

2009-016085

Klamath County, Oregon



00077150200900160850200207

12/24/2009 12:07:55 PM

Fee: \$142.00

Recording Requested By:  
Aspen Title & Escrow, Inc.  
525 Main Street  
Klamath Falls, OR 97601

When Recorded Return To:

Aspen Title & Escrow, Inc.  
525 Main Street  
Klamath Falls, OR 97601

Until requested otherwise, send all tax statements:

ATE 66790

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

## COVER SHEET

### DOCUMENT:

**Affidavit of Mailing /Copy of Trustees Notice of Sale**

**Affidavit of Service/Posting**

**Affidavit of Publication**

### ORIGINAL GRANTOR ON TRUST DEED:

**Richard H. Bailey and Arlene F. Bailey**

### ORIGINAL BENEFICIARY ON TRUST DEED:

**Citimortgage Inc.**

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

ATE 142

WHEN RECORDED MAIL TO:

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

\*1216726-09\* \*ANOSXR\*

T.S. NO.: 1216726-09  
LOAN NO.: 2001347816

## AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA } SS  
COUNTY OF SAN DIEGO }

I, Clifton McBride being first duly sworn, depose, say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of California, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached Notice of Sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached Notice of Sale by mailing a copy thereof by registered or certified mail and regular mail to each of the following named persons at their last known address, to-wit:

### SEE ATTACHED

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by TAMMY LAIRD, for CAL-WESTERN RECONVEYANCE CORPORATION, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail in San Diego County, California, on August 26, 2009. Each of said notices was mailed after the Notice of Default and Election to Sell described in said Notice of Sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale. The additional notice required under HB3630 was mailed to grantors on or before the date the notice of sale was served or mailed via first class and certified mail with return receipt requested.

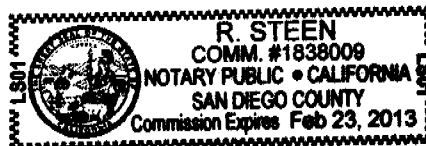
Clifton McBride  
Affiant

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

AUG 28 2009

SUBSCRIBED AND SWORN to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

[Signature]  
Notary Public



**NOTICE:**  
**YOU ARE IN DANGER OF LOSING**  
**YOUR PROPERTY IF YOU DO NOT**  
**TAKE ACTION IMMEDIATELY**

This notice is about your mortgage loan on your property at:

18746 CLEAR SPRING WAY  
FKA 1200 DIAMOND PEAK CIRCLE  
CRESCENT LAKE OR 97733

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 August 19, 2009 to bring your mortgage loan current was \$15,743.79. The amount you must now pay to bring your loan current may have increased since that date.

By law, your lender has to provide you with the details about the amount you owe, if you ask. You may call (866)272-4749 FREDDIE, VA & FHA LOANS 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:

CMI WORKOUT DEPARTMENT  
1000 TECHNOLOGY DRIVE, MS 314  
O FALLON MO 63368

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

Date and time: December 29, 2009 at 1:00pm

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

Trustee Sale No.: 1216726-09

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

1. You can pay the amount past due or correct any other default, up to five days before the sale.
2. You can refinance or otherwise pay off the loan in full anytime before the sale.
3. You can call CMI WORKOUT DEPARTMENT at (866)272-4749 FREDDIE, VA & FHA LOANS 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: August 19, 2009  
Trustee Sale No.: 1216726-09

Trustee name: CAL-WESTERN RECONVEYANCE CORPORATION

Trustee signature:           *Tommy Gaud*          

Trustee telephone number: (800) 546-1531

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX7816  
T.S. No: 1216726-09

I CERTIFY THIS TO BE A TRUE AND  
CORRECT COPY OF THE ORIGINAL

BY Tammy Land

Reference is made to that certain deed made by  
RICHARD H. BAILEY AND ARLENE F. BAILEY, AS TENANTS BY THE ENTIRETY as Grantor to  
FIRST AMERICAN TITLE COMPANY, as Trustee, in favor of

CITIMORTGAGE, INC. as Beneficiary,

dated November 07, 2003, recorded November 12, 2003, in official records of KLAMATH County,  
OREGON in book/reel/volume No. M03 at  
page No. 83718, fee/file/instrument/microfilm/reception No. XX covering the following described real  
property situated in the said County and State, to-wit:

LOT 1, BLOCK 6, TRACT NO. 1119, LEISURE WOODS #2, ACCORDING TO THE OFFICIAL  
PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

18746 CLEAR SPRING WAY FKA 1200 DIAMOND PEAK CIRCLE CRESCENT LAKE OR 97733

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations  
secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised  
Statutes: the default for which the foreclosure is made is the grantor's:  
Failure to pay the monthly payment due January 1, 2009 of principal and interest and subsequent  
installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary  
pursuant to the terms and conditions of said deed of trust.

