

2009-006615

Klamath County, Oregon



00065862200900066150100100

05/11/2009 11:55:45 AM

Fee: \$76.00

**RECORDING COVER SHEET FOR NOTICE
OF SALE PROOF OF COMPLIANCE PER
O.R.S. 205.234**

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

WHEN RECORDED MAIL TO

REGIONAL TRUSTEE SERVICES CORPORATION, as Trustee
616 1st Avenue, Suite 500
Seattle, WA 98104

Trustee's Sale No: 09-FMG-67799

ATE 66451



MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of Sale or Proof of Service will be considered a transaction.

- ☒ **AFFIDAVIT OF MAILING NOTICE OF SALE** (must have trustee's notice of sale attached)
- ☒ **AFFIDAVIT OF PUBLICATION NOTICE OF SALE**
- ☒ **PROOF OF SERVICE /AFFIDAVIT OF NON-OCCUPANCY**

Original Grantor on Trust Deed

EELCO A. MEYJES AND TANDI J. MEYJES, HUSBAND AND WIFE

Beneficiary

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR ITS SUCCESSORS
AND ASSIGNS**

71 ATE

REGIONAL TRUSTEE SERVICES CORPORATION
616 1st Avenue, Suite 500
Seattle, WA 98104
Phone: (206) 340-2550 / Fax:

Trustee Sale No.: 09-FMG-67799



Affidavit of Mailing Trustee's Notice of Sale

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

The undersigned, being first duly sworn, states that I am now, and at all times herein mentioned was a citizen of the United States a resident of the State of Washington, and over the age of eighteen years, and not the beneficiary or his successor in interest named in the attached original Notice of Sale given under the terms of that certain trust deed described in said Notice.

That I gave notice of the 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 addresses, to-wit:

EELCO A. MEYJES, 1728 CHINCHALLA WAY, KLAMATH FALLS, OR, 97603
EELCO A. MEYJES, PO BOX 5162, KLAMATH FALLS, OR, 97601
EELCO A. MEYJES, 14450 KERNS SWAMP ROAD, KLAMATH FALLS, OR, 97601
EELCO MEYJES, 14450 KERNS SWAMP ROAD, KLAMATH FALLS, OR, 97601
EELCO MEYJES, 1728 CHINCHALLA WAY, KLAMATH FALLS, OR, 97603
EELCO MEYJES, PO BOX 5162, KLAMATH FALLS, OR, 97601
OCCUPANT, 1728 CHINCHALLA WAY, KLAMATH FALLS, OR, 97603
TANDI J. MEYJES, 14450 KERNS SWAMP ROAD, KLAMATH FALLS, OR, 97601
TANDI J. MEYJES, PO BOX 5162, KLAMATH FALLS, OR, 97601
TANDI J. MEYJES, 1728 CHINCHALLA WAY, KLAMATH FALLS, OR, 97603
123LOAN, LLC, 85 ENTERPRISE, SUITE 200, ALISO VIEJO, CA, 92656
EEL MEYJES, 1848 SARGENT, KLAMATH FALLS, OR, 97601
EELCO A. MEYJES, 1848 SARGENT, KLAMATH FALLS, OR, 97601
EELCO ALEDAND MEYJES-POSTHUMUS, P.O. BOX 5162, KLAMATH FALLS, OR, 97601
EELCO ALEDAND MEYJES-POSTHUMUS, 1728 CHINCHALLA WAY, KLAMATH FALLS, OR, 97603
EELCO ALEDAND MEYJES-POSTHUMUS, 14450 KERNS SWAMP ROAD, KLAMATH FALLS, OR, 97691
EELCO ALEXANDER POSTHUMUS MEYJES, 14450 KERNS SWAMP ROAD, KLAMATH FALLS, OR, 97601
EELCO ALEXANDER POSTHUMUS MEYJES, 1728 CHINCHALLA WAY, KLAMATH FALLS, OR, 97603
EELCO ALEXANDER POSTHUMUS MEYJES, P.O. BOX 5162, KLAMATH FALLS, OR, 97601
EELCO ALEXANDER POSTHUMUS MEYJES, 1848 SARGENT, KLAMATH FALLS, OR, 97601
GMAC MORTGAGE CORPORATION, DBA DITECH.COM, 3200 PARK CENTER DR., SUITE 150, COSTA MESA, CA, 92626
MERS, P.O. BOX 2026, FLINT, MI, 48501-2026
MERS, 3300 SW 34TH AVD., SUITE 101, OCALA, FL, 34474
TANDI J. MEYJES, C/O JOAN-MARIE MICHELSEN, ATTORNEY, 200 MAIN ST, KLAMATH FALLS, OR, 97601
TANDI JEAN MEYJES-POSTHUMUS, 1728 CHINCHALLA WAY, KLAMATH FALLS, OR, 97603

