

2010-001785

Klamath County, Oregon



00079425201000017850210218

02/02/2010 01:54:26 PM

Fee: \$152.00

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 67253

(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

Affidavit of Compliance

ORIGINAL GRANTOR ON TRUST DEED:

Wayne Williams and Natalie C. Williams

ORIGINAL BENEFICIARY ON TRUST DEED:

Option One Mortgage Corporation

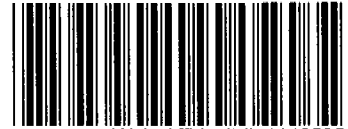
**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE
ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS CONTAINED IN THE COVER
SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT
ITSELF**

ATE # 147

When recorded mail to:
DEFAULT RESOLUTION NETWORK
17592 E. 17th Street, Suite 300
Tustin, CA 92780
Phone: 714-508-5100
Fax: 714-508-5102

Loan # 0016762130
TS # OR 09-05939-6 .
Title Order # 090730911-OR-GNO
Grantor: WAYNE WILLIAMS AND NATALIE C WILLIAMS, AS TENANTS BY THE ENTIRETY

AFFIDAVIT OF MAILING



Walz Affidavit #: 1146525

AFFIDAVIT OF MAILING**Default Resolution Network**

Date: 10/23/2009

Ref. No.: 09-05939-6

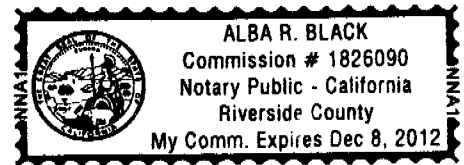
MailbatchID: 263540

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

The declarant, whose signature appears below, states that she is over the age of eighteen (18) years; is employed in Riverside County, California; acting on behalf of Default Resolution Network; is not a party to the within action; and that on October 23, 2009, she personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice in a sealed envelope, sent First Class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

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

X

Affiant Nudia Burleson
 ORGRNTR
 2226691466
 REF #: 09-05939-6
 NATALIE C WILLIAMS
 2450 LAKEVIEW AVE
 MALIN, OR 97632

 ORGRNTR
 2226691467
 REF #: 09-05939-6
 NATALIE C WILLIAMS
 2450 LAKEVIEW AVENUE
 MALIN, OR 97632

 ORGRNTR
 2226691468
 REF #: 09-05939-6
 NATALIE C WILLIAMS
 PO BOX 1011
 MERRILL, OR 97633

 ORGRNTR
 2226691469
 REF #: 09-05939-6
 WAYNE WILLIAMS
 2450 LAKEVIEW AVE
 MALIN, OR 97632

 ORGRNTR
 2226691470
 REF #: 09-05939-6
 WAYNE WILLIAMS
 2450 LAKEVIEW AVENUE
 MALIN, OR 97632

 ORGRNTR
 2226691471
 REF #: 09-05939-6
 WAYNE WILLIAMS
 PO BOX 1011
 MERRILL, OR 97633
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

Subscribed and sworn to (or affirmed) before me on this 26th day of Oct (month), 2009 (year), by Nudia Burleson, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

(Signature of Notary)

Alba R. Black

(Seal of Notary)



AFFIDAVIT OF MAILING

Default Resolution Network

Date: 10/23/2009

Ref. No.: 09-05939-6

MailbatchID: 263578

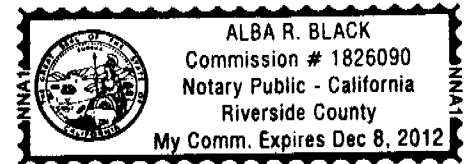
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

