2009-007027 Klamath County, Oregon



090070999

05/19/2009 11:50:31 AM

Fee: \$96.00

FIDELITY NATIONAL DEFAULT SOLUTION 15661 REDHILL AVE, STE. 201 TUSTIN, CA 92780

ATE 46479

RECORDING COVER SHEET FOR

NOTICE OF SALE PROOF OF COMPLIANCE

AFTER RECORDING RETURN TO: BRENNEN THOMPSON RECONTRUST COMPANY, N.A. 400 COUNTRYWIDE WAY SV-35 SIMI VALLEY, CA 93065

TS No.: 09 -0008809

Per ORS 205.234

- 1. AFFIDAVIT OF MAILING NOTICE OF SALE / Copy of 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:

JOSHUA DAVIS

Beneficiary:

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS.

INC.

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.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) ss:

I, the undersigned, being first duly sworn, depose and 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 the beneficiary's successor in interest named in the attached original 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 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 address, to-wit:

See attached Exhibit A for all the mailing address(es).

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (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 by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by RECONTRUST COMPANY, N.A., 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 VENTURA, CALIFORNIA, 02/11/2009. 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 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 Ventura County of	Signature
	day of, 200^{9} _, by oved to me on the basis of satisfactory evidence to
(seal)	De la constanti
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE	Jusan Riperdyon
RE: Trust Deed from	Notary Public for California Residing at VINTUID
Grantor and JOSHUA DAVIS	My commission expires: Obis 15-10

RECONTRUST COMPANY, N.A.

Trustee

TS No. 09-0008809

After Recording return to: 400 COUNTRYWIDE WAY SV-35 RECONTRUST COMPANY, N.A. SIMI VALLEY, CA 93065



02 090008809

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE "EXHIBIT A"

TS No. 09-0008809

JOSHUA DAVIS

02/11/2009

3712 Agate St

Klamath Falls, OR 97601

7187 7930 3131 3713 9603

JOSHUA DAVIS

02/11/2009

3712 Agate St

Klamath Falls, OR 97601-5402

7187 7930 3131 3713 9627

Residents/Occupants

02/11/2009

3712 Agate St

Klamath Falls, OR 97601-5402

7187 7930 3131 3713 9641

JOSHUA DAVIS

02/11/2009

439 PINE

C/O DOUGLAS OSBORNE, ATTORNEY

KLAMATH FALLS, OR 97601

7187 7930 3131 3713 9634

COUNTRYWIDE HOME LOANS, INC.

02/11/2009

4500 PARK GRANANDA

CALABASAS, CA 91302-1613

7187 7930 3131 3713 9658

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

02/11/2009

PO BOX 2026

FLINT, MI 48501-2026

7187 7930 3131 3713 9665

BRANDY MARIE HAUGEN

02/11/2009

832 KLAMATH AVE

C/O MATTHEW T. PARKS, ATTORNEY - PARKS & PARKS

KLAMATH FALLS, OR 97601

7187 7930 3131 3713 9672



02 090008809

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE "EXHIBIT A"

TS No. 09-0008809

JOSHUA DAVIS

02/11/2009

3712 Agate St

Klamath Falls, OR 97601

7187 7930 3131 3714 1262

JOSHUA DAVIS

02/11/2009

3712 Agate St

Klamath Falls, OR 97601-5402

7187 7930 3131 3714 1279

Residents/Occupants

02/11/2009

3712 Agate St

Klamath Falls, OR 97601-5402

7187 7930 3131 3714 1293

JOSHUA DAVIS

02/11/2009

439 PINE

C/O DOUGLAS OSBORNE, ATTORNEY

KLAMATH FALLS, OR 97601

7187 7930 3131 3714 1286

COUNTRYWIDE HOME LOANS, INC.

