

2009-009530

Klamath County, Oregon



00069342200900095300120124

07/13/2009 03:44:25 PM

Fee: \$86.00

**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.

ATE 606543

WHEN RECORDED MAIL TO

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

Trustee's Sale No: 09-FMS-70355



**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

**BRUCE HUFFMAN AND APRIL L. SERGI, HUSBAND AND WIFE**

Beneficiary

**EQUITY DIRECT MORTGAGE CORP.**

106 ATE

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

Trustee Sale No.: 09-FMS-70355



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:

APRIL HUFFMAN, 1514 ETNA STREET, KLAMATH FALLS, OR, 97603  
APRIL L. SERGI, 1514 ETNA STREET, KLAMATH FALLS, OR, 97603  
APRIL PARRISH, 1514 ETNA STREET, KLAMATH FALLS, OR, 97603  
BRUCE HUFFMAN, 1514 ETNA STREET, KLAMATH FALLS, OR, 97603  
OCCUPANT, 1514 ETNA STREET, KLAMATH FALLS, OR, 97603

DISCOVER BANK, C/O DONNA J SMITH, MICHAEL CONNOLLY, AARON MCLELLAN CASE NO.  
0801769CV, 11124 NE HALSEY PMB 680, PORTLAND, OR, 97720  
DISCOVER BANK, CASE NO. 0801769CV, 2325 CLAYTON ROAD, CONCORD, CA, 94520

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 04/07/09. 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.

*Daniel J. Urquhart*

*[Signature]*  
On behalf of Regional Trustee Services Corporation

SUBSCRIBED AND SWORN TO before me on

*4/7/09*

*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-FMS-70355



Reference is made to that certain Deed of Trust made by, BRUCE HUFFMAN AND APRIL L. SERGI, HUSBAND AND WIFE, as grantor, to ECOM TITLE AGENCY, as Trustee, in favor of EQUITY DIRECT MORTGAGE CORP., as beneficiary, dated 10/27/2006, recorded 2/1/2007, under Instrument No. 2007-001811, records of KLAMATH County, OREGON. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of March 1, 2007 Securitized Asset Backed Receivables LLC Trust 2007-BR1 Mortgage Pass-Through Certificates Series 2007-BR1. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

ATTACHED HERETO AS EXHIBIT 'A' AND INCORPORATED HEREIN AS THOUGH FULLY SET FORTH.

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

1514 ETNA STREET  
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 March 31, 2009
	-----
Delinquent Payments from November 01, 2008	
1 payments at \$ 1,100.65 each	\$ 1,100.65
1 payments at \$ 1,178.96 each	\$ 1,178.96
3 payments at \$ 1,168.86 each	\$ 3,506.58
(11-01-08 through 03-31-09)	
Late Charges:	\$ 312.69
Beneficiary Advances:	\$ 112.98
Suspense Credit:	\$ 0.00
	=====
TOTAL:	\$ 6,211.86

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 \$126,857.17, PLUS interest thereon at 9.2% per annum from 10/01/08 to 12/1/2008, 9.2% per annum from 12/01/08 to 01/01/09, 9.2% per annum from 1/1/2009, 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 August 4, 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.

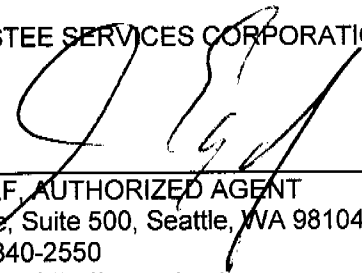
In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the 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: 3/31/2009

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

**Exhibit A**

ALL THAT PORTION OF LOT 13 OF EMPIRE TRACTS AS SHOWN UPON THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 13 AND RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID LOT, 72.2 FEET TO A POINT WHICH IS THE NORTHEAST CORNER OF LOT 10 OF GARDEN TRACTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON; THENCE IN A NORTHEASTERLY DIRECTION IN A STRAIGHT LINE TO THE SOUTHEAST CORNER OF LOT 10 OF SAID EMPIRE TRACTS; THENCE WEST ALONG THE SOUTH LINE OF LOTS 10 AND 9 OF EMPIRE TRACTS, 142.0 FEET; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 13 OF EMPIRE TRACTS 129.3 FEET TO THE POINT OF BEGINNING.

Commonly known as 1514 Etna Street Klamath Falls, OR 97603  
However, by showing this address no additional coverage is provided.



3/31/2009

**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 1514 ETNA STREET , KLAMATH FALLS, OR 97603.

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 3/31/2009, to bring your mortgage loan current was \$9,560.36. 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 1-800-542-2550 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: Regional Trustee Services, 616 1<sup>st</sup> Avenue, Suite 500, Seattle, WA, 98104.

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

**August 4, 2009, 11:00 AM  
ON THE FRONT STEPS OF THE CIRCUIT COURT**



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 Regional Trustee Services at 800-542-2550 to find out if your lender is willing to give you more time or change the terms of the loan.
4. You can sell your home, provided the sale price is enough to pay what you owe.

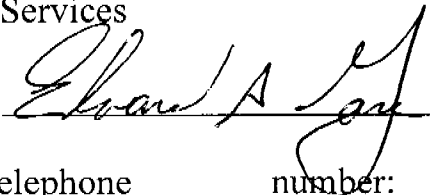
There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at 800-723-3638. You may also wish to talk to a lawyer. 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: [www.osbar.org](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 the Oregon State Bar Legal Aid at 503-684-3763 or toll free in Oregon at 800-452-7636 or on the web at [www.oregonlawhelp.org](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 3/31/2009

Regional Trustee Services

Trustee signature:



\_\_\_\_\_

Trustee

telephone

number:

800-542-2550

09 FMS 70355

**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 **1514 Etna St. Klamath Falls, OR 97603**

☐ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to \_\_ at the address below.