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

X


Affiant Nudia Burleson



ORGRNTR
7113 8257 1473 7084 5122
REF #: 09-05939-6
NATALIE C WILLIAMS
2450 LAKEVIEW AVE
MALIN, OR 97632

ORGRNTR
7113 8257 1473 7084 5139
REF #: 09-05939-6
NATALIE C WILLIAMS
2450 LAKEVIEW AVENUE
MALIN, OR 97632

ORGRNTR
7113 8257 1473 7084 5146
REF #: 09-05939-6
NATALIE C WILLIAMS
PO BOX 1011
MERRILL, OR 97633

ORGRNTR
7113 8257 1473 7084 5153
REF #: 09-05939-6
WAYNE WILLIAMS
2450 LAKEVIEW AVE
MALIN, OR 97632

ORGRNTR
7113 8257 1473 7084 5160
REF #: 09-05939-6
WAYNE WILLIAMS
2450 LAKEVIEW AVENUE
MALIN, OR 97632

ORGRNTR
7113 8257 1473 7084 5177
REF #: 09-05939-6
WAYNE WILLIAMS
PO BOX 1011
MERRILL, OR 97633

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

Subscribed and sworn to (or affirmed) before me on this 26th day of Oct. (month), 2009 (year), by Nudia Burleson, proved to me on the basis of satisfactory evidence to be the person who appeared before me.



(Signature of Notary)

Alba R. Black

(Seal of Notary)

NOTICE:

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

Re: TS#: 09-05939-6

Loan #: 0016762130

**This notice is about your mortgage loan on your property at 2450 LAKEVIEW AVE,
MALIN, OR 97632**

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 October 19, 2009 to bring your mortgage loan current was \$ 9,225.50 . 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 877-304-3100 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: AMERICAN HOME MORTGAGE SERVICING, INC. AS SUCCESSOR IN INTEREST TO OPTION ONE MORTGAGE CORPORATION at 4875 Belfort Road, Suite 130 Jacksonville, FL 32256

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

Date and time: March 4, 2010 at 10:00 AM

Place: on the front steps of the Circuit Court, 316 Main Street., in the City of Klamath Falls, County of Klamath, 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 AMERICAN HOME MORTGAGE SERVICING, INC. AS SUCCESSOR IN INTEREST TO OPTION ONE MORTGAGE CORPORATION at 877-304-3100 to request that your lender 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: 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://oregonlawhelp.org>.

Your lender may be willing to modify your loan to reduce the interest rate, reduce the monthly payments or both. You can get information about possible loan modification programs by contacting your lender at 877-304-3100. If you can't reach your lender, you may contact the trustee at the telephone number at the bottom of this notice. If you have already entered into a loan modification with your lender, it is possible that you will not be able to modify your loan again unless your circumstances have changed. Your lender is not obligated to modify your loan.

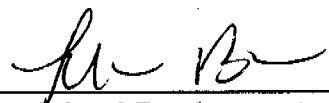
You may request to meet with your lender to discuss options for modifying your. During discussions with your lender, you may have the assistance of a lawyer, a housing counselor or another person of your choosing. To receive a referral to a housing counselor or other assistance available in your community, call this toll-free consumer mortgage foreclosure information number **800-SAFENET (800-723-3638)**. Many lenders participate in new federal loan modifications programs. You can obtain more information about these programs at <http://www.makinghomeaffordable.gov/>.

IF YOU WANT TO APPLY TO MODIFY YOUR LOAN , YOU MUST FILL OUT AND MAIL BACK THE ENCLOSED "LOAN MODIFICATION REQUEST FORM". YOUR LENDER MUST RECEIVE THE FORM BY November 18, 2009, WHICH IS 30 DAYS AFTER THE DATE SHOWN BELOW.

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.

October 19, 2009

Trustee name: FIDELITY NATIONAL TITLE INSURANCE COMPANY

Trustee signature: 
Michael Busby, Authorized Signature

Trustee telephone number: 714-508-5100

Trustee Address: 17592 E. 17th Street, Suite 300 , Tustin, CA 92780
440-4795 (8/09/COM)

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
STATE OF CALIFORNIA, County of Orange
TS #: 09-05939-6

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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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 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:

