

2010-004377

Klamath County, Oregon



00082528201000043770150151

04/09/2010 03:09:20 PM

Fee: \$127.00

RECORDING COVER SHEET

Pursuant to ORS 205.234

After recording return to:

Northwest Trustee Services, Inc.

As successor trustee

Attention: Chris Ashcraft

P.O. Box 997

Bellevue, WA 98009-0997

LA 1501614

1. AFFIDAVIT OF MAILING – NOTICE OF FORECLOSURE ✓
2. NOTICE OF FORECLOSURE
3. AFFIDAVIT OF COMPLIANCE - SB 628 ✓
4. AFFIDAVIT OF MAILING – TRUSTEE'S NOTICE OF SALE ✓
5. TRUSTEE'S NOTICE OF SALE
6. PROOF OF SERVICE(2) ✓
7. AFFIDAVIT OF PUBLICATION ✓

Original Grantor(s) on Trust Deed: Nicole A. O'Neill, An Unmarried Woman

Beneficiary: Mortgage Electronic Registration Systems, Inc. solely as nominee for
GreenPoint Mortgage Funding, Inc.

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

F

AFFIDAVIT OF MAILING NOTICE OF FORECLOSURE

STATE OF WASHINGTON, County of KING) ss:

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 Washington, 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 Foreclosure 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 Foreclosure as required by Section 20 of Chapter 19, Oregon Laws 2008 ("Bill") 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:

See Attached Exhibit A

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 and to the occupant residing in the Property.

Each of the notices so mailed was certified to be a true copy of the original Notice of Foreclosure, 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 Bellevue, Washington, on 12-16-09. 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 was recorded. The form of the notice complies with Sections 20 and 21 of the Bill and a copy is enclosed with this affidavit.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

Karen Campbell

I certify that I know or have satisfactory evidence that KAREN CAMPBELL is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12-15-09

**AFFIDAVIT OF MAILING NOTICE OF
FORECLOSURE**
RE: Trust Deed from
O'Neill, Nicole
Grantor
to
Northwest Trustee Services, Inc.,
Trustee
File No. 7763.25853

After recording return to:
Northwest Trustee Services, Inc.
Attn: Chris Ashcraft
P.O. Box 997
Bellevue, WA 98009-0997

Dane L. Gill
NOTARY PUBLIC in and for the State of
Washington, residing at Bellevue, WA
My commission expires 12-22-13

DANE L. GILL
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
09-22-13

EXHIBIT A

Nicole O'Neill
2511 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
2513 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
2575 Campus Drive # 245
Klamath Falls, OR 97601

Occupant(s)
2513 Bly Street
Klamath Falls, OR 97601

Occupant(s)
2511 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
2512 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
2511- 2513 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
6433 Topanga Canyon Boulevard, #510
Canoga Park, CA 91303

Occupant(s)
2512 Bly Street
Klamath Falls, OR 97601

Occupant(s)
2511- 2513 Bly Street
Klamath Falls, OR 97601

7763.25853
Chris Ashcraft

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:

Street address: 2511- 2513 Bly Street

City: Klamath Falls State: OR ZIP: 97601

Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender. This is sometimes called "foreclosure."

The amount you would have had to pay as of 12/16/2009 (date) to bring your mortgage loan current was \$6280.80. 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 (866) 254-5790 to find out the exact amount you must pay bring your to 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:

Northwest Trustee Services, Inc.

PO Box 997

Bellevue, WA 98009-0997

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

Date and time: 04/28/2010 at 10:00 AM

Place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, Klamath Falls OR

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 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 phone number of an organization near you, please call the statewide phone 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 Web site 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://www.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 (866) 926-8937. 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 loan. 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 modification 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 "MODIFICATION REQUEST FORM." YOUR LENDER MUST RECEIVE THE FORM BY 01/15/2010, 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 questions, talk to a lawyer or one of the organizations mentioned above before signing.

DATED: 12/16/2009

Trustee name: Chris Ashcraft

Trustee telephone number: 425-586-1900

7763.25853/O'Neill, Nicole

LOAN MODIFICATION REQUEST FORM

Your home is at risk of foreclosure. There may be options available to help you keep your home. If you want to request a loan modification, you must return this form to the address below by 01/15/2010, which is 30 days from the date the Trustee signed the accompanying Notice:

**Northwest Trustee Services, Inc.
PO Box 997
Bellevue, WA 98009-0997**

There may be options available to you, including:

- 1) Modifying your loan terms
- 2) Temporarily lowering payments
- 3) Scheduling payments to cure the arrear
- 4) Temporary suspension of payments
- 5) Other options based on your lender and the type of loan.