02/11/2009

4500 PARK GRANANDA

CALABASAS, CA 91302-1613

7187 7930 3131 3714 1309

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

02/11/2009

PO BOX 2026

FLINT, MI 48501-2026

7187 7930 3131 3714 1323

BRANDY MARIE HAUGEN

02/11/2009

832 KLAMATH AVE

C/O MATTHEW T. PARKS, ATTORNEY - PARKS & PARKS

KLAMATH FALLS, OR 97601

7187 7930 3131 3714 1330

AFFIDAVIT OF MAILING NOTICE TO GRANTOR

STATE OF CALIFORNIA, COUNTY OF VENTURA) ss:

I, the undersigned, being first duly sworn, depose and 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 the beneficiary's successor in interest named in the attached original notice given pursuant to the requirements of sections 20 & 21 of Chapter 19, Oregon Laws 2008 (Amending and/or supplementing ORS 86.705 to ORS 86.795).

I gave notice to grantor(s) and occupant(s) of the real property described in the attached notice 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 address, to-wit:

See attached Exhibit A for all the mailing address(es).

Trustee

After Recording return to:

SIMI VALLEY, CA 93065

400 COUNTRYWIDE WAY SV-35

RECONTRUST COMPANY, N.A.

TS No. 09-0008809

Said persons include (a) the grantor(s) in the trust deed and (b) occupant(s) of the subject property.

Each of the notices so mailed was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at VENTURA, CALIFORNIA, on 02/11/2009. 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 was recorded and on or before the date of the Notice of Trustee's Sale was mailed, served and/or posted.

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

	Signature
State of California County of Ventura	
Subscribed and commes (or affirmed) before me on this personally known to me or probe the person(s) who appeared before me.	day of, 20, by oved to me on the basis of satisfactory evidence to
• • • • • • • • • • • • • • • • • • • •	
(seal) AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE	Susankjardypin
RE: Trust Deed from	Notary Public for California
Grantor	Residing at Ventura Cath
and JOSHUA DAVIS	My commission expires: UU · · · · · (0)
RECONTRUST COMPANY, N.A.	is a



02 090008809

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE TO GRANTOR "EXHIBIT A"

TS No. 09-0008809

JOSHUA DAVIS

3712 Agate St

Klamath Falls, OR 97601

7187 7930 3131 3714 1262

JOSHUA DAVIS 02/11/2009

3712 Agate St

Klamath Falls, OR 97601-5402

7187 7930 3131 3714 1279

Residents/Occupants 02/11/2009

3712 Agate St

Klamath Falls, OR 97601-5402

7187 7930 3131 3714 1293

JOSHUA DAVIS 02/11/2009

439 PINE

C/O DOUGLAS OSBORNE, ATTORNEY

KLAMATH FALLS, OR 97601

7187 7930 3131 3714 1286

COUNTRYWIDE HOME LOANS, INC. 02/11/2009

4500 PARK GRANANDA

CALABASAS, CA 91302-1613

7187 7930 3131 3714 1309

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. 02/11/2009

PO BOX 2026

FLINT, MI 48501-2026

7187 7930 3131 3714 1323

BRANDY MARIE HAUGEN 02/11/2009

832 KLAMATH AVE

C/O MATTHEW T. PARKS, ATTORNEY - PARKS & PARKS

KLAMATH FALLS, OR 97601

7187 7930 3131 3714 1330

02/11/2009



02 090008809

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE TO GRANTOR "EXHIBIT A"

TS No. 09-0008809

JOSHUA DAVIS 3712 Agate St

Klamath Falls, OR 97601

 $7187\ 7930\ 3131\ 3713\ 3939$

JOSHUA DAVIS

3712 Agate St

Klamath Falls, OR 97601-5402

7187 7930 3131 3713 3946

Residents/Occupants

3712 Agate St

Klamath Falls, OR 97601-5402

7187 7930 3131 3713 3960

JOSHUA DAVIS

439 PINE

C/O DOUGLAS OSBORNE, ATTORNEY

KLAMATH FALLS, OR 97601

7187 7930 3131 3713 3953

COUNTRYWIDE HOME LOANS, INC.

