

NR 87428

After recording return to:

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

TS No.: 10-08703-6
Order No.: 419030
Loan No: 0030633705

2010-008979

Klamath County, Oregon



00087927201000089790180187

07/29/2010 11:15:32 AM

Fee: \$142.00

**RECORDING COVER SHEET FOR NOTICE
OF SALE PROOF OF COMPLIANCE, per ORS 205.234**

This cover sheet has been prepared by the person
presenting the attached instrument for recording.
Any errors in this cover sheet do not affect the
transaction(s) contained in the instrument itself.

Affidavit of Mailing Trustee's Notice of Sale ✓
Affidavit of Compliance ✓
Affidavit of Posting ✓
Affidavit of Publication ✓
Declaration of Non-Military Service

Original Grantor: MICHAEL J. MANIS
Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC

142 AM



Walz Affidavit #: 1511666

AFFIDAVIT OF MAILING

Default Resolution Network

Date: 04/14/2010

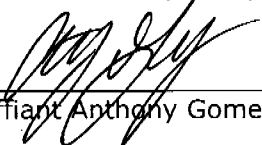
Ref. No.: 10-08703-6

MailbatchID: 285993

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

The declarant, whose signature appears below, states that he 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 April 14, 2010, he 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 Anthony Gomez

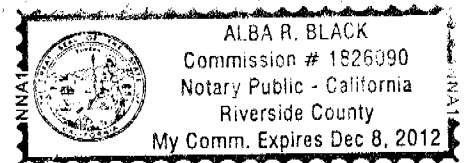
ORGRNTR
7113 8257 1474 1493 7851
REF #: 10-08703-6
CURRENT OCCUPANT
137270 4TH ST
CRESCENT, OR 97733

ORGRNTR
7113 8257 1474 1493 7868
REF #: 10-08703-6
CURRENT OCCUPANT
137270 4TH STREET
CRESCENT, OR 97733

ORGRNTR
7113 8257 1474 1493 7875
REF #: 10-08703-6
MICHAEL J MANIS
137270 4TH ST
CRESCENT, OR 97733

ORGRNTR
7113 8257 1474 1493 7882
REF #: 10-08703-6
MICHAEL J MANIS
137270 4TH STREET
CRESCENT, OR 97733

ORGRNTR
7113 8257 1474 1493 7899
REF #: 10-08703-6
MICHAEL J MANIS
PO BOX 725
GILCHRIST, OR 97737



STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

Subscribed and sworn to (or affirmed) before me on this 15th day of April (month), 2010 (year), by Anthony Gomez, 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)

NOTICE:

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

Re: TS#: 10-08703-6

Loan #: 0030633705

This notice is about your mortgage loan on your property at 137270 4TH ST, CRESCENT, OR 97733

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

The amount you would have had to pay as of April 8, 2010 to bring your mortgage loan current was \$6,327.96. 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. 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: September 2, 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. 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 May 8, 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 any questions, talk to a lawyer or one of the organizations mentioned above before signing.

April 8, 2010

Trustee name: FIDELITY NATIONAL TITLE INSURANCE COMPANY

Trustee signature: _____

Ryan Bradford, Authorized Signature

Trustee telephone number: 714-508-5100

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



Walz Affidavit #: 1540786

AFFIDAVIT OF MAILING**Default Resolution Network**

Date: 04/27/2010

Ref. No.: 10-08703-6

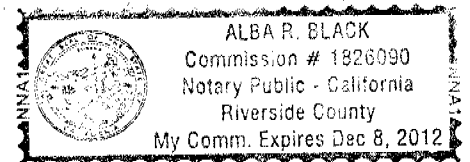
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STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

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 April 27, 2010, 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.