Monthly payment \$1,539.49    Monthly Late Charge \$69.17

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust  
immediately due and payable, said sums being following, to-wit; The sum of \$211,857.34 together with  
interest thereon at the rate of 6.125% per annum, from December 01, 2008 until paid; plus all accrued  
late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary  
pursuant to the terms and conditions of the said deed of trust.

## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX7816

T.S. No: 1216726-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on December 29, 2009 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at  
AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE  
316 MAIN STREET

City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

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

Dated: August 19, 2009

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: Tammy Laid

Loan No: XXXXXX7816

T.S. No: 1216726-09

### NOTICE TO TENANTS:

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is November 29, 2009, the name of the trustee and the trustee's mailing address are listed on this notice.

Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law.

You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so.

If you believe you need legal assistance with this matter, you may contact the Oregon State Bar and ask for the lawyer referral service. Contact information for the Oregon State Bar is included with this notice: If you have a low income and meet federal poverty guide-lines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice.

**OREGON STATE BAR**  
16037 SW Upper Boones Ferry Road  
Tigard, Oregon 97224  
(503) 620-0222  
(800) 452-8260  
<http://www.osbar.org>

Directory of Legal Aid Programs:  
<http://www.oregonlawhelp.org>

8/26/2009 6:30:25 PM

Sender: CalWestern Reconveyance  
525 E Main  
El Cajon CA 92020

Postal Class: First Class

Type of Mailing: Window

Affidavit Attachment: 1381386-01 000 08260829 CWR

Postal Number Sequence Recipient Name

Address Line 1/3  
Address Line 2/4

11041994141027823056

1 ARLENE F BAILEY

1200 DIAMOND PEAK CIR

CRESCENT LAKE OR 97425

11041994141027823063

2 ARLENE F BAILEY

221 NW 2ND AVE

PORTLAND OR 97209

11041994141027823070

3 RICHARD H. BAILEY

1200 DIAMOND PEAK CIR

CRESCENT LAKE OR 97425

11041994141027823087

4 NORTHWEST RESOURCE FEDERAL CREDIT UNION

P.O. BOX 2788

PORTLAND OR 97208

11041994141027823094

5 ARLENE F. BAILEY

1200 DIAMOND PEAK CIR

CRESCENT LAKE OR 97425

11041994141027823100

6 NORTHWEST RESOURCE FEDERAL CREDIT UNION

1200 DIAMOND PEAK CIR

CRESCENT LAKE OR 97425

11041994141027823117

7 DOYLE, GARTLAND THE DIAMOND PEAKS AT LEI

C/O MINDY WITTKOP  
EUGENE OR 97401

44 CLUB ROAD, SUITE 200

11041994141027823124

8 THE DIAMOND PEAKS AT LEISURE WOODS I & I

C/O JEFF RUSOW  
SPRINGFIELD OR 97478

605 N 68TH PLACE

11041994141027823131

9 NORTHWEST RESOURCE FEDERAL CREDIT UNION

PO BOX 2788

PORTLAND OR 97208

11041994141027823148

10 NORTHWEST RESOURCE FEDERAL CREDIT UNION

18746 CLEAR SPRING WAY

CRESCENT LAKE OR 97733

11041994141027823155

11 NORTHWEST RESOURCE FEDERAL CREDIT UNION

221 NW 2ND AVENUE

PORTLAND OR 97209

11041994141027823162

12 THE DIAMOND PEAKS AT LEISURE WOODS I & I

PO BOX 29

CRESCENT LAKE OR 97425

11041994141027823179

13 ARLENE F. BAILEY

18746 CLEAR SPRING WAY

CRESCENT LAKE OR 97733



041994141027823186 14	RICHARD H. BAILEY	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97733
041994141027823193 15	ARLENE F. BAILEY	5460 WOODMILL DR SE	SALEM OR 97306
041994141027823209 16	RICHARD H. BAILEY	5460 WOODMILL DR SE	SALEM OR 97306