4500 PARK GRANANDA

CALABASAS, CA 91302-1613

7187 7930 3131 3713 3977

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

PO BOX 2026

FLINT, MI 48501-2026

7187 7930 3131 3713 3984

BRANDY MARIE HAUGEN

832 KLAMATH AVE

C/O MATTHEW T. PARKS, ATTORNEY - PARKS & PARKS

KLAMATH FALLS, OR 97601

7187 7930 3131 3713 3991

02/11/2009

02/11/2009

02/11/2009

02/11/2009

02/11/2009

02/11/2009

02/11/2009

FEI, LLC

PO Box 219 BELLEVUE, WA 98009-0219 TEL: (425) 458-2135 FAX: (425) 283-0995

April 27, 2009

ReconTrust Company 1757 Tapo Canyon Rd., SVW-88 Simi Valley, CA 93063

Attn: Sales Group-OR

Client Ref # 09-0008809

Case Name:

DAVIS, JOSHUA

Property:

3712 Agate St

Klamath Falls, OR 97601-5402

Document:

Publication Affidavit

Dates:

03/24/2009,

03/31/2009, 04/07/2009 04/14/2009

Publications for sale date: 06/15/2009

FEI, LLC

PO Box 219 · BELLEVUE, WA 98009-0219

TEL: (425) 586-1944 FAX: (425) 283-5944

Friday, March 06, 2009

Sales Group-OR ReconTrust Company 1757 Tapo Canyon Rd., SVW-88 Simi Valley, CA 93063

Client Ref# 09-0008809

Case Name:

DAVIS, JOSHUA

Property:

3712 Agate St

Klamath Falls, OR 97601-5402

Document:

Notice of Trustee Sale

Service Date: 2/15/2009

FEI File # 1006.44450

FEI, LLC Affidavit of Posting and Service

State of Oregon County of Klamath

Dave Davis, being sworn, says: That I am over 18 years of age, a resident of Oregon, and not a party to the proceeding referred to in the attached Notice of Trustee's Sale: That my business address is 422 N 6th St, Klamath Falls, OR.

That I posted a copy of the attached Notice of Trustee's Sale on the parcel of land described in the attached Notice of Trustee's Sale, commonly referred to as 3712 Agate St, Klamath Falls, OR in a conspicuous place.

1st Attempt: Posted Real Property on 2/11/2009 at 16:45 2nd Attempt: Posted Real Property on 02/15/2009 at 17:30

Signed in Klamath County, Oregon by:

AND: / OR:

That I personally served a copy of the attached Notice of Trustee's Sale upon an adult occupant of the real property in the manner in which a summons is served by delivering to or leaving with Joshua Davis, a person over the age of fourteen (14) years, then residing therein on Sunday, February 15, 2009, at 17:30.

	Dunt	62/15
	Signature 1006.44450	Date
State of Oregon County of KIRMATH		
On thisI 5 ** day ofFEbruary Public, Personally appearedDAVETDA the person whose name is subscribed to the withi declared that the statements therein are true, and same.	r/S, known on instrument, and being by	or identified to me to be or me first duly sworn
	Notary Public for Oregon Residing at Wiloma Commission expires: O1	Ah Cawry Feb 2013
	KIME	FFICIAL SEAL BERLY A DAVIS Y PUBLIC-OREGON

COMMISSION NO. 434769 MY COMMISSION EXPIRES FEBRUARY 1, 2013

Statement of Property Condition Occupied Occupancy: Vacant Type of Dwelling: Single Family Condominium ☐ Apartment Bldg Commercial Bldg Mobil Home Multi-Family: Number of Units **Property Condition:** Fire Damage: Other - Describe: Landscape: Poor Other: Property Address Discrepancies Code Enforcement Notices Livestock For Sale, Sign By: Comments:

Disclaimer:
Foreclosure Expeditors/Initiators, LLC provides the information herein as a courtesy. That information is obtained from field service representatives possessing varying degrees of knowledge and sophistication in the observance and reporting of real property conditions and should not be relied upon in lieu of the lender's or servicer's regular property inspections for the property. No guaranty, warranty or representation of any kind, expressed or implied, is made concerning the accuracy, completeness or correctness of the matters reported upon by FEI's representatives herein. Foreclosure Expeditors/Initiators, LLC, its affiliates, officers, directors, employees, or agents are neither responsible nor liable for any direct, incidental, consequential special, punitive, exemplary or other damages arising out of or relating in any way to the content or information contained in this Statement of Property Condition.