STATE OF OREGON
DEPARTMENT OF JUSTICE - DIVISION OF CHILD SUPPORT
39 N. CENTRAL
MEDFORD, OR 97501

Certified Article Number

7160 3901 9848 6710 7410

SENDERS RECORD

STATE OF OREGON
DEPARTMENT OF HUMAN RESOURCES
500 SUMMER STREET NE
SALEM, OR 97301

Certified Article Number

7160 3901 9848 6710 7403

SENDERS RECORD

CURRENT OCCUPANT
2450 LAKEVIEW AVE
MALIN, OR 97632

Certified Article Number

7160 3901 9848 6710 7397

SENDERS RECORD

SHENANDOAH E. STIPE
5209 MOHAWK DR
KOKOMO, IN 46902

Certified Article Number

7160 3901 9848 6710 7380

SENDERS RECORD

SHENANDOAH E. WILLIAMS
C/O ARIE C DEGROOT
219 S 11TH #101
KLAMATH FALLS, OR 97601

Certified Article Number

7160 3901 9848 6710 7373

SENDERS RECORD

SHENANDOAH E. WILLIAMS
C/O DEPARTMENT OF JUSTICE CHILD SUPPORT SERVICES
P.O. BOX 14506
SALEM, OR 97309

Certified Article Number

7160 3901 9848 6710 7366

SENDERS RECORD

SHENANDOAH E. WILLIAMS
5210 SUNNYSIDE LN
KLAMATH FALLS, OR 97603

Certified Article Number

7160 3901 9848 6710 7359

SENDERS RECORD

SHENANDOAH E. WILLIAMS
5209 MOHAWK DR
KOKOMO, IN 46902

Certified Article Number

7160 3901 9848 6710 7342

SENDERS RECORD

WAYNE J. WILLIAMS
P.O. BOX 1011
MERRILL, OR 97633

Certified Article Number

7160 3901 9848 6710 7335

SENDERS RECORD

WAYNE J. WILLIAMS
2450 LAKEVIEW AVE
MALIN, OR 97632

Certified Article Number

7160 3901 9848 6710 7328

SENDERS RECORD

NATALIE C WILLIAMS
2450 LAKEVIEW AVE
MALIN, OR 97632

Certified Article Number

7160 3901 9848 6710 7311

SENDERS RECORD

NATALIE C WILLIAMS
2450 LAKEVIEW AVENUE
MALIN, OR 97632

Certified Article Number

7160 3901 9848 6710 7304

SENDERS RECORD

NATALIE C WILLIAMS
PO BOX 1011
MERRILL, OR 97633

Certified Article Number

7160 3901 9848 6710 7298

SENDERS RECORD

WAYNE WILLIAMS
2450 LAKEVIEW AVE
MALIN, OR 97632

Certified Article Number

7160 3901 9848 6710 7281

SENDERS RECORD

WAYNE WILLIAMS
2450 LAKEVIEW AVENUE
MALIN, OR 97632

Certified Article Number

7160 3901 9848 6710 7274

SENDERS RECORD

WAYNE WILLIAMS
PO BOX 1011
MERRILL, OR 97633

Certified Article Number


7160 3901 9848 6710 7267

SENDERS RECORD

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, 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 Tustin, CA on 11/03/09. 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.

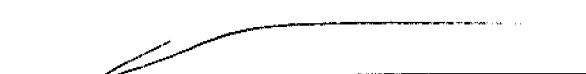

Michelle Ramos

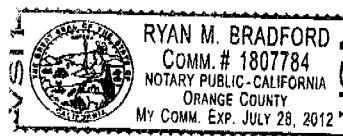
State of California }ss.
County of Orange }ss

On 11/3/2009, before me, Ryan M. Bradford, a Notary Public in and for said county, personally appeared Michelle Ramos, 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.


Ryan M. Bradford # 1807784
My Commission Expires 7/28/2012



(Seal)

TRUSTEE'S NOTICE OF SALE

Loan No: 0016762130

T.S. No.: 09-05939-6 .

Reference is made to that certain deed made by, WAYNE WILLIAMS AND NATALIE C WILLIAMS, AS TENANTS BY THE ENTIRETY as Grantor to FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, as trustee, in favor of OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION, as Beneficiary, recorded on May 25, 2005, Book M05 Page 38511 of Official Records in the office of the Recorder of Klamath County, OR to-wit:

APN: R124662

LOTS 1 AND 2, BLOCK 53, SUPPLEMENTAL PLAT OF THE CITY OF MALIN, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON

Commonly known as:
2450 LAKEVIEW AVE, MALIN, OR 97632

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: failed to pay payments which became due; together with late charges due; together with other fees and expenses incurred by the Beneficiary;

Monthly Payment \$900.00
Monthly Late Charge \$45.00

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 \$ 95,486.29 together with interest thereon at the rate of 10.62500 % per annum from December 1, 2008 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that FIDELITY NATIONAL TITLE INSURANCE COMPANY, the undersigned trustee will on **March 4, 2010** at the hour of **10:00 AM**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, on the front steps of the Circuit Court, 316 Main Street., in the City of Klamath Falls, County of Klamath, Oregon 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 expenses 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 or 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.