041994141027823216 17	Occupant(s) / Tenant(s)	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97425	FKA 1200 DIAMOND PEAK CIRCLE
041994141027823223 18	RICHARD H BAILEY	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97425	FKA 1200 DIAMOND PEAK CIRCLE
041994141027823230 19	ARLENE F BAILEY	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97425	FKA 1200 DIAMOND PEAK CIRCLE
041994141027823247 20	RICHARD H BAILEY	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97733	FKA 1200 DIAMOND PEAK CIRCLE
041994141027823254 21	ARLENE F BAILEY	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97733	FKA 1200 DIAMOND PEAK CIRCLE
041994141027823261 22	NORTHWEST RESOURCE FEDERAL CREDIT UNION	C/O G JAMES PORTLAND OR 97208	PO BOX 2788
041994141027823278 23	NORTHWEST RESOURCE FED CU ATTN: G. JAMES	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97425	FKA 1200 DIAMOND PEAK CIRCLE
041994141027823285 24	NORTHWEST RESOURCE FED CU ATTN: G. JAMES	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97733	FKA 1200 DIAMOND PEAK CIRCLE
1041994141027823292 25	RICHARD BAILEY	221 NW 2ND AVE	PORTLAND OR 97209
1041994141027823308 26	OCCUPANT	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97733	FKA 1200 DIAMOND PEAK CIRCLE
1041994141027823315 27	G JAMES	PO BOX 2788	PORTLAND OR 97208
1041994141027823322 28	NORTHWEST RESOURCE FEDERAL CREDIT UNION	ATTN: G JAMES PORTLAND OR 97208	PO BOX 2788
1041994141027823339			

29	THE DIAMOND PEA AT LEISURE WOOD HOMEOWNE	GARLAND, NELSON, MCCLEERY, WADE & WALLOCH EUGENE OR 97401	44 CLUB ROAD, SUITE 200
11041994141027823346			
30	RICHARD H BAILEY	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97425
11041994141027823353			
31	ARLENE F BAILEY	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97425
11041994141027823360			
32	RIHARD H BAILEY	5460 WOODMILL DR SE	SALEM OR 97306
11041994141027823377			
33	ARELENE F BAILEY	5460 WOODMILL DR SE	SALEM OR 97306
11041994141027823384			
34	NORTHWEST RESOURCE FEDERAL CREDIT UNION	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97425

8/26/2009 6:30:25 PM	Sender:	CalWestern Reconveyance 525 E Main El Cajon CA 92020		
Postal Class:	Certified - Ret			
Type of Mailing:	Window			
Affidavit Attachment: 1381386-01 000 08260829 CWR				
Postal Number	Sequence	Recipient Name	Address Line 1/3	Address Line 2/4
71041994141036453239	1	ARLENE F BAILEY	1200 DIAMOND PEAK CIR	CRESCENT LAKE OR 97425
71041994141036453246	2	ARLENE F BAILEY	221 NW 2ND AVE	PORTLAND OR 97209
71041994141036453253	3	RICHARD H. BAILEY	1200 DIAMOND PEAK CIR	CRESCENT LAKE OR 97425
71041994141036453260	4	NORTHWEST RESOURCE FEDERAL CREDIT UNION	P.O. BOX 2788	PORTLAND OR 97208
71041994141036453277	5	ARLENE F. BAILEY	1200 DIAMOND PEAK CIR	CRESCENT LAKE OR 97425
71041994141036453284	6	NORTHWEST RESOURCE FEDERAL CREDIT UNION	1200 DIAMOND PEAK CIR	CRESCENT LAKE OR 97425
71041994141036453291	7	DOYLE, GARTLAND THE DIAMOND PEAKS AT LEI	C/O MINDY WITTKOP EUGENE OR 97401	44 CLUB ROAD, SUITE 200
71041994141036453314	8	THE DIAMOND PEAKS AT LEISURE WOODS I & I	C/O JEFF RUSOW SPRINGFIELD OR 97478	605 N 68TH PLACE
71041994141036453321	9	NORTHWEST RESOURCE FEDERAL CREDIT UNION	PO BOX 2788	PORTLAND OR 97208
71041994141036453338	10	NORTHWEST RESOURCE FEDERAL CREDIT UNION	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97733
71041994141036453345	11	NORTHWEST RESOURCE FEDERAL CREDIT UNION	221 NW 2ND AVENUE	PORTLAND OR 97209
71041994141036453369	12	THE DIAMOND PEAKS AT LEISURE WOODS I & I	PO BOX 29	CRESCENT LAKE OR 97425
71041994141036453376	13	ARLENE F. BAILEY	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97733