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

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

1<sup>st</sup> Attempt: April 3, 2009 4:03 PM Posted

2<sup>nd</sup> Attempt: April 6, 2009 10:50 AM Posted

3<sup>rd</sup> Attempt: April 9, 2009 3:53 PM Posted

☐ **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 April 10, 2009, 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 Chelsa Meek

**1514 Etna St. 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.

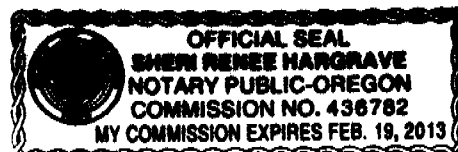
April 3, 2009 4:03 PM  
**DATE OF SERVICE TIME OF SERVICE**

☐ or non occupancy

By: Robert W. Bolenbaugh  
**ROBERT W. BOLENBAUGH**

Subscribed and sworn to before on this 10<sup>th</sup> day of April, 2009.

Sheri Renee Hargrave  
Notary Public for Oregon



70358

# 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 # 11101

Notice of Sale/Bruce Huffman

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:

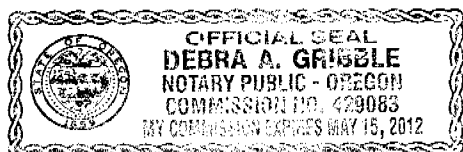
April 14, 21, 28, May 5, 2009

Total Cost: \$1,506.69

*Jeanine P Day*  
Subscribed and sworn by Jeanine P Day  
before me on: May 5, 2009

*Debra A Grizzle*  
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 Sale No. 09-FMS-70355

**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  
BRUCE HUFFMAN AND APRIL L. SERGI, HUSBAND  
AND WIFE, as grantor, to ECOM TITLE AGENCY, as  
Trustee, in favor of EQUITY DIRECT MORTGAGE  
CORP., as beneficiary, dated 10/27/2006, recorded  
2/1/2007, under Instrument No. 2007- 001811, records of  
KLAMATH County, OREGON. The beneficial interest un-  
der said Trust Deed and the obligations secured thereby  
are presently held by Deutsche Bank National Trust Com-  
pany as Trustee under Pooling and Servicing Agreement  
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ceivables LLC Trust 2007-BR1 Mortgage Pass-Through  
Certificates Series 2007-BR1. Said Trust Deed encumbers  
the following described real property situated in said  
county and state, to-wit: ALL THAT PORTION OF LOT 13  
OF EMPIRE TRACTS AS SHOWN UPON THE OFFICIAL  
PLAT THEREOF ON FILE IN THE OFFICE OF THE  
COUNTY CLERK OF KLAMATH COUNTY, OREGON,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF LOT 13  
AND RUNNING THENCE EAST ALONG THE SOUTH  
LINE OF SAID LOT, 72.2 FEET TO A POINT WHICH IS  
THE NORTHEAST CORNER OF LOT 10 OF GARDEN  
TRACTS, ACCORDING TO THE OFFICIAL PLAT  
THEREOF ON FILE IN THE OFFICE OF THE COUNTY  
CLERK OF KLAMATH COUNTY, OREGON; THENCE  
IN A NORTHEASTERLY DIRECTION IN A STRAIGHT  
LINE TO THE SOUTHEAST CORNER OF LOT 10 OF  
SAID EMPIRE TRACTS; THENCE WEST ALONG THE  
SOUTH LINE OF LOTS 10 AND 9 OF EMPIRE TRACTS,  
142.0 FEET; THENCE SOUTH ALONG THE WEST LINE  
OF SAID LOT 13 OF EMPIRE TRACTS 129.3 FEET TO  
THE POINT OF BEGINNING. Commonly known as 1514  
Etna Street Klamath Falls, OR 97603 However, by showing  
this address no additional coverage is provided. The street  
address or other common designation, if any, of the real  
property described above is purported to be: 1514 ETNA  
STREET, 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  
March 31, 2009 Delinquent Payments from November 01,  
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\$ 1,178.96 each \$ 1,178.96 3 payments at \$ 1,168.86 each \$  
3,506.58 (11-01-08 through 03-31-09) Late Charges: \$ 312.69  
Beneficiary Advances: \$ 112.98 Suspense Credit: \$ 0.00 TO-  
TAL: \$ 6,211.86.

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-  
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per annum from 1/1/2009, until paid, together with escrow  
advances, foreclosure costs, trustee fees, attorney fees,  
sums required for the protection of the property and addi-  
tional sums secured by the Deed of Trust.

25-125

WHEREFORE, notice hereby is given that the undersigned trustee, will on August 4, 2009, at the hour of 11:00AM, 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 shall be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the same. DATED: 4/31/2009. REGIONAL TRUSTEE SERVICES CORPORATION Trustee By ANNA EGDORF, AUTHORIZED AGENT 616 1st Avenue, Suite 500, Seattle WA 98104  
Phone: (206) 340-2550 Sale Information:  
Website: www.rtrustee.com ASAP# 3048549 04/14/2009,  
2009, 04/28/2009, 05/05/2009  
April 14, 21, 28, May 5, 2009.