

2009-008579

Klamath County, Oregon



00068210200900085790110116

06/22/2009 11:23:15 AM

Fee: \$71.00

[WHEN RECORDED MAIL TO:]

Trustee Corps
2112 Business Center Dr.
Second Floor, Suite 201
Irvine, CA 92612

151348164

[Space Above This Line for Recorder's Use]

Loan #: 2003840 Trustee Sale #: OR0932209

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF ORANGE
COUNTY OF CALIFORNIA

I, SINUON SENG 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 interested named in the attached original or copy of 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 SINUON SENG of TRUSTEE CORPS, for FIRST AMERICAN TITLE INSURANCE COMPANY, 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 IRVINE, on FEBRUARY 24, 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.

"Notice as required by an in accordance with ORS Chapter 646 was provided to Grantor and successor in interest, if any."

Each of the notices so mailed was certified to be a true copy of the original notice of sale by SINUON SENG of TRUSTEE CORPS, for FIRST AMERICAN TITLE

771-

INSURANCE COMPANY, 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 IRVINE, on FEBRUARY 24, 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 25 days before the day set for the trustee's sale.

BY: SINUON SENG, TRUSTEE SALE OFFICER

State of California)

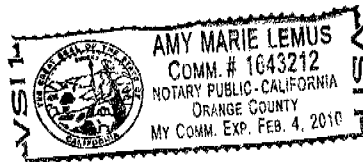
County of Orange

On 2/24/09 before me, Amy Marie Lemus, a notary public, personally appeared Sinua Seng 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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Amy Marie Lemus
Notary Public in and for said County and State



Declaration of Mailing

Trustee's Sale No. OR0932209

Date: 02/24/2009

I, **Sinuon Seng**, declare:

Trustee Corps

Mailing: **Required**

That I am an officer, agent, or employee of
whose business address is

30 Corporate Park, Suite 400, Irvine, CA 92606

Page: 1

I am over the age of eighteen years; On 02/24/2009 by Certified mail, enclosed in a sealed envelope with postage fully prepaid, I deposited in the United States Post Office at Irvine

notices, a true and correct copy of which is hereunto attached and made part hereof, addressed to the following:

Number of Article	Name of Addressee, Street, and Post Office Address	Cert. Fee	R.R. Fee
71006309264094589508	JOHN T. CRUTCHFIELD 3750 BUTTE STREET KLAMATH FALLS, OR 97601	\$3.49	\$0.00
71006309264094589515	TAYLOR, BEAN AND WHITAKER MORTGAGE CORP. 1417 N. MAGNOLIA AVENUE OCALA, FL 34475	\$3.49	\$0.00
71006309264094589522	RICCI A. CRUTCHFIELD 3750 BUTTE STREET KLAMATH FALLS, OR 97601	\$3.49	\$0.00
71006309264094589539	OCCUPANT 3750 BUTTE STREET KLAMATH FALLS, OR 97601	\$3.49	\$0.00
		\$13.96	\$0.00

Number of Pieces by Sender 4	Number of Pieces Received	Postmaster (Name) Receiving Employee	Mail By (Name) Sending Employee
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I certify (or Declare) under penalty of perjury under the laws of the State of CA that the foregoing is true and correct

(Date)

(Declarant)

Declaration of Mailing

Trustee's Sale No. OR0932209

I, **Sinuon Seng**, declare:

That I am an officer, agent, or employee of

Trustee Corps

whose business address is

30 Corporate Park, Suite 400, Irvine, CA 92606

I am over the age of eighteen years; On 02/24/2009

by First Class

mail, enclosed in a sealed envelope with postage

fully prepaid, I deposited in the United States Post Office at

Irvine

notices, a true and correct copy of which is hereunto attached and made part hereof, addressed to the following:

Date: 02/24/2009

Mailing: **Required**

Page: 1

Name of Addressee, Street, and Post Office Address

Postage
Fee

JOHN T. CRUTCHFIELD
3750 BUTTE STREET
KLAMATH FALLS, OR 97601

\$0.59

TAYLOR, BEAN AND WHITAKER MORTGAGE CORP.
1417 N. MAGNOLIA AVENUE
OCALA, FL 34475

\$0.59

RICCI A. CRUTCHFIELD
3750 BUTTE STREET
KLAMATH FALLS, OR 97601

\$0.59

OCCUPANT
3750 BUTTE STREET
KLAMATH FALLS, OR 97601

\$0.59

\$2.36

Number of Pieces by Sender	Number of Pieces Received	Postmaster (Name) Receiving Employee	Mail By (Name) Sending Employee
4			

I certify (or Declare) under penalty of perjury under the laws of the State of CA that the foregoing is true and correct

(Date)

(Declarant)

TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705, et seq.