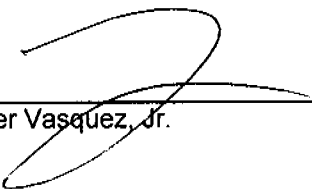
**FOR FURTHER INFORMATION, PLEASE CONTACT FIDELITY NATIONAL
TITLE INSURANCE COMPANY, 17592 E. 17th Street, Suite 300, Tustin, CA 92780
714-508-5100 TRUSTEE SALE LINE 714-247-7500 www.fidelityasap.com**

TRUSTEE'S NOTICE OF 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" include their respective successors in interest, if any.

Dated: November 2, 2009

FIDELITY NATIONAL TITLE INSURANCE
COMPANY



Javier Vasquez, Jr.

State of California
County of Orange

I, the undersigned, certify that I am the Trustee Sale Officer and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.



Javier Vasquez, Jr.

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, you must give the trustee a copy of the rental agreement. If you do not 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 February 2, 2010. The name of the trustee and the trustee's mailing address are listed on this notice. 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.

Free legal assistance:

Oregon Law Center
Portland: (503) 473-8329
Coos Bay: 1-800-303-3638
Ontario: 1-888-250-9877
Salem: (503) 485-0696
Grants Pass: (541) 476-1058
Woodburn: 1-800-973-9003
Hillsboro: 1-877-726-4381
<http://www.oregonlawcenter.org/>

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://oregonlawhelp.org>. For the name and telephone number of an organization near you, please call the statewide telephone contact number at 800-SAFENET(800-723-3638)

NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from: WAYNE WILLIAMS AND
NATALIE C WILLIAMS, AS TENANTS BY THE
ENTIRETY, Grantor

To: Fidelity National Title Insurance Company,
Successor Trustee

After recording return to(name, address, zip):

Fidelity National Title Insurance Company
17592 E. 17th Street, Suite 300
Tustin , CA 92780

This Document was Recorded on 10/20/2009
As instrument number 2009-13674
Book _____ Page _____
In Klamath County OR

TS No: 09-05939-6 . - Loan No: 0016762130

Reference is made to that certain trust deed made by WAYNE WILLIAMS AND NATALIE C WILLIAMS, AS TENANTS BY THE ENTIRETY, as grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, as trustee, in favor of OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION, as beneficiary, dated as of May 18, 2005, and recorded May 25, 2005, in the Records of Klamath County, Oregon, in Book M05 at Page 38511, covering the following described real property situated in the above-mentioned county and state, to wit: APN: R-4112-015CB-05300 - LOTS 1 AND 2 IN BLOCK 53 AS SHOWN ON THE MAP ENTITLED SUPPLEMENTAL PLAT OF THE CITY OF MALIN, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:
Principal balance \$95,486.29

Delinquent Payments

<u>FROM</u>	<u>THRU</u>	<u>NO. PMTS</u>	<u>INT. RATE</u>	<u>AMOUNT</u>	<u>GRAND TOTAL</u>
01/01/2009	10/16/2009	9	10.62500%	\$900.00	\$8,100.00

Late Charges

Grand Total Late Charges \$405.00

Beneficiary's Advances, Costs and Expenses

Grand Total \$0.00

Trustee's Fees and Costs \$ 720.50

GRAND TOTAL REQUIRED TO REINSTATE \$9,225.50

TS No :09-05939-6.

Loan No: 0016762130

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit: failed to pay payments which became due; together with late charges due; together with other fees and expenses incurred by the Beneficiary;

Notice hereby is given that the beneficiary and trustee, by reason of default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The Sale will be held at the hour of **10:00 AM**, in accord with the standard of time established by ORS 187.110, on **March 4, 2010**, at the following place: **on the front steps of the Circuit Court, 316 Main Street., in the City of Klamath Falls, County of Klamath, Oregon.**

FOR SALE INFORMATION CALL: **714-247-7500**

Website for Trustee's Sale Information: **www.fidelityasap.com**

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property except:

NATALIE C WILLIAMS
2450 LAKEVIEW AVE
MALIN, OR 97632

Borrower

WAYNE WILLIAMS
2450 LAKEVIEW AVE
MALIN, OR 97632

Borrower

NATALIE C WILLIAMS
2450 LAKEVIEW AVENUE
MALIN, OR 97632

Initial Mailing

NATALIE C WILLIAMS
PO BOX 1011
MERRILL, OR 97633

Initial Mailing

WAYNE WILLIAMS
2450 LAKEVIEW AVENUE
MALIN, OR 97632

Initial Mailing

WAYNE WILLIAMS
PO BOX 1011
MERRILL, OR 97633

Initial Mailing


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), together with costs, trustee's and attorney's fees, 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, at any time prior to five days before the date last set for sale.