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Joshua Davis, as grantor(s), to Fidelity National Title Insurance Co., as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 07/17/2006, recorded 08/01/2006, in the mortgage records of Klamath County, Oregon, as Recorder's fee/file/instrument/microfilm/reception Number 2006-015422, covering the following described real property situated in said county and state, to wit:

LOTS 8 AND 9 BLOCK 1 LENOX, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 3712 Agate St

Klamath Falls, OR 97601-5402

Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obligations secured by the 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: monthly payments of \$632.51 beginning 06/01/2008; plus late charges of \$31.63 each month beginning with the 06/01/2008 payment plus prior accrued late charges of \$-242.17; plus advances of \$35.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, said sums being the following to wit: \$110,400.00 with interest thereon at the rate of 6.875 percent per annum beginning 05/01/2008 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interests therein.

WHEREFORE, notice hereby is given that, RECONTRUST COMPANY, N.A., the undersigned Trustee will on Monday, June 15, 2009 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 the Trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, 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.

Dated 1 , 2009

Laura Martin, Team Member

Page 1 of 2

ORNOS (07/07)

For further information, please contact:

RECONTRUST COMPANY, N.A. RECONTRUST COMPANY, N.A. 1800 Tapo Canyon Rd., CA6-914-01-94 SIMI VALLEY, CA 93063 (800)-281-8219 TS No. 09 -0008809

STATE OF)	
COUNTY OF) ss.)	
		notary public, personally appeared to me (or proved to me on the basis of satisfactory
evidence) to be the person he/she/they executed the s	(s) whose name(s) is/are subscribe ame in his/her/their authorized cap	ed to the within instrument and acknowledged to me that pacity(ies), and that by his/her/their signature(s) on the the person(s) acted, executed the instrument.
WITNESS my hand and o	fficial seal.	
Notary Public for My commission expires;	AMMA-3,,	(SEAL)

THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.

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 # 11041
Notice of Sale/Joshua Davis
a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for: (4)
Four
i oui
Insertion(s) in the following issues:
March 24, 31, April 7, 14, 2009
· · · · · · · · · · · · · · · · · · ·
Total Cost: \$983.03
<u> </u>
Subscribed and sworn by Heidi Wright
before me on: April 14, 2009
Delote the off. April 14, 2009
1)Ohn () Cubble
- July a Grand



My commission expires May 15, 2012

Notary Public of Oregon

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by JOSHUA DAVIS, as grantor(s), to FIDELITY NATIONAL TITLE INSURANCE CO., as Trustee, in favor of MORT-GAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, dated 07/17/06, recorded 08/01/06, in the mortgage records of Klamath County, OR, as Recorder's fee/file/instrument/microfilm/reception Number 2006-015422, covering the following described real property situated in said county and state, to wit: LOTS 8 AND 9 BLOCK 1 LENOX, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. PROPERTY ADDRESS: 3712 Agate St., Klamath Falls, OR 97601-5402.

Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obligations secured by the 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 granfor's failure to pay when due the following sums: monthly payments of \$632.51, beginning 06.01 most plus late charges of \$31.63 each month beginning with the 06/01/2008 payment plus prior accrued late charges of \$-242.17; plus advances of \$ 35.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, said sums being the following to wit: \$110,400.00 with interest thereon at the rate of 6.875 percent per annum beginning 05/01/2008 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the Beneficiary for the protection of the above described real property and its interests therein.

WHEREFORE, notice hereby is given that, RECONTRUST COMPANY, N.A., the understand Trustee will on Monday, June 15, 2009 at the flour of 10:00AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Fails, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 be propertied 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 the Trustee's and afterney's feat not exceeding the amounts provided by

the word granto includes any second in inferest 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. Dated: February 11, 2009 ATTENTION OF TOWNST COMPANY, N.A. 1800 Tapo Canyon Rev., CA6-914-01-94 SIMI VALLEY, CA. 93063 (800) 281-8219 TS No. 09-0008809 (TS# 09-0008809) 1006.44450-FEI

#11041 March 24, 31, April 7, 14, 2009.