Trustee Sale No.: **OR0932209** Loan No.: **2003840** Title Order No.: **3996430**

Reference is made to that certain Deed of Trust made by **JOHN T. CRUTCHFIELD, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY**, as Grantor, to **FIRST AMERICAN TITLE**, as Trustee, in favor of **TAYLOR, BEAN & WHITAKER MORTGAGE CORP.**, as Beneficiary, dated **09/24/2007**, and **Recorded on 09/26/2007 as Document No. 2007-016824** in the County of **Klamath**, state of **Oregon**. The beneficial interest under said Deed of Trust and the obligations secured thereby are presently held by **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC AS NOMINEE FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP.**

Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:
LOT 4, BLOCK 3, LENOX, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

A.P.N. # R537707

The street address or other common designation, if any, of the real property described above is purported to be: **3750 BUTTE STREET, KLAMATH FALLS, OR 97601**

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 Deed of Trust 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: **THE INSTALLMENT OF PRINCIPAL AND INTEREST WHICH BECAME DUE ON 09/01/2008 AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL AND INTEREST, ALONG WITH LATE CHARGES, PLUS FORECLOSURE COSTS AND LEGAL FEES.**

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 Deed of Trust immediately due and payable, said sums being the following to wit:

\$69,877.43 with interest thereon at the rate of **6.750** from **08/01/2008**; plus late charges of **\$32.09** each month beginning **09/01/2008** and prior accrued late charges until paid; together with title expenses, costs, trustee's fees and attorney 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.

WHEREFORE, notice hereby is given that the undersigned Trustee will, on **06/29/2009**, at the hour of **10:00AM** in accord with the standard of time established by O.R.S. 187.110; **ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR**, 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 has or had power to convey at the time of execution by him of the said Deed of Trust, together with any interest which the Grantor his successors in interest acquired after the execution of said Deed of Trust, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including reasonable charge by the Trustee.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee and the successful bidder shall have no further recourse.

Notice is further given that any person named in O.R.S. 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 Deed of Trust 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 to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust, together with Trustee's and attorney's fees.

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 person owing an obligation, the performance of which is secured by said Deed of Trust, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated: 2-18-09

FIRST AMERICAN TITLE INSURANCE COMPANY, as Successor Trustee



By: **MARIA DELATORRE, ASST SEC**

c/o *TRUSTEE CORPS*
2112 Business Center Drive, 2nd Floor, Irvine, CA 92612
For Sale Information contact: (714) 573-1965, (714) 573-7777, (949) 252-8300

State of California
County of Orange

On 2-18-09 before me, Laura A. Kennedy, (name and title of the officer), personally appeared MARIA DELATORRE, 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 acknowledgement 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 OR PERJURY** under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

**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 3750 BUTTE STREET, KLAMATH FALLS, OR 97601.

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 09/01/2008 to bring your mortgage loan current was \$4,857.40 . 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 (877) 714-0966 ext. 285 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:

**FIRST AMERICAN TITLE INSURANCE COMPANY
c/o TRUSTEE CORPS
30 CORPORATE PARK, 4TH FLOOR, SUITE 400
IRVINE, CA 92606**

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

Date and time: 06/29/2009 at 10:00AM

Place: ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET IN THE CITY OF KLAMATH FALLS,
COUNTY OF KLAMATH, OR, County of Klamath, State of Oregon

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

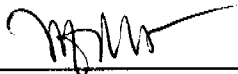
1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call TAYLOR BEAN AND WHITAKER MORTGAGE CORP. at (888) 225-2164 to find out if your lender is willing to give 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: 2/18/2009

FIRST AMERICAN TITLE INSURANCE COMPANY



MARIA DELATORRE, ASST SEC

Trustee telephone number: (877) 714-0966 ext. 285

OR0932209 / CRUTCHFIELD
ASAP# 3005889

TCORPS

AFFIDAVIT OF POSTING

STATE OF OREGON
County of Klamath

ss.

I, Jake Doolin, 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 Trustee's Notice of Sale; Notice; Notice Of Default And Election To Sell upon the individuals and/or entities named below, by delivering a copy of the aforementioned documents, upon an OCCUPANT at the following "Property Address":

3750 Butte Street
Klamath Falls, OR 97601

As follows:

On 02/25/2009 at 1:17 PM, I attempted personal service at the Property Address. I received no answer at the front door and no one appeared to be home. At that time, I POSTED such true copy conspicuously on the front door, pursuant to ORS 86.750 (1)(b)(A).

