

2010-002932

Klamath County, Oregon

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



00080822201000029320260266

03/04/2010 02:44:41 PM

Fee: \$182.00

When Recorded Return To:

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

Until requested otherwise, send all tax statements:

ATE 67294

(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 Non Military Service**

**Affidavit of Compliance**

### ORIGINAL GRANTOR ON TRUST DEED:

**Christina J. Bicondoa and Gregory Bicondoa, as tenants by the entirety**

### ORIGINAL BENEFICIARY ON TRUST DEED:

**Amerquest Mortgage Company**

**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**

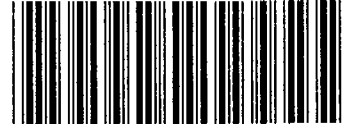
ATE # 182

**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 # 4001899824**  
**TS # OR 09-06106-6 .**  
**Title Order # 090761660-OR-GNO**  
**Grantor: CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY.**

---

## **AFFIDAVIT OF MAILING**



Walz Affidavit #: 1204917

## AFFIDAVIT OF MAILING

### ***Default Resolution Network***

Date: 11/19/2009


Ref. No.: 09-06106-6

MailbatchID: 266569

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 November 19, 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 Certified Mail, 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  
7113 8257 1473 7776 4099  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
4461 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603

ORGRNTR  
7113 8257 1473 7776 4105  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
1370 RICHINS AVE  
GRIDLEY, CA 95948

ORGRNTR  
7113 8257 1473 7776 4112  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
1370 RICHINS AVENUE  
GRIDLEY, CA 95948

ORGRNTR  
7113 8257 1473 7776 4129  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

ORGRNTR  
7113 8257 1473 7776 4136  
REF #: 09-06106-6  
GREGORY BICONDOA  
1370 RICHINS AVENUE  
GRIDLEY, CA 95948

ORGRNTR  
7113 8257 1473 7776 4143  
REF #: 09-06106-6  
GREGORY BICONDOA  
4461 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603

ORGRNTR  
7113 8257 1473 7776 4150  
REF #: 09-06106-6  
GREGORY BICONDOA  
1370 RICHINS AVE  
GRIDLEY, CA 95948

ORGRNTR  
7113 8257 1473 7776 4167  
REF #: 09-06106-6  
GREGORY BICONDOA  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

ORGRNTR  
7113 8257 1473 7776 4174  
REF #: 09-06106-6  
CURRENT OCCUPANT  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

**AFFIDAVIT OF MAILING**

***Default Resolution Network***

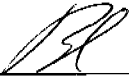
Date: 11/19/2009

Ref. No.: 09-06106-6

MailbatchID: 266569

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    )

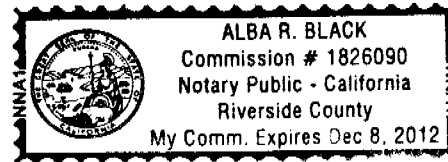
Subscribed and sworn to (or affirmed) before me on this 20<sup>th</sup> day of Nov (month),  
2009 (year), by Nudia Burleson, proved to me on the basis of satisfactory evidence to be  
the person who appeared before me.



(Signature of Notary)

(Seal of Notary)

*Alba R. Black*





Walz Affidavit #: 1205198

## AFFIDAVIT OF MAILING

### **Default Resolution Network**

Date: 11/19/2009


Ref. No.: 09-06106-6

MailbatchID: 266609

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 November 19, 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  
2227760267  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
4461 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603

ORGRNTR  
2227760268  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
1370 RICHINS AVE  
GRIDLEY, CA 95948

ORGRNTR  
2227760269  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
1370 RICHINS AVENUE  
GRIDLEY, CA 95948

ORGRNTR  
2227760270  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

ORGRNTR  
2227760271  
REF #: 09-06106-6  
GREGORY BICONDOA  
1370 RICHINS AVENUE  
GRIDLEY, CA 95948

ORGRNTR  
2227760272  
REF #: 09-06106-6  
GREGORY BICONDOA  
4461 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603

ORGRNTR  
2227760273  
REF #: 09-06106-6  
GREGORY BICONDOA  
1370 RICHINS AVE  
GRIDLEY, CA 95948

ORGRNTR  
2227760274  
REF #: 09-06106-6  
GREGORY BICONDOA  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

