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2010-013421

Klamath County, Oregon



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11/18/2010 03:38:24 PM

Fee: \$62.00

**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.

**AFTER RECORDING RETURN TO:**

Quality Loan Service Corp.  
2141 5th Avenue  
San Diego, CA 92101

**AFFIDAVIT OF MAILING NOTICE OF SALE**

~~**AFFIDAVIT OF PUBLICATION**~~

~~**PROOF OF SERVICE**~~

**ORIGINAL GRANTOR: SALVADOR RUELAS**

**BENEFICIARY:** Deutsche Bank National Trust Company, as Trustee on behalf of the  
holders of the Terwin Mortgage Trust 2006-9HGA, Asset-Backed  
Certificates, TMTS Series 2006-9HGA, without recourse

**T.S. #: OR-10-336222-SH**

**Loan #: 1003019578**

to 2pm f

WHEN RECORDED MAIL TO:  
Quality Loan Service Corp.  