

2010-009164

Klamath County, Oregon



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08/03/2010 03:22:33 PM

Fee: \$52.00

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First American Title Insurance Company
3 FIRST AMERICAN WAY
SANTA ANA, CA 92707

RECORDING COVER SHEET FOR
NOTICE OF SALE PROOF OF COMPLIANCE
Per ORS 205.234

AFTER RECORDING RETURN TO:

First American Title
3 First American Way
Santa Ana, CA 92707

TS No.: Order: 4460401
1. AFFIDAVIT OF COMPLIANCE

Original Grantor on Trust Deed: Gulshan Kharbanda

Beneficiary: MERS

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.

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Affidavit of Compliance Oregon SB628

RE:

The Foreclosure of a Deed of Trust executed by **Gulshan Kharbanda, a Married Man to First American Title Company**, Trustee, recorded on **12/11/2006** as Instrument No. **2006-024494** in Book **xx** at Page **xx** at the **Klamath** County Recorder

AFFIDAVIT OF COMPLIANCE WITH
OREGON SB 628 (2009)

Original Loan Amount: **\$273,000.00**

Borrower Name(s): **Gulshan Kharbanda**

Property Address: **4868 Horned Lark Dr, Klamath Falls, OR 97601**

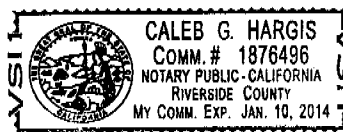
The undersigned is an agent of the beneficiary under the trust deed securing the above-referenced loan for the limited purpose of this affidavit. The undersigned is at least 18 years of age and competent to testify in a court of law and, having personal knowledge of the matters set forth below, represents 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.

Issued this **July 22, 2010**

Kevin A. Durham
Kevin A. Durham

Subscribed and Sworn to (or affirmed) before me
Caleb G Hargis on this July 22, 2010 by
the affiant, Kevin A. Durham, who is personally
known to me or proved to me on the basis of satisfactory
evidence to be the person who appeared before me.



WITNESS my hand and official seal.

Caleb G. Hargis
NOTARY PUBLIC
7101153

(This area for Official Notary Seal)

TRUSTEE'S NOTICE OF SALE

Loan No.: 1716110105

T.S. No.: 7101153

Reference is made to that certain deed made by **Gulshan Kharbanda, a Married Man** as Grantor to **First American Title Company**, as Trustee, in favor of **Mortgage Electronic Registration Systems, Inc.** as Beneficiary, dated **12/5/2006**, recorded **12/11/2006**, in the official records of **Klamath County, Oregon** in book/reel/volume No. **xx** at page No. **xx**, fee/file/instrument/microfilm/reception No. **2006-024494** covering the following described real property situated in said County and State, to wit:

Lot 1236, Tract 14440, Ranchview Estates, First Addition, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

Commonly known as: **4868 Horned Lark Dr, Klamath Falls, OR 97601**

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

Make the monthly payments of **\$1,886.24** each, commencing with the payment due on **3/1/2010** and continuing each month until this trust deed is reinstated or goes to trustee's sale; plus a late charge of **\$82.94** on each installment not paid within fifteen days following the payment due date; trustee's fees and other costs and expenses associated with this foreclosure and any further breach of any term or condition contained in subject note and deed of trust.

By the 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 principal sum of **\$257,661.17** together with the interest thereon at the rate **6.125%** per annum from **2/1/2010** 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 the undersigned trustee will on **10/8/2010** at the hour of **11:00 A.M.**, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at **the Front Steps of the Circuit Court, 316 Main Street, City of Klamath Falls, County of Klamath, State of Oregon**, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured (and the costs and 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 and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for the sale.

In construing this, the masculine gender includes the feminine and the successor in interest to the grantor as well as any other person owing 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: 6/4/2010

FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee
C/O Max Default Services Corporation
43180 Business Park Drive, Suite 100
Temecula, CA 92590
(619) 465-8200



DENNIS CANLAS

STATE OF CALIFORNIA }SS
COUNTY OF ORANGE