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

Fidelity National Title Insurance Company, Successor Trustee

On October 19, 2009, before me, Ryan M. Bradford, a Notary Public, personally appeared Michael Busby, 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.

WITNESS my hand and official seal.

 **RYAN M. BRADFORD**
COMM. # 1807784
NOTARY PUBLIC-CALIFORNIA
ORANGE COUNTY
MY COMM. EXP. JULY 28, 2012

(Seal)

When recorded mail to:
DEFAULT RESOLUTION NETWORK
17592 E. 17th Street, Suite 300
Tustin, CA 92780
Phone: 714-508-5100
Fax: 714-508-5102

Loan # 0016762130
TS # OR 09-05939-6 .
Title Order # 090730911-OR-GNO
Grantor: WAYNE WILLIAMS AND NATALIE C WILLIAMS, AS TENANTS BY THE ENTIRETY

AFFIDAVIT OF SERVICE

09059396 / WILLIAMS
ASAP# 3331296

FDRSA

AFFIDAVIT OF SERVICE

STATE OF OREGON
County of Klamath

ss.

I, Robert Bolenbaugh, 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.

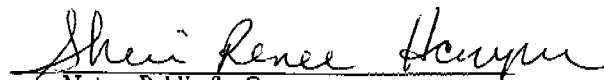
I made service of the attached original Trustee's Notice of Sale; Notice to Tenants upon the individuals and/or entities named below, by delivering a copy of the aforementioned documents, upon an **OCCUPANT** at the following "Property Address":

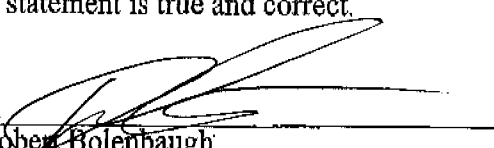
2450 Lakeview Avenue
Malin, OR 97632

By delivering such copy, personally and in person to Natalie Williams, at the above Property Address on November 18, 2009 at 12:53 PM.

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

SUBSCRIBED AND SWORN BEFORE ME
this 23rd day of November, 2009
by Robert Bolenbaugh.


Notary Public for Oregon

X 
Robert Bolenbaugh
Nationwide Process Service, Inc.
420 Century Tower
1201 SW 12th Avenue
Portland, OR 97205
(503) 241-0636
3331296



211139

When recorded mail to:
DEFAULT RESOLUTION NETWORK
17592 E. 17th Street, Suite 300
Tustin, CA 92780
Phone: 714-508-5100
Fax: 714-508-5102

Loan # 0016762130
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AFFIDAVIT OF PUBLICATION

5939
3/4

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 # 11759

Trustee's Notice of Sale, Loan No:

0016762130, No.: 09-05939-6

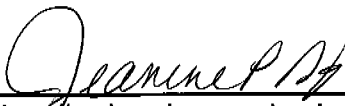
a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for: (4)

Four

Insertion(s) in the following issues:

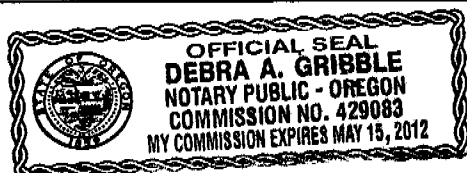
November 10, 17, 24, December 01, 2009.

Total Cost: \$888.42


Subscribed and sworn by Jeanine P Day
before me on: December 2, 2009


Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE

Loan No: 0016762130 T.S. No.: 09-05939-6.