In order to discuss your loan options, you should gather and provide the following documents:

- 1) Last year's tax returns
- 2) Pay stubs for the last 2 months
- 3) Bank statements for the last 3 months
- 4) Other documents showing your financial hardship status
- 5) Your lender may request that you complete additional forms or provide additional information

RETURNING THIS REQUEST DOES NOT MODIFY YOUR LOAN. Your lender is required to contact you within 45 days after you return this form to discuss a possible loan modification. The foreclosure sale will not occur until your lender has contacted you about your request. **YOUR LENDER IS NOT REQUIRED TO MODIFY YOUR LOAN.** The foreclosure sale may proceed if your loan is not modified.

REQUEST A MEETING. Before the lender responds to your request for a loan modification, you may request **IN WRITING** a meeting with the lender. Upon receipt of your written request for a meeting, the lender will attempt to contact you by mail, telephone or e-mail to schedule a meeting in person or by telephone at the lender's option. NOTE: It is important that you respond immediately to any contact from your lender to schedule a meeting that you have requested. If you do not respond within 7 days from the date your lender attempts to contact you to schedule a meeting, your lender may refuse to meet, deny your request for consideration of a loan modification and resume foreclosure activities.

File No. 7763.25853
Loan No.: 5303229131
Borrower Name: O'Neill, Nicole
Property Address: 2511- 2513 Bly Street, Klamath Falls, OR 97601

Please indicate where your lender may contact you:

Mailing Address: _____

Home Telephone Number: _____ Work Telephone Number: _____

Email: _____ (providing your e-mail address authorizes the lender or its agent to communicate with you by e-mail concerning your request for loan modification consideration and for the purpose of scheduling and confirming a meeting.

Affidavit of Compliance Oregon SB 628
Re: Trust Deed from
Nicole A. O'Neill, An Unmarried Woman
Grantor
to
Northwest Trustee Services, Inc.
Trustee File No. **7763.25853**

Affidavit of Compliance with Oregon SB 628 (2009)

Original Loan Amount: \$154,000.00

Borrower name(s): O'Neill, Nicole

Property Address: 2511- 2513 Bly Street, Klamath Falls, OR 97601

The undersigned is an employee of the trustee under the trust deed securing the above-referenced loan and is, for the limited purpose of this affidavit, executing this affidavit as the agent of the beneficiary. The undersigned is at least 18 years of age and competent to testify in a court of law and, having personal knowledge of the matters set forth below, represents and avers, under the penalty of perjury, that the following is true and correct::

No Request for Meeting or Loan Modification Received. No request for a meeting or loan modification was timely received from borrower.

DATED: 3/2/10

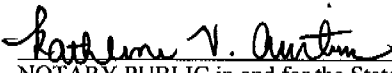
Northwest Trustee Services, Inc.

By: 

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Chris Ashcraft is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 03/02/10


NOTARY PUBLIC in and for the State of
Washington, residing at Bellvue
My commission expires 10/01/12

KATHLENE V. AUSTRIA
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
10-01-12

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF WASHINGTON, County of KING) ss:

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 Washington, 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:

Mortgage Electronic Registration Systems, Inc.
3300 SW 34th Ave Suite 101
Ocala, FL 34474

GreenPoint Mortgage Funding, Inc.
100 Wood Hollow Drive
Novato, CA 94945

BAC Home Loans Servicing, LP
1800 Tapo Canyon Road Mail ID #CA6-914-01-43
Simi Valley, CA 93063

Nicole O'Neill
2512 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
2511- 2513 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
6433 Topanga Canyon Boulevard, #510
Canoga Park, CA 91303

Occupant(s)
2512 Bly Street
Klamath Falls, OR 97601

Occupant(s)
2511- 2513 Bly Street
Klamath Falls, OR 97601

GreenPoint Mortgage Funding, Inc.
981 Airway Court Ste E
Santa Rosa, CA 95403

GreenPoint Mortgage Funding, Inc.
c/o Corporation Service Company
285 Liberty Street NE
Salem, OR 97301

Nicole O'Neill
2511 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
2513 Bly Street
Klamath Falls, OR 97601

Nicole O'Neill
2575 Campus Drive # 245
Klamath Falls, OR 97601

Occupant(s)
2513 Bly Street
Klamath Falls, OR 97601

Occupant(s)
2511 Bly Street
Klamath Falls, OR 97601

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
O'Neill, Nicole

Grantor

to

Northwest Trustee Services, Inc.,
Trustee

File No. 7763.25853

After recording return to:

Northwest Trustee Services, Inc.