ORGRNTR  
2227760275  
REF #: 09-06106-6  
CURRENT OCCUPANT  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

**AFFIDAVIT OF MAILING**

**Default Resolution Network**

Date: 11/19/2009

Ref. No.: 09-06106-6

MailbatchID: 266609

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    )

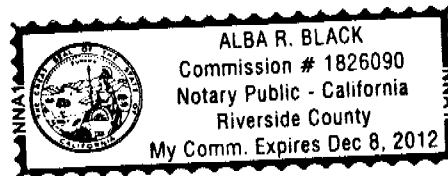
Subscribed and sworn to (or affirmed) before me on this 20<sup>th</sup> day of Nov (month),  
2009 (year), by Nudia Burleson, proved to me on the basis of satisfactory evidence to be  
the person who appeared before me.

*Alba R. Black*

(Signature of Notary)

(Seal of Notary)

*Alba R. Black*



## **NOTICE:**

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

**Re: TS#: 09-06106-6**

**Loan #: 4001899824**

**This notice is about your mortgage loan on your property at 4461 BARTLETT AVE,  
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 November 2, 2009 to bring your mortgage loan current was \$6,498.05 . 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 10, 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](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>.

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 December 2, 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.

November 2, 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)



# MODIFICATION REQUEST FORM

November 2, 2009

Trustee Sale Number: 09-06106-6  
Loan Number: 4001899824  
Trustor/Owner: CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS  
BY THE ENTIRETY.  
Property Address: 4461 BARTLETT AVE, KLAMATH FALLS, OR 97603

**THIS MODIFICATION REQUEST FORM MUST BE RETURNED TO THE ADDRESS BELOW NO LATER THAN December 2, 2009 (30 DAYS FROM THE DATE OF THIS NOTICE).**

The lender then has 45 days to respond as to whether the homeowner qualifies for a loan modification.

You may request a meeting with your lender to discuss loan modification.

In consideration of your request for modification your lender may request that the grantor disclose current information about the grantor's income and expenses, the grantor's address, phone number and electronic mail address and other facts that may affect the grantor's eligibility for a loan modification. You may wish to return this information with your Modification Request Form.

I, \_\_\_\_\_ request the beneficiary to review the above referenced loan for modification.

Borrowers/Owners Contact information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Signed: \_\_\_\_\_

This form must be returned to your lender at the following address:

AMERICAN HOME MORTGAGE SERVICING  
4875 Belfort Road, Suite 130  
Jacksonville, FL 32256

Please include information about your income and expenses to expedite this process.



Walz Affidavit #: 1221854

## AFFIDAVIT OF MAILING

### ***Default Resolution Network***

Date: 11/25/2009


Ref. No.: 09-06106-6

MailbatchID: 267306

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 November 25, 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 Doraluz Sotelo

ORNOS  
2227970275  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

ORNOS  
2227970276  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
4461 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603

ORNOS  
2227970277  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
1370 RICHINS AVE  
GRIDLEY, CA 95948

ORNOS  
2227970278  
REF #: 09-06106-6  
CHRISTINA J BICONDOA  
1370 RICHINS AVENUE  
GRIDLEY, CA 95948

ORNOS  
2227970279  
REF #: 09-06106-6  
GREGORY BICONDOA  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

ORNOS  
2227970280  
REF #: 09-06106-6  
GREGORY BICONDOA  
4461 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603

ORNOS  
2227970281  
REF #: 09-06106-6  
GREGORY BICONDOA  
1370 RICHINS AVE  
GRIDLEY, CA 95948

ORNOS  
2227970282  
REF #: 09-06106-6  
GREGORY BICONDOA  
1370 RICHINS AVENUE  
GRIDLEY, CA 95948

ORNOS  
2227970283  
REF #: 09-06106-6  
CURRENT OCCUPANT  
4461 BARTLETT AVENUE  
KLAMATH FALLS, OR 97603

ORNOS  
2227970284  
REF #: 09-06106-6  
KLAMATH IRRIGATION DISTRICT  
6640 KID LANE  
KLAMATH FALLS, OR 97603

**AFFIDAVIT OF MAILING**

***Default Resolution Network***

Date: 11/25/2009

Ref. No.: 09-06106-6

MailbatchID: 267306

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    )

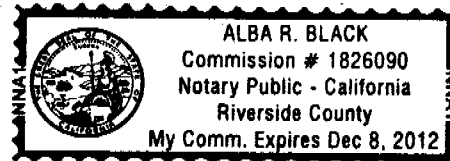
Subscribed and sworn to (or affirmed) before me on this 30<sup>th</sup> day of NOV (month),  
2009 (year), by Doraluz Sotelo, proved to me on the basis of satisfactory evidence to be the  
person who appeared before me.