TANDI JEAN MEYJES-POSTHUMUS, C/O JOAN-MARIE MICHELSEN, ATTORNEY, 200 MAIN ST,
KLAMATH FALLS, OR, 97601
TANDI JEAN MEYJES-POSTHUMUS, P.O. BOX 5162, KLAMATH FALLS, OR, 97601
TANDI JEAN MEYJES-POSTHUMUS, 14450 KERNS SWAMP ROAD, KLAMATH FALLS, OR, 97601
TANDI JEAN POSTHUMUS MEYJES, 2036 GARDEN AVE, KLAMATH FALLS, OR, 97601
TANDI JEAN POSTHUMUS MEYJES, C/O JOAN-MARIE MICHELSEN, ATTORNEY, 200 MAIN ST,
KLAMATH FALLS, OR, 97601
TANDI JEAN POSTHUMUS MEYJES, 1728 CHINCHALLA WAY, KLAMATH FALLS, OR, 97603
TANDI JEAN POSTHUMUS MEYJES, P.O. BOX 5162, KLAMATH FALLS, OR, 97601
TANDI JEAN POSTHUMUS MEYJES, 14450 KERNS SWAMP ROAD, KLAMATH FALLS, OR, 97601

Said persons include (a) the grantor in the trust deed, together with notice required by House Bill 3630 Section 20, (b) successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice together with notice required by House Bill 3630 Section 20, (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 b ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by an authorized representative of 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 post office at Seattle, WASHINGTON, on 1-30-09. 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 described in said Notice of Sale was recorded.

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

Jammie Alford Tamm:
On behalf of Regional Trustee Services Corporation Offert

SUBSCRIBED AND SWORN TO before me on 1-30-09

Tracey Barksdale
NOTARY PUBLIC for WASHINGTON
My commission expires: 9-26-11

TRACEY M. BARKSDALE
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
09-26-11

NOTICE TO BORROWER: YOU SHOULD BE AWARE THAT THE UNDERSIGNED IS ATTEMPTING TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.
Trustee's Sale No. 09-FMG-67799



Reference is made to that certain Deed of Trust made by, EELCO A. MEYJES AND TANDI J. MEYJES, HUSBAND AND WIFE, as grantor, to AMERITITLE, as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR ITS SUCCESSORS AND ASSIGNS, as beneficiary, dated 1/11/2005, recorded 1/14/2005 in Volume M05, page 03328, of Deeds of Trust, under Instrument No. XXX, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by Deutsche Bank Trust Company Americas, as Trustee for Meritage Mortgage Loan Trust 2004-2. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

LOT 5 IN BLOCK 2, FIRST ADDITION TO WINEMA GARDENS, ACCORDING TO THE
OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF
KLAMATH COUNTY, OREGON.

TAX ACCOUNT NO: 3909-001BA-02100-000 KEY NO: 50598

The street address or other common designation, if any, of the real property described above is purported to be:

1728 CHINCHALLA WAY
KLAMATH FALLS, OR 97603

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said 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:

| | Amount due as of January 27, 2009 |
|---|--------------------------------------|
| Delinquent Payments from October 01, 2008 | |
| 4 payments at \$ 1,357.21 each | \$ 5,428.84 |
| (10-01-08 through 01-27-09) | |
| Late Charges: | \$ 187.62 |
| Beneficiary Advances: | \$ 26.00 |
| Suspense Credit: | \$ 0.00 |
| | ===== |
| TOTAL: | \$ 5,642.46 |

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following:

UNPAID PRINCIPAL BALANCE OF \$126,493.39, PLUS interest thereon at 11.250% per annum from 9/1/2008, until paid, together with escrow advances, foreclosure costs, trustee fees, attorney fees, sums required for the protection of the property and additional sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee, will on June 1, 2009, at the hour of 11:00 AM, in accord with the standard of time established by ORS 187.110, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of OREGON, sell at public auction to the highest bidder for cash, the interest in the said described property which the grantor had, or had the 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 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 trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

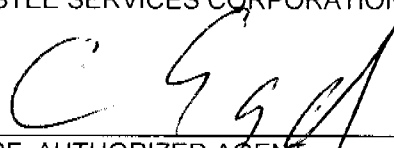
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same.

DATED: 1/27/2009

REGIONAL TRUSTEE SERVICES CORPORATION
Trustee

By


ANNA EGDORF, AUTHORIZED AGENT
616 1st Avenue, Suite 500, Seattle, WA 98104
Phone: (206) 340-2550
Sale Information: <http://www.rtrustee.com>

STATE OF WASHINGTON }
 } ss.
COUNTY OF KING }

I certify that I am an authorized representative of trustee, and the foregoing is a complete and exact copy of the original trustee's notice of sale.

Authorized Representative of Trustee

PROOF OF SERVICE JEFFERSON STATE ADJUSTERS

STATE OF: Oregon
COUNTY OF: Klamath

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: **TRUSTEE'S NOTICE OF SALE**

FOR THE WITHIN NAMED: Occupants of **1728 Chinchalla Way, Klamath Falls, OR 97603**

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to **Eelco Meyjes** at the address below.

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to **Eelco Meyjes**, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: **Tandi Meyjes**

☐ **OTHER METHOD:** By posting the above-mentioned documents to the Main Entrance of the address below.

1st Attempt:

2nd Attempt:

3rd Attempt:

☐ **NON-OCCUPANCY:** I certify that I received the within document(s) for service on ___ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the day of **January 30, 2009**, 2008 I mailed a copy of the Trustee's Notice of Sale addressed to **All Known Occupants** at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed

Chelsen Meek

1728 Chinchalla Way, Klamath Falls, OR 97603

ADDRESS OF SERVICE

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, Corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or Corporation named in the action.

January 29, 2009

3:59 PM

DATE OF SERVICE

TIME OF SERVICE

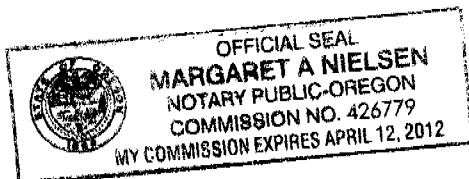
☐ or non occupancy

By:

[Signature]
ROBERT W. BOLENBAUGH

Subscribed and sworn to before on this 30th day of January, 2009.

Margaret A. Nielsen
Notary Public for Oregon



Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Heidi Wright
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 # 10866

Notice of Sale/Eelco A & Tandi J Meyjes


a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for: (4)

Four

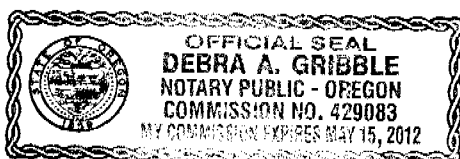
Insertion(s) in the following issues:
February 13, 20, 27, March 6, 2009

Total Cost: \$1,250.92


Subscribed and sworn by Heidi Wright
before me on: March 18, 2009


Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705 et seq. and O.R.S. 79.5010, et seq.
Trustee's Notice No. 09-FMG-67799

NOTICE TO BORROWER: YOU SHOULD BE AWARE
THAT THE UNDERSIGNED IS ATTEMPTING TO COL-
LECT A DEBT AND THAT ANY INFORMATION OB-
TAINED WILL BE USED FOR THAT PURPOSE.