Successor by merger to Northwest Trustee Services, PLLC
(formerly known as Northwest Trustee Services, LLC)

Attn: Chris Ashcraft

P.O. Box 997

Bellevue, WA 98009-0997

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 Bellevue, Washington, on 12-21-09. 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.

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence that Bryan Piper is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12-21-09

Dane L. Gill
NOTARY PUBLIC in and for the State of
Washington, residing at 9111 1st Ave
My commission expires 09-22-13

DANE L. GILL
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
09-22-13

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Nicole A. O'Neill, An Unmarried Woman, as grantor, to First American Title Insurance Co, as trustee, in favor of Mortgage Electronic Registration Systems, Inc. solely as nominee for GreenPoint Mortgage Funding, Inc., as beneficiary, dated 08/26/05, recorded 08/30/05, in the mortgage records of Klamath County, Oregon, as M05-63183 and subsequently assigned to Bank of America, National Association as successor by merger to LaSalle Bank, NA trustee for Washington Mutual Mortgage Pass-Through Certificates WMALT Series 2006-1 Trust by Assignment, covering the following described real property situated in said county and state, to wit:

Lot 9 in Block 7 of BUENA VISTA ADDITION to the city of Klamath Falls, according to the official plat thereof on file in the office of the County clerk of Klamath County, Oregon. EXCEPTING THEREFROM the Southerly 2 feet thereof.

PROPERTY ADDRESS: 2511- 2513 Bly Street
Klamath Falls, OR 97601

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$935.73 beginning 08/01/09; plus late charges of \$46.79 each month beginning 08/16/09; plus prior accrued late charges of \$0.00; plus advances of \$51.70; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$146,151.17 with interest thereon at the rate of 6.125 percent per annum beginning 07/01/09; plus late charges of \$46.79 each month beginning 08/16/09 until paid; plus prior accrued late charges of \$0.00; plus advances of \$51.70; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on **April 28, 2010** at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

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

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 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 **March 29, 2010**. 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 Association (16037 Upper Boones Ferry Road, Tigard, Oregon 97224, (503)620-0222, toll-free in Oregon (800)452-8260) and ask for lawyer referral service. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance; a county-by-county listing of legal aid resources may be found on the Internet at <http://www.osbar.org/public/ris/lowcostlegalhelp/legalaid.html>.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com and www.USA-Foreclosure.com.

Northwest Trustee Services, Inc.

Dated: December 18, 2009

By 

Assistant Vice President,
Northwest Trustee Services, Inc.

For further information, please contact:

Chris Ashcraft
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900
File No. 7763.25853/O'Neill, Nicole

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

By Authorized Signer

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

FEI, LLC
Affidavit of Posting and Service

State of Oregon
County of Klamath

Dave Davis, being sworn, says:

- That I am over 18 years of age, a resident of Oregon, and not a party to the proceeding referred to in the attached Notice of Trustee's Sale:
- That my business address is 422 N 6th St, Klamath Falls, OR.
- That I personally served a copy of the Notice of Trustee's Sale upon an adult occupant of the real property, commonly referred to as 2511- 2513 Bly Street, Klamath Falls, OR 97601 in the manner in which a summons is served by delivering to or leaving with Aleisha Sizemore, a person over the age of eighteen (18) years, then residing therein on Friday, December 18, 2009, at 05:10 pm.