On 02/27/2009 at 8:45 AM, I returned to the Property Address and, again, received no answer at the front door. At that time, I POSTED another such copy conspicuously on the front door, pursuant to ORS 86.750 (1)(b)(B).

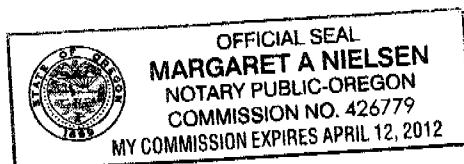
On 03/02/2009 at 9:25 AM, I returned to the Property Address and, again, received no answer at the front door. This attempt in person at the Property Address satisfies the third attempt requirement under ORS 86.750(1)(b)(C).

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

SUBSCRIBED AND SWORN BEFORE ME
this 11th day of June, 2009
by Jake Doolin.

Margaret A. Nielsen
Notary Public for Oregon

X *Jake Doolin*
Jake Doolin
Nationwide Process Service, Inc.
420 Century Tower
1201 SW 12th Avenue
Portland, OR 97205
(503) 241-0636



190393

AFFIDAVIT OF MAILING

STATE OF OREGON
County of Multnomah

ss.

I, Lisa Paolo, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On March 02, 2009, I mailed a copy of the Trustee's Notice of Sale; Notice; Notice Of Default And Election To Sell, by First Class Mail, postage pre-paid, to occupant, pursuant to ORS 86.750(1)(b)(C).

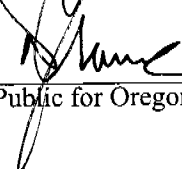
The envelope was addressed as follows:

OCCUPANT
3750 Butte Street
Klamath Falls, OR 97601

This mailing completes service upon an occupant at the above address with an effective date of 02/25/2009 as calculated pursuant to ORS 86.750 (1)(c).

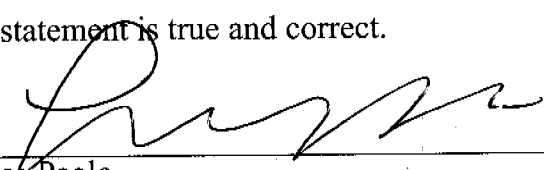
I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME
this 11th day of June, 2009
by Lisa Paolo

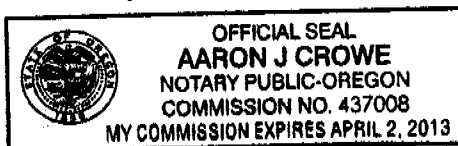


Notary Public for Oregon

X



Lisa Paolo
Nationwide Process Service, Inc.
420 Century Tower
1201 SW 12th Avenue
Portland, OR 97205
(503) 241-0636



190393

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 # 10985

Notice of Sale/John T. Crutchfield

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 4, 11, 18, 25, 2009

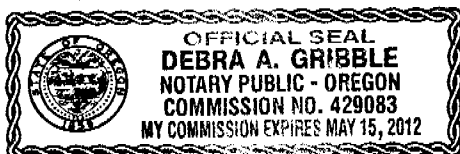
Total Cost: \$1,400.54

Subscribed and sworn by Jeanine P Day

before me on: June 11, 2009

Debra A Gribble
Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE Pursuant to O.R.S 86.705, et seq. Trustee Sale No.: OR0932209 Loan No.: 2003840 Title Order No.: 3996430

Reference is made to that certain Trust Deed made by JOHN T. CRUTCHFIELD, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY, as Grantor, to FIRST AMERICAN TITLE, as Trustee, in favor of TAYLOR, BEAN & WHITAKER MORTGAGE CORP., as Beneficiary, dated 09/24/2007, and Recorded 09/26/2007 as Document No. 2007-016824, in the County of Klamath, state of Oregon. The beneficial interest under said Deed of Trust and the obligations secured thereby are presently held by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC AS NOMINEE FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: LOT 4, BLOCK 3, LENOX, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON. A.P.N. # R537707 The street address or other common designation, if any, of the real property described above is purported to be: 3750 BUTTE STREET, KLAMATH FALLS, OR 97601. 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: THE INSTALLMENT OF PRINCIPAL AND INTEREST WHICH BECAME DUE ON 09/01/2008 AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL AND INTEREST, ALONG WITH LATE CHARGES, PLUS FORECLOSURE COSTS AND LEGAL FEES.

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. Those 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 Deed of Trust immediately due and payable, said sums being the following to wit: \$69,877.43 with interest thereon at the rate of 6.750 from 08/01/2008; plus late charges of \$32.09 each month beginning 09/01/2008 and prior accrued late charges until paid; together with title expenses, costs, trustee's fees and attorney 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.