Kassondra Zeller
X
Affiant Kassondra Zeller



ORNOD
7113 8257 1474 1889 2569
REF #: 10-08703-6
CURRENT OCCUPANT
137270 4TH ST
CRESCENT, OR 97733

ORNOD
7113 8257 1474 1889 2576
REF #: 10-08703-6
MICHAEL J MANIS
137270 4TH ST
CRESCENT, OR 97733

ORNOD
7113 8257 1474 1889 2583
REF #: 10-08703-6
MICHAEL J MANIS
137270 4TH STREET
CRESCENT, OR 97733

ORNOD
7113 8257 1474 1889 2590
REF #: 10-08703-6
MICHAEL J MANIS
PO BOX 725
GILCHRIST, OR 97737

ORNOD
7113 8257 1474 1889 2606
REF #: 10-08703-6
MERS
PO BOX 507
HERNDON, VA 20172-0507

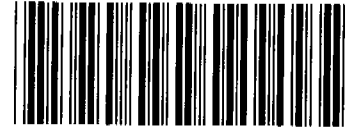
ORNOD
7113 8257 1474 1889 2613
REF #: 10-08703-6
MERS
C/O AMERICAN BROKERS CONDUIT
520 BROADHOLLOW ROAD
MELVILLE, NY 11747

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

Subscribed and sworn to (or affirmed) before me on this 28th day of April (month), 2010 (year), by Kassondra Zeller, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

(Signature of Notary)

(Seal of Notary)



Walz Affidavit #: 1540499

AFFIDAVIT OF MAILING

Default Resolution Network

Date: 04/27/2010

Ref. No.: 10-08703-6

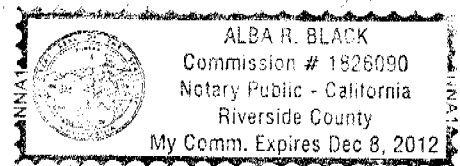
MailbatchID: 288065

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 April 27, 2010, 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 Kassondra Zeller



ORNOD
2233941449
REF #: 10-08703-6
CURRENT OCCUPANT
137270 4TH ST
CRESCENT, OR 97733

ORNOD
2233941450
REF #: 10-08703-6
MICHAEL J MANIS
137270 4TH ST
CRESCENT, OR 97733

ORNOD
2233941451
REF #: 10-08703-6
MICHAEL J MANIS
137270 4TH STREET
CRESCENT, OR 97733

ORNOD
2233941452
REF #: 10-08703-6
MICHAEL J MANIS
PO BOX 725
GILCHRIST, OR 97737

ORNOD
2233941453
REF #: 10-08703-6
MERS
PO BOX 507
HERNDON, VA 20172-0507

ORNOD
2233941454
REF #: 10-08703-6
MERS
C/O AMERICAN BROKERS CONDUIT
520 BROADHOLLOW ROAD
MELVILLE, NY 11747

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

Subscribed and sworn to (or affirmed) before me on this 28th day of April (month), 2010 (year), by Kassondra Zeller, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

(Signature of Notary)

(Seal of Notary)

TRUSTEE'S NOTICE OF SALE

Loan No: 0030633705

T.S. No.: 10-08703-6 .

Reference is made to that certain deed made by, MICHAEL J. MANIS as Grantor to FIRST AMERICAN TITLE INSURANCE COMPANY, as trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC, as Beneficiary, recorded on June 23, 2005, Book VOLUME M05 Page 47359 of Official Records in the office of the Recorder of Klamath County, OR to-wit:

APN: 153032

LOTS 1,2,3,4,5,6,7,8,9 AND 10 IN BLOCK 14 OF CRESENT, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

TOGETHER WITH THAT PORTION OF VACATED FRANKLIN STREET WHICH INURED THERETO.

ALSO TOGETHER WITH THAT PORTION OF VACATED MAIN STREET WHICH INURED THERETO.

ALSO TOGETHER WITH THAT PORTION OF VACATED ALLEY WHICH INURED THERETO.

ALSO TOGETHER WITH THAT PORTION OF VACATED GRAVES STREET WHICH INURED THERETO.

Commonly known as:

137270 4TH STREET, CRESCENT, OR 97733

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's: failed to pay payments which became due; together with late charges due;

Monthly Payment \$1,164.66

Monthly Late Charge \$46.32

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 \$ 181,485.03 together with interest thereon at the rate of 6.12500 % per annum from December 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 **September 2, 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, 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.

**SALE INFORMATION CAN BE OBTAINED ON LINE AT www.lpsasap.com
AUTOMATED SALES INFORMATION PLEASE CALL 714-259-7850**

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: April 22, 2010

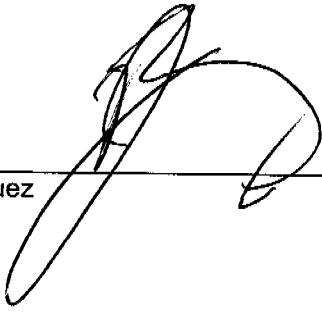
FIDELITY NATIONAL TITLE INSURANCE
COMPANY



Juan Enriquez

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.