Signed in Klamath County, Oregon by:

Dave Davis

12-18-09

Signature
Date

1002.141080

State of Oregon
County of Klamath

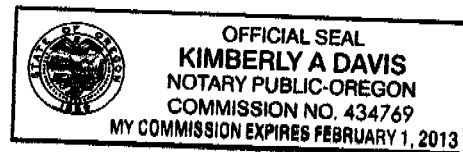
On this 19th day of December in the year of 2009, before me a Notary Public, Personally appeared DAVE DAVIS, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public for Oregon:

Residing at:

Commission expires:

Kimberly A Davis
Klamath County
01 Feb 2013



0527381

FEL, LLC
Affidavit of Posting and Service

State of Oregon
County of Klamath

Dave Davis, being sworn, says:

- That I am over 18 years of age, a resident of Oregon, and not a party to the proceeding referred to in the attached Notice of Trustee's Sale:
- That my business address is 422 N 6th St, Klamath Falls, OR.
- That I personally served a copy of the Notice of Trustee's Sale upon an adult occupant of the real property, commonly referred to as 2511- 2513 Bly Street, Klamath Falls, OR 97601 in the manner in which a summons is served by delivering to or leaving with Tammy aka Nicole Smith, a person over the age of eighteen (18) years, then residing therein on Friday, December 18, 2009, at 05:00 pm.

Signed in Klamath County, Oregon by:

Dave Davis 12-19-09
Signature Date

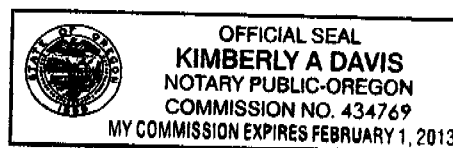
1002.141080

State of Oregon
County of Klamath

On this 19th day of December in the year of 2009, before me a Notary Public, Personally appeared DAVE DAVIS, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public for Oregon:
Residing at:
Commission expires:

Kimberly A Davis
Klamath County
01 Feb 2013



D927367

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 # 11946

Trustee's Notice of Sale

O'Neill

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:

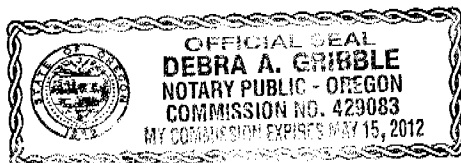
January 26, February 02, 09, 16, 2010

Total Cost: \$1,633.61

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: February 23, 2010

Debra A. Gribble
Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Nicole A. O'Neill, An Unmarried Woman, as grantor, to First American Title Insurance Co, as trustee, in favor of Mortgage Electronic Registration Systems, Inc. solely as nominee for GreenPoint Mortgage Funding, Inc., as beneficiary, dated 08/26/05, recorded 08/30/05, in the mortgage records of Klamath County, Oregon, as M05-63183 and subsequently assigned to Bank of America National Association as successor by merger to LaSalle Bank, NA trustee for Washington Mutual Mortgage Pass-Through Certificates WMALT Series 2006-1 Trust by Assignment, covering the following described real property situated in said county and state to wit: Lot 9 in Block 7 of BUENA VISTA ADDITION to the city of Klamath Falls, according to the official plat thereof on file in the office of the County clerk of Klamath County, Oregon. EXCEPTING THEREFROM the Southerly 2 feet thereof. PROPERTY ADDRESS: 2511- 2513 Bly Street Klamath Falls, OR 97601.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$935.73 beginning 08/01/09; plus late charges of \$46.79 each month beginning 08/16/09; plus prior accrued late charges of \$0.00; plus advances of \$51.70; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$146,151.17 with interest thereon at the rate of 6.125 percent per annum beginning 07/01/09; plus late charges of \$46.79 each month beginning 08/16/09 until paid; plus prior accrued late charges of \$0.00; plus advances of \$51.70; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 28, 2010 at the hour of 10:00 o'clock, A.M. in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or

power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. **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 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 March 29, 2010. 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 Association (18037 Upper Boones Ferry Road, Tigard, Oregon 97224, (503)620-0222, toll-free in Oregon (800)452-8260) and ask for lawyer referral service. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance; a county-by-county listing of legal aid resources may be found on the Internet at <http://www.osbar.org/public/ris/lowcostlegalhelp/legalaid.html>.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com and www.USA-Foreclosure.com. Northwest Trustee Services, Inc. For further information, please contact: Chris Ashcraft Northwest Trustee Services, Inc. P.O. Box 997 Bellevue, WA 98009-0997 586-1900 /O'Neill, Nicole. (TS# 7763.25853) 1002.141080-FEI. #11946 January 26, February 02, 09, 16, 2010.