Reference is made to that certain Deed of Trust made by
EELCO A. MEYJES AND TANDI J. MEYJES, HUSBAND
AND WIFE, as grantor, to AMERITITLE, as Trustee, in
favor of MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC. AS NOMINEE FOR ITS SUCCESSORS
AND ASSIGNS, as beneficiary, dated 1/11/2005, recorded
1/14/2005 in Volume M05, page 03328, of Deeds of Trust, un-
der Instrument No. , records of KLAMATH County, OR-
EGON. The beneficial interest under said Trust Deed and
the obligations secured thereby are presently held by
Deutsche Bank Trust Company Americas, as Trustee for
Meritage Mortgage Loan Trust 2004-2. Said Trust Deed en-
cumbers the following described real property situated in
said county and state, to-wit: LOT 5 IN BLOCK 2, FIRST
ADDITION TO WINEMA GARDENS, ACCORDING TO
THE OFFICIAL PLAT THEREOF ON FILE IN THE OF-
FICE OF THE COUNTY CLERK OF KLAMATH COUN-
TY, OREGON. TAX ACCOUNT NO: 3909-001 BA-02100-000
KEY NO: 50598 The street address or other common des-
ignation, if any, of the real property described above is
purported to be: 1728 CHINCHALLA WAY, KLAMATH
FALLS, OR 97603. The undersigned Trustee disclaims any
liability for any incorrectness of the above street address
or other common designation.

Both the beneficiary and the trustee have elected to sell
the said real property to satisfy the obligations secured by
said 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: Amount due as of Janu-
ary 27, 2009 Delinquent Payments from October 01, 2008 4
payments at \$1,357.21 each \$5,428.84 (10-01-08 through 01-
27-09) Late Charges: \$187.62 Beneficiary Advances: \$26.00
Suspense Credit: \$0.00 TOTAL: \$5,642.46

ALSO, if you have failed to pay taxes on the property, pro-
vide insurance on the property or pay other senior liens or
encumbrances as required in the note and deed of trust,
the beneficiary may insist that you do so in order to rein-
state your account in good standing. The beneficiary may
require as a condition to reinstatement that you provide
reliable written evidence that you have paid all senior
liens or encumbrances, property taxes, and hazard insur-
ance premiums. These requirements for reinstatement
should be confirmed by contacting the undersigned Trust-
ee. By reason of said default, the beneficiary has declared
all sums owing on the obligation secured by said trust
deed immediately due and payable, said sums being the
following: UNPAID PRINCIPAL BALANCE OF
\$28,493.39, PLUS interest thereon at 11.250% per annum
from 9/1/2008, until paid, together with escrow advances,
foreclosure costs, trustee fees, attorney fees, sums re-
quired for the protection of the property and additional
sums secured by the Deed of Trust.

WHEREFORE, notice hereby is given that the under-
signed trustee, will on June 1, 2009, at the hour of 11:00
AM, in accord with the standard of time established by
ORS 187.110, at ON THE FRONT STEPS OF THE CIR-
CUIT COURT, 316 MAIN STREET, KLAMATH FALLS,
County of KLAMATH, State of OREGON, sell at public
auction to the highest bidder for cash, the interest in the
said described property which the grantor had, or had the
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 ex-
ecution of said trust deed, to satisfy the foregoing obliga-
tions thereby secured and the costs and expenses of sale,
including a reasonable charge by the trustee. Notice is
further given that any person in ORS 86.753 has the

Sm-SU

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 trustee's and attorney's fees not exceeding the amounts provided by said 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same. DATED: 1/27/2009. REGIONAL TRUSTEE SERVICES CORPORATION, Trustee By: ANNA EGDORF, AUTHORIZED AGENT, 616 1st Avenue, Suite 500, Seattle, WA 98104. Phone: (206) 340-2550. Sale Information: <http://www.rtrustee.com>. ASAP# 2982130. 02/13/2009, 02/20/2009, 02/27/2009, 03/06/2009.

#10866 February 13, 20, 27, March 6, 2009.

5m-5u

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 trustee's and attorney's fees not exceeding the amounts provided by said 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same. DATED: 1/27/2009. REGIONAL TRUSTEE SERVICES CORPORATION Trustee By: ANNA EGDORF, AUTHORIZED AGENT, 616 1st Avenue, Suite 500, Seattle, WA 98104. Phone: (206) 340-2550 Sale Information: <http://www.rtrustee.com> ASAP# 2982130 02/13/2009, 02/20/2009, 02/27/2009, 03/06/2009
#10866 February 13, 20, 27, March 6, 2009.