71041994141036453383 14	RICHARD H. BAILEY	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97733
71041994141036453390 15	ARLENE F. BAILEY	5460 WOODMILL DR SE	SALEM OR 97306
71041994141036453413 16	RICHARD H. BAILEY	5460 WOODMILL DR SE	SALEM OR 97306
71041994141036453420 17	Occupant(s) / Tenant(s)	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97425	FKA 1200 DIAMOND PEAK CIRCLE
71041994141036453437 18	RICHARD H BAILEY	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97425	FKA 1200 DIAMOND PEAK CIRCLE
71041994141036453451 19	ARLENE F BAILEY	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97425	FKA 1200 DIAMOND PEAK CIRCLE
71041994141036453468 20	RICHARD H BAILEY	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97733	FKA 1200 DIAMOND PEAK CIRCLE
71041994141036453475 21	ARLENE F BAILEY	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97733	FKA 1200 DIAMOND PEAK CIRCLE
71041994141036453482 22	NORTHWEST RESOURCE FEDERAL CREDIT UNION	C/O G JAMES PORTLAND OR 97208	PO BOX 2788
71041994141036453505 23	NORTHWEST RESOURCE FED CU ATTN: G. JAMES	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97425	FKA 1200 DIAMOND PEAK CIRCLE
71041994141036453512 24	NORTHWEST RESOURCE FED CU ATTN: G. JAMES	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97733	FKA 1200 DIAMOND PEAK CIRCLE
71041994141036453536 25	RICHARD BAILEY	221 NW 2ND AVE	PORTLAND OR 97209
71041994141036453543 26	OCCUPANT	18746 CLEAR SPRING WAY CRESCENT LAKE OR 97733	FKA 1200 DIAMOND PEAK CIRCLE
71041994141036453567 27	G JAMES	PO BOX 2788	PORTLAND OR 97208
71041994141036453574 28	NORTHWEST RESOURCE FEDERAL CREDIT UNION	ATTN: G JAMES PORTLAND OR 97208	PO BOX 2788
71041994141036453598			

71041994141036453604	29 30	THE DIAMOND PEA AT LEISURE WOOD HOMEOWNE	GARLAND, NELSON, MCCLEERY, WADE & WALLOCH EUGENE OR 97401	44 CLUB ROAD, SUITE 200
		RICHARD H BAILEY	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97425
71041994141036453628	31	ARLENE F BAILEY	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97425
71041994141036453635	32	RIHARD H BAILEY	5460 WOODMILL DR SE	SALEM OR 97306
71041994141036453659	33	ARELENE F BAILEY	5460 WOODMILL DR SE	SALEM OR 97306
71041994141036453666	34	NORTHWEST RESOURCE FEDERAL CREDIT UNION	18746 CLEAR SPRING WAY	CRESCENT LAKE OR 97425

Klamath County, Oregon  
CITIMORTGAGE INC, beneficiary  
RICHARD H BAILEY & ARLENE F BAILEY, grantor  
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee  
TS # 1216726-09  
REF # 256211

AFFIDAVIT OF SERVICE

I hereby certify that I am a competent person 18 years of age or older and meet the requirements in the state of service, am not the beneficiary of the trustee named in the original trustee's Notice of Sale, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or trustee, or successor of either, corporate or otherwise.

