 East Main Street P.O. Box 22004 El Cajon Ca 92022-9004 Cal-Western Reconveyance Corporation Signature/By: R-215081 01/22, 01/29, 02/05, 02/12  
#10819 January 22, 29, February 5, 12, 2009.