Reference is made to that certain deed made by, WAYNE WILLIAMS AND NATALIE C WILLIAMS, AS TENANTS BY THE ENTIRETY as Grantor to FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, as trustee, in favor of OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION, as Beneficiary, recorded on May 25, 2005, Book M05 Page 38511 of Official Records in the office of the Recorder of Klamath County, OR to-wit: APN: R124662 LOTS 1 AND 2, BLOCK 53, SUPPLEMENTAL PLAT OF THE CITY OF MALIN, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON Commonly known as: 2450 LAKE VIEW AVE, MALIN, OR 97632.

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: failed to pay payments which became due; together with late charges due; together with other fees and expenses incurred by the Beneficiary; Monthly Payment \$900.00 Monthly Late Charge \$45.00

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 \$ 95,486.29 together with interest thereon at the rate of 10.62500 % per annum from December 1, 2008 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that FIDELITY NATIONAL TITLE INSURANCE COMPANY, the undersigned trustee will on March 4, 2010 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, on the front steps of the Circuit Court, 316 Main Street., in the City of Klamath Falls, County of Klamath, Oregon 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 expenses 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 or 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. FOR FURTHER INFORMATION, PLEASE CONTACT FIDELITY NATIONAL TITLE INSURANCE COMPANY, 17592 E. 17th Street, Suite 300, Tustin, CA 92780 714-508-5100 TRUSTEE SALE LINE 714-247-7500 www.fidelityasap.com

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" include their respective successors in interest, if any. Dated: November 2, 2009 FIDELITY NATIONAL TITLE INSURANCE COMPANY Javier Vasquez, Jr. ASAP# 3331296 11/10/2009, 11/17/2009, 11/24/2009, 12/01/2009 #11759 November 10, 17, 24, December 01, 2009.

When recorded mail to:
DEFAULT RESOLUTION NETWORK
17592 E. 17th Street, Suite 300
Tustin, CA 92780
Phone: 714-508-5100
Fax: 714-508-5102

Loan # 0016762130
TS # OR 09-05939-6 .
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Grantor: WAYNE WILLIAMS AND NATALIE C WILLIAMS, AS TENANTS BY THE ENTIRETY

**AFFIDAVIT OF ~~NON-MILITARY~~ SERVICE AND
AFFIDAVIT OF COMPLIANCE**

Notary Signature

Client Reference No. 0016762130

TS NO.: Trustee Sale No. 09-05939-6

AFFIDAVIT OF COMPLIANCE WITH Ch. 864 (2009 Oregon Laws)

STATE OF California County of Orange) ss:

I, Cindi Ellis, being first duly sworn, depose, and say that am employed by American Home Mortgage Servicing, Inc. (hereinafter "beneficiary") and I am familiar with the records and files kept by beneficiary with respect to Loan number 0016762130, where the grantor(s) name(s) is/are

☒ Beneficiary did not receive a Modification Request Form from the grantor(s) within the time specified in Chapter 864 (2009 Oregon Laws). The Modification Request Form was sent on 10/23/2009; or

☐ Beneficiary received a timely Modification Request Form from the grantor(s) on _____ [date].

If beneficiary received a timely Modification Request Form (**check all that apply**):

- ☐ Beneficiary or beneficiary's agent reviewed the information submitted by grantor(s), and notified the grantor(s) that the beneficiary denied the request for modification of the loan.
- ☐ Beneficiary or beneficiary's agent requested grantor(s) provide additional information needed to determine whether the loan could be modified.
- ☐ If timely requested by the grantor(s), the beneficiary or beneficiary's agent met with the grantor(s) in person or spoke to the grantor(s) by telephone before the beneficiary or beneficiary's agent responded to the grantor(s) request to modify the loan. The person representing the beneficiary or the beneficiary's agent who met or spoke with grantor(s) had or was able to obtain authority to modify the loan.
- ☐ The grantor(s) did not respond to the beneficiary within seven business days of the date the beneficiary or the beneficiary agent attempted to contact the grantor(s) to schedule a meeting in person or by telephone.
- ☐ The beneficiary has previously considered the current financial information provided by the grantor(s), and has in good faith determined that the grantor(s) is not eligible for a modification of this loan. The beneficiary has informed the grantor(s) that the grantor(s) is not eligible for a modification of this loan.

By: Cindi Ellis Cindi Ellis
Assistant Vice President

Subscribed and sworn to before me on 12/22/09 by Cindi Ellis
(name of affiant).

[Signature]
Notary Public