I further certify that service was made of the foregoing TRUSTEE'S NOTICE OF SALE; NOTICE TO TENANTS upon an OCCUPANT of **18746 CLEAR SPRING WY fka 1200 DIAMOND PEAK CIRCLE, Crescent, OR 97733**, with copy(ies), as follows:

1st attempt: (date) 8-25-09 (time) 3:15 PM (☒ Posted) (☐ Served)

2nd attempt: (date) 8-30-09 (time) 4:00 PM (☒ Posted) (☐ Served)

3rd attempt: (date) 9-1-09 (time) 1:44 PM (☒ Posted) (☐ Served) (☐ Attempted)

Posted on the property in a secure manner, in a conspicuous place, to wit: FRONT DOOR.

Served upon an adult occupant by delivering a copy

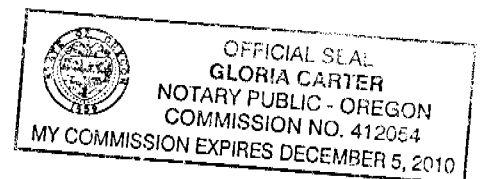
( ☐ ) Personally to (name) \_\_\_\_\_.

( ☐ ) Substituted to (name) \_\_\_\_\_.

A. Carreon  
(signature)  
Armando Carreon  
(print name)  
Armando Carreon

STATE OF OREGON, County of Multnomah.  
Signed and affirmed before me on 07/12/2009. (SEAL)  
Gloria Carter  
NOTARY PUBLIC - OREGON

CLIENT: RELIABLE POSTING & PUBLISHING REF # 256211  
IPS# 56025



INTERSTATE PROCESS SERVING, INC.\*PO Box 80815, Portland OR 97280\* 503/452-7179

member of  
Oregon Association of Process Servers  
National Association of Professional Process Servers  
Washington State Process Servers Association

256211

Klamath County, Oregon  
CITIMORTGAGE INC, beneficiary  
RICHARD H BAILEY & ARLENE F BAILEY, grantor  
CAL-WESTERN RECONVEYANCE CORPORATION, trustee/successor trustee  
TS # 1216726-09  
REF # 256211

AFFIDAVIT OF MAILING

I certify that:

I mailed a copy of the TRUSTEE'S NOTICE OF SALE; NOTICE TO TENANTS in a sealed envelope with first class postage thereon fully prepaid and deposited with the United States Post Office on

**September 13, 2009**, addressed as follows:

OCCUPANT

18746 CLEAR SPRING WY fka 1200 DIAMOND PEAK CIRCLE  
Crescent OR 97733.

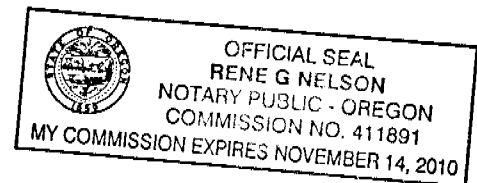
Gloria Carter

STATE OF OREGON, County of Multnomah.

Signed and attested before me on September 13, 2009 by Gloria Carter.

[Signature] (SEAL)

NOTARY PUBLIC - OREGON



CLIENT: RELIABLE POSTING & PUBLISHING REF # 256211  
IPS# 56025

INTERSTATE PROCESS SERVING INC \* P.O. Box 80815, Portland OR 97280 \* 503/452-7179

256211

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Loan No: XXXXXX7816  
T.S. No: 1216726-09

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CORRECT COPY OF THE ORIGINAL

BY Tammy Land

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FIRST AMERICAN TITLE COMPANY, as Trustee, in favor of

CITIMORTGAGE, INC. as Beneficiary,

dated November 07, 2003, recorded November 12, 2003, in official records of KLAMATH County,  
OREGON in book/reel/volume No. M03 at  
page No. 83718, fee/file/instrument/microfilm/reception No. XX covering the following described real  
property situated in the said County and State, to-wit:

LOT 1, BLOCK 6, TRACT NO. 1119, LEISURE WOODS #2, ACCORDING TO THE OFFICIAL  
PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:

18746 CLEAR SPRING WAY FKA 1200 DIAMOND PEAK CIRCLE CRESCENT LAKE OR 97733

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Statutes: the default for which the foreclosure is made is the grantor's:  
Failure to pay the monthly payment due January 1, 2009 of principal and interest and subsequent  
installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary  
pursuant to the terms and conditions of said deed of trust.

Monthly payment \$1,539.49    Monthly Late Charge \$69.17

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust  
immediately due and payable, said sums being following, to-wit; The sum of \$211,857.34 together with  
interest thereon at the rate of 6.125% per annum, from December 01, 2008 until paid; plus all accrued  
late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary  
pursuant to the terms and conditions of the said deed of trust.