Juan Enriquez

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 August 3, 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: MICHAEL J. MANIS, 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

TS No: 10-08703-6 - Loan No: 0030633705

CONFORMED COPY**COPY** of Document Recordedon 4-8-2010 as No. 2010-4385

Has not been compared with original.

Reference is made to that certain trust deed made by MICHAEL J. MANIS, as grantor, to FIRST AMERICAN TITLE INSURANCE COMPANY, as trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC, as beneficiary, dated as of June 20, 2005, and recorded June 29, 2005, in the Records of Klamath County, Oregon, in Book VOLUME M05 at Page 47359, covering the following described real property situated in the above-mentioned county and state, to wit: APN: R153032 - LOTS 1,2,3,4,5,6,7,8,9 AND 10 IN BLOCK 14 OF CRESENT, ACCORDING TO THE OFFICIAL PLAT THEREOF IN FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. TOGETHER WITH THAT PORTION OF VACATED FRANKLIN STREET WHICH INURED THERETO. ALSO TOGETHER WITH THAT PORTION OF VACATED ALLEY WHICH INURED THERETO.

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 \$181,485.03

Delinquent Payments

<u>FROM</u>	<u>THRU</u>	<u>NO. PMTS</u>	<u>INT. RATE</u>	<u>AMOUNT</u>	<u>GRAND TOTAL</u>
01/01/2010	04/05/2010	4	6.12500%	\$1,164.66	\$4,658.64

Late Charges

Grand Total Late Charges	\$138.96
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Beneficiary's Advances, Costs and Expenses

MISC	\$595.86
Grand Total	\$595.86

Trustee's Fees and Costs	\$ 934.50
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GRAND TOTAL REQUIRED TO REINSTATE	\$6,327.96
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TS No :10-08703-6.

Loan No: 0030633705

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 September 2, 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: 714.730.2727

Website for Trustee's Sale Information: www.lpsassp.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:

MICHAEL J MANIS
137270 4TH ST
CRESCENT, OR 97733

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:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
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 April 8, 2010

Fidelity National Title Insurance Company, Successor Trustee

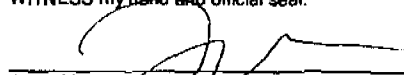

Ryan Bradford, Authorized Signor

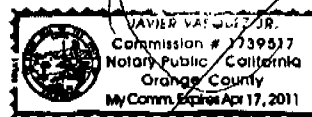
State of California)ss.
County of Orange)ss.

On April 8, 2010, before me, Javier Vasquez Jr, a Notary Public, personally appeared Ryan 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.

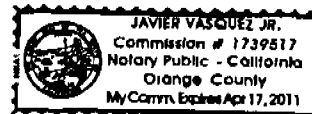
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Javier Vasquez Jr # 1739517
My Commission Expires April 17, 2011



(Seal)



DECLARATION OF NON-MILITARY SERVICE

Loan No: 0030633705
T.S. No: 10-08703-6
Owner(s): MICHAEL J. MANIS

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 MICHAEL J. MANIS 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 July 12, 2010
(Date)

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC

By: Kathy Smith
Kathy Smith

STATE OF: Florida

COUNTY OF: Duval

On July 12, 2010 before me, Brenda L. Frazier, Notary Public, personally appeared Kathy Smith 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.

Brenda L. Frazier
Notary Signature

NOTARY PUBLIC-STATE OF FLORIDA
Brenda L. Frazier
Commission #DD885641
Expires: APR. 30, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

Client Reference No. 0030633705

TS NO.: Trustee Sale No. 10-08703-6

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

STATE OF Florida County of Duval) ss:

I, Kathy Smith, 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 0030633705, 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 04/13/2010; 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: Kathy Smith

Subscribed and sworn to before me on July 12, 2010 by Kathy Smith
(name of affiant).