*AB*

(Signature of Notary)

(Seal of Notary)

*Alba R. Black*



## TRUSTEE'S NOTICE OF SALE

Loan No: 4001899824  
T.S. No.: 09-06106-6 .

Reference is made to that certain deed made by, CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY, as Grantor to FIRST AMERICAN TITLE, as trustee, in favor of AMERIQUEST MORTGAGE COMPANY, as Beneficiary, recorded on April 21, 2006, Book M06 Page 7822 of Official Records in the office of the Recorder of Klamath County, OR to-wit:

APN: R571777

LOT 13 VILLA ST. CLAIR, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

Commonly known as:  
4461 BARTLETT AVENUE, KLAMATH FALLS, OR 97603

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;

Monthly Payment \$1,064.51  
Monthly Late Charge \$46.20

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 \$ 185,358.52 together with interest thereon at the rate of 3.88000 % per annum from May 1, 2009 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 10, 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.

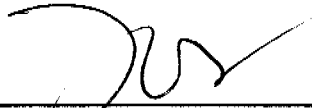
**FOR FURTHER INFORMATION, PLEASE CONTACT FIDELITY NATIONAL  
TITLE INSURANCE COMPANY, 17592 E. 17th Street, Suite 300, Tustin, CA 92780  
714-508-5100 TRUSTEE SALE LINE 714-247-7500 [www.fidelityasap.com](http://www.fidelityasap.com)**

## 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 23, 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 8, 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: CHRISTINA J. BICONDOA AND GREGORY BICONDOA, 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

11/3/2009

As instrument number

200914189

Book

Page

In

Klamath

County

Oregon

TS No: 09-06106-6 . - Loan No: 4001899824

Reference is made to that certain trust deed made by CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY., as grantor, to FIRST AMERICAN TITLE, as trustee, in favor of AMERIQUEST MORTGAGE COMPANY, as beneficiary, dated as of April 11, 2006, and recorded April 21, 2006, in the Records of Klamath County, Oregon, Instrument No. M06-07822, covering the following described real property situated in the above-mentioned county and state, to wit: APN: R-3909-014BB-00400 - LOT 13 VILLA ST. CLAIR, 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 \$185,358.52

**Delinquent Payments**

<u>FROM</u>	<u>THRU</u>	<u>NO. PMTS</u>	<u>INT. RATE</u>	<u>AMOUNT</u>	<u>GRAND TOTAL</u>
06/01/2009	10/30/2009	5	3.88000%	\$1,064.51	\$5,322.55

**Late Charges**

Grand Total Late Charges \$231.00

**Beneficiary's Advances, Costs and Expenses**

Grand Total \$0.00

Trustee's Fees and Costs \$ 944.50

**GRAND TOTAL REQUIRED TO REINSTATE \$6,498.05**

TS No :09-06106-6.

Loan No: 4001899824

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;

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 10, 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](http://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:

CHRISTINA J BICONDOA  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

Borrower

GREGORY BICONDOA  
4461 BARTLETT AVE  
KLAMATH FALLS, OR 97603

Borrower

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.

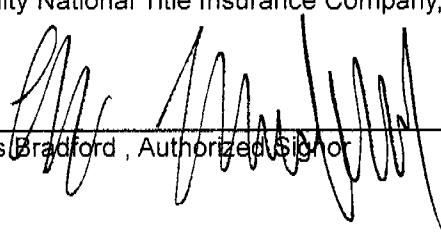
FOR FURTHER INFORMATION CONTACT:  
DEFAULT RESOLUTION NETWORK  
17592 E. 17th Street, Suite 300  
Tustin, CA 92780  
714-508-5100



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.

Dated November 2, 2009

Fidelity National Title Insurance Company, Successor Trustee

  
Chris Bradford, Authorized Signor

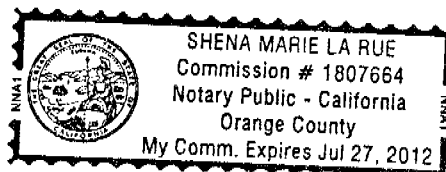
State of California }ss.  
County of Orange }ss

On November 2, 2009, before me, Shena Marie La Rue, a Notary Public, personally appeared Chris Bradford, 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.

  
Shena Marie La Rue # 1807664  
My Commission Expires July 27, 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 # 4001899824**  
**TS # OR 09-06106-6 .**  
**Title Order # 090761660-OR-GNO**  
**Grantor: CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY.**

---

## **AFFIDAVIT OF SERVICE**

09061066 / BICONDOA  
ASAP# 3358561

**FDRSA**

**AFFIDAVIT OF POSTING**

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":

**4461 Bartlett Avenue  
Klamath Falls, OR 97603**

As follows:

On 12/02/2009 at 8:34 AM, I attempted personal service at the Property Address. I received no answer at the front door and no one appeared to be home. At that time, I POSTED such true copy conspicuously on the front door, pursuant to ORS 86.750 (1)(b)(A).

On 12/04/2009 at 12:56 PM, I returned to the Property Address and, again, received no answer at the front door. At that time, I POSTED another such copy conspicuously on the front door, pursuant to ORS 86.750 (1)(b)(B).

On 12/08/2009 at 10:08 AM, I returned to the Property Address and, again, received no answer at the front door. This attempt in person at the Property Address satisfies the third attempt requirement under ORS 86.750(1)(b)(C).

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

SUBSCRIBED AND SWORN BEFORE ME  
this 15<sup>th</sup> day of Dec, 2009  
by Robert Bolenbaugh.

*Margaret A. Nielsen*  
Notary Public for Oregon



*[Signature]*  
Robert Bolenbaugh  
Nationwide Process Service, Inc.  
420 Century Tower  
1201 SW 12th Avenue  
Portland, OR 97205  
(503) 241-0636  
3358561



213679

09061066 / BICONDOA  
ASAP# 3358561

**FDRSA**

**AFFIDAVIT OF MAILING**

STATE OF OREGON

County of Multnomah

ss.

I, Sarah Ruth Tasko, being first duly sworn, depose and say that I am employed by Nationwide Process Service, Inc. On December 09, 2009, I mailed a copy of the Trustee's Notice of Sale; Notice to Tenants, by First Class Mail, postage pre-paid, to occupant, pursuant to ORS 86.750(1)(b)(C).

The envelope was addressed as follows:

**OCCUPANT**  
**4461 Bartlett Avenue**  
**Klamath Falls, OR 97603**


This mailing completes service upon an occupant at the above address with an effective date of **12/02/2009** as calculated pursuant to ORS 86.750 (1)(c).

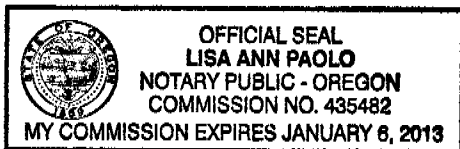
I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN BEFORE ME  
this 9 day of December, 2009  
by Sarah Ruth Tasko.

\_\_\_\_\_  
Notary Public for Oregon

X

  
\_\_\_\_\_  
Sarah Ruth Tasko  
Nationwide Process Service, Inc.  
420 Century Tower  
1201 SW 12th Avenue  
Portland, OR 97205  
(503) 241-0636



213679

**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 # 4001899824**

**TS # OR 09-06106-6 .**

**Title Order # 090761660-OR-GNO**

**Grantor: CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY.**

---

## **AFFIDAVIT OF PUBLICATION**

6186  
310

# 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 # 11822

Trustee's Notice of Sale

Bicondoa

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:

December 5, 12, 19, 26, 2009

Total Cost: \$838.55

*Jeanine P. Day*

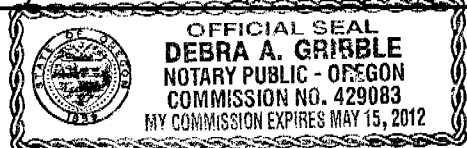
Subscribed and sworn by Jeanine P Day

before me on: December 28, 2009

*Debra A. Gribble*

Notary Public of Oregon

My commission expires May 15, 2012



### TRUSTEE'S NOTICE OF SALE Loan No: 4001899824 T.S. No.: 09-06106-6

Reference is made to that certain deed made by, CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY, as Grantor to FIRST AMERICAN TITLE, as trustee, in favor of AMERIQUEST MORTGAGE COMPANY, as Beneficiary, recorded on April 21, 2006, Book M06 Page 7822 of Official Records in the office of the Recorder of Klamath County, OR to-wit: APN: R571777 LOT 13 VILLA ST. CLAIR, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON. Commonly known as: 4461 BARTLETT AVENUE, KLAMATH FALLS, OR 97603.

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; Monthly Payment \$1,064.51 Monthly Late Charge \$46.20.

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 \$ 185,358.52 together with interest thereon at the rate of 3.88000 % per annum from May 1, 2009 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 10, 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

45027

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](http://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 23, 2009 FIDELITY NATIONAL TITLE INSURANCE COMPANY Javier Vasquez, Jr. ASAP# 3358561 12/05/2009, 12/12/2009, 12/19/2009, 12/26/2009  
#11822 December 5, 12, 19, 26, 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 # 4001899824**  
**TS # OR 09-06106-6 .**  
**Title Order # 090761660-OR-GNO**  
**Grantor: CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY.**

---

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



DECLARATION OF NON-MILITARY SERVICE

Loan No: 4001899824  
T.S. No: 09-06106-6  
Owner(s): CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY.

The undersigned, declares as follows:

I am informed and believe and on that ground allege that the matters stated in this declaration are true.

That CHRISTINA J. BICONDOA AND GREGORY BICONDOA, AS TENANTS BY THE ENTIRETY, is not now, or within the period of three months prior to the making of this declaration, (a) in the Federal Service on active duty as a member of the Army of the United States, or the United States Navy, or the United States Air Force, or the Women's Army Corps, or as an officer of the Public Health Service; or (b) in training or being educated under the supervision of the United States preliminary to induction into the military service; or (c) under orders to report for induction under the Selective Training Service Act of 1940; or (d) a member of the Enlisted Reserve Corps under orders to report to military service; or (e) an American Citizen, serving with the forces of any nation allied with the United States in the prosecution of the war, within the purview of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended; or (f) serving in the armed forces of the United States pursuant to the Selective Service Act of 1948.

That this declaration is made for the above referenced trustee's sale number for the purpose of inducing Fidelity National Title Company, as trustee, without leave of court first obtained, to cause said property to be sold under the terms of said deed of trust pursuant to the power of sale contained therein.

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

Executed on January 27 2010  
(Date)

Deutsche Bank National Trust Company, as Trustee in trust for the benefit of the Certificateholders for Argent Securities Trust 2006-M1, Asset-Backed Pass-Through Certificates, Series 2006-M1

By: Tonya Hopkins

STATE OF: Florida

COUNTY OF: Duval

On Jan 27 2010 before me, Tina M. Gray, Notary Public, personally appeared Tonya Hopkins 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 Florida a that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



TINA M. GRAY  
MY COMMISSION # DD 481701  
EXPIRES: February 14, 2010  
Bonded thru Budget Notary Services

Notary Signature

Client Reference No. 4001899824

TS NO.: Trustee Sale No. 09-06106-6

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

STATE OF Florida County of Duval

) ss:

I, Tonya Hopkins, being first duly sworn, depose, and say that am employed by American Home Mortaging Servicing Inc (hereinafter "beneficiary") and I am familiar with the records and files kept by beneficiary with respect to Loan number 4001899824, where the grantor(s) name(s) is/are

CHRISTINA BICONDOA & GREGORY BICONDOA

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 11/18/2009; 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: Tonya Hopkins

Subscribed and sworn to before me on Jan 07 2010 by Tonya Hopkins  
(name of affiant).

Tonya Hopkins  
Notary Public



**TINA M. GRAY**  
MY COMMISSION # DD487701  
EXPIRES: February 14, 2010  
Bonded thru Budget Notary Services