## TRUSTEE'S NOTICE OF SALE

Loan No: XXXXXX7816

T.S. No: 1216726-09

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on December 29, 2009 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at  
AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE  
316 MAIN STREET

City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

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

Dated: August 19, 2009

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

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By: Tammy Land

Loan No: XXXXXX7816  
T.S. No: 1216726-09

### NOTICE TO TENANTS:

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is November 29, 2009, the name of the trustee and the trustee's mailing address are listed on this notice.

Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law.

You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so.

If you believe you need legal assistance with this matter, you may contact the Oregon State Bar and ask for the lawyer referral service. Contact information for the Oregon State Bar is included with this notice. If you have a low income and meet federal poverty guide-lines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice.

OREGON STATE BAR  
16037 SW Upper Boones Ferry Road  
Tigard, Oregon 97224  
(503) 620-0222  
(800) 452-8260  
<http://www.osbar.org>

Directory of Legal Aid Programs:  
<http://www.oregonlawhelp.org>

# 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 # 11592

Notice of Sale/Richard H & Arlene F Bailey

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:

September 10, 17, 24, October 1, 2009

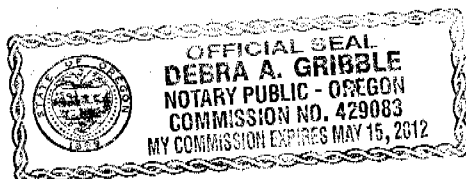
Total Cost: \$1,232.39

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

before me on: October 1, 2009

*Debra A Gribble*  
Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE Loan No: xxxxxx7816 T.S. No.: 1216726-09.

Reference is made to that certain deed made by Richard H. Bailey and Arlene F. Bailey, As Tenants By The Entirety, as First American Title Company, as Trustee, in favor of Citi-mortgage, Inc., as Beneficiary, dated November 07, 2003, recorded November 12, 2003, in official records of Klamath, Oregon in book/reel/volume No. m03 at page No. 83718, fee/file/instrument/microfilm/reception No. xx covering the following described real property situated in said County and State, to-wit: Lot 1, block 6, tract no. 1119, Leisure Woods #2, according to the official plat thereof on file in the office of the clerk of Klamath County, Oregon. Commonly known as: 18746 Clear Spring Way Fka 1200 Diamond Peak Circle, Crescent Lake, OR 97733.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.753(6) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's: Failure to pay the monthly payment due January 1, 2009 of principal and interest and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Monthly payment \$1,539.49 Monthly Late Charge \$69.17.

By this reason of said default the beneficiary has declared all obligations secured by said Deed of Trust immediately due and payable, said sums being the following, to-wit: The sum of \$211,857.34 together with interest thereon at 6.125% per annum from December 01, 2008 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of the said deed of trust.

Whereof, notice hereby is given that, Cal-Western Reconveyance Corporation the undersigned trustee will on December 29, 2009 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, At the Main Street entrance to Klamath County Courthouse, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale. In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any. Dated: August 19, 2009.

**NOTICE TO TENANTS:** If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement. If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of the sale. If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out. To be entitled to either a 30-day or 60-day notice, you must give the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease and cannot provide a copy of the rental agreement, you may give the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date of the sale is November 29, 2009, the name of the trustee and the trustee's mailing address are listed on this notice. Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law. You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so. If you believe you need legal assistance with this matter, you may contact the Oregon State Bar and ask for the lawyer referral service. Contact information for the Oregon State Bar is included with this notice: If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance. Contact information for where you can obtain free legal assistance is included with this notice. OREGON STATE BAR 16037 SW Upper Boones Ferry Road Tigard, Oregon 97224 (503) 620-0222 (800) 452-8260 <http://www.osbar.org> Directory of Legal Aid Programs: <http://www.oregonlawhelp.org> Cal-Western Reconveyance Corporation 525 East Main Street P.O. Box 22004 El Cajon Ca 92022-9004 Cal-Western Reconveyance Corporation Signature/By: Tammy Laird R-256211 09/10, 09/17, 09/24, 10/01 #11592 September 10, 17, 24, October 1, 2009.