Brenda L. Frazier
Notary Public

NOTARY PUBLIC-STATE OF FLORIDA
Brenda L. Frazier
Commission # DD885641
Expires: APR. 30, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

10087036 / MANIS
ASAP# 3542490

FDRSA

AFFIDAVIT OF POSTING

STATE OF OREGON

County of Deschutes

ss.

I, Robert Donahou, 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 and 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**":

**137270 4th Street
Crescent, OR 97733**

As follows:

On 04/28/2010 at 4:58 PM, 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).

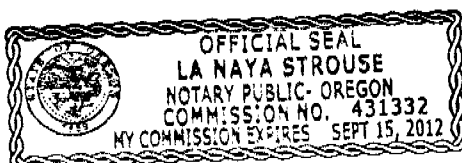
On 05/01/2010 at 4:49 PM, I returned to the Property Address and, again, received no answer at the front door. At that time, I POSTED another such copy conspicuously on the front door, pursuant to ORS 86.750 (1)(b)(B).

On 05/04/2010 at 8:33 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 6th day of May, 2010 by
Robert Donahou.

La Naya Strouse
Notary Public for Oregon



X
Robert Donahou
Robert Donahou
Nationwide Process Service, Inc.
420 Century Tower
1201 SW 12th Avenue
Portland, OR 97205
(503) 241-0636
3542490



229061

10087036 / MANIS
ASAP# 3542490

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 May 06, 2010, I mailed a copy of the Trustee's Notice of Sale and 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
137270 4th Street
Crescent, OR 97733


This mailing completes service upon an occupant at the above address with an effective date of **04/28/2010** as calculated pursuant to ORS 86.750 (1)(c).

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

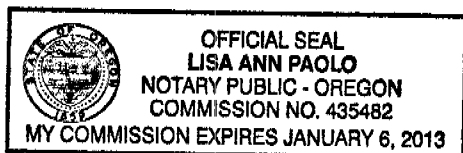
SUBSCRIBED AND SWORN BEFORE ME
this 6th day of May, 2010 by
Sarah Ruth Tasko.

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



229061

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 # 12252

Trustee's Notice of Sale

Manis

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:

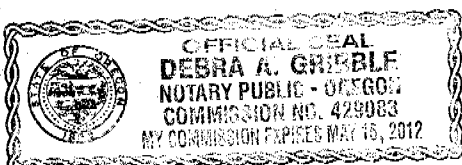
May 1, 8, 15, 22, 2010

Total Cost: \$936.03

Jeanine P Day
Subscribed and sworn by Jeanine P Day
before me on: May 24, 2010

Debra A Gribble
Notary Public of Oregon

My commission expires May 15, 2012



TRUSTEE'S NOTICE OF SALE Loan No: 0030633705 T.S. No.: 10-08703-6

Reference is made to that certain deed made by, MICHAEL J. MANIS as Grantor to FIRST AMERICAN TITLE INSURANCE COMPANY, as trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, recorded on June 23, 2005, Book VOLUME M05 Page 47359 of Official Records in the office of the Recorder of Klamath County, OR to-wit: APN: 153032 LOTS 1,2,3,4,5,6,7,8,9 AND 10 IN BLOCK 14 OF CRESENT, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. TOGETHER WITH THAT PORTION OF VACATED FRANKLIN STREET WHICH INURED THERETO. ALSO TOGETHER WITH THAT PORTION OF VACATED MAIN STREET WHICH INURED THERETO. ALSO TOGETHER WITH THAT PORTION OF VACATED ALLEY WHICH INURED THERETO. ALSO TOGETHER WITH THAT PORTION OF VACATED GRAVES STREET WHICH INURED THERETO. Commonly known as: 137270 4TH STREET, CRESCENT, OR 97730.

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 \$1,164.66 Monthly Late Charge \$46.32

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 \$181,485.03 together with interest thereon at the rate of 6.12500 % per annum from December 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 September 2, 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, 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. SALE INFORMATION CAN BE OBTAINED ON LINE AT www.lpsasap.com AUTOMATED SALES INFORMATION PLEASE CALL 714-259-7850

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: April 22, 2010 FIDELITY NATIONAL TITLE INSURANCE COMPANY Juan Enriquez ASAP# 3542490 05/01/2010, 05/08/2010, 05/15/2010, 05/22/2010.
#12252 May 1, 8, 15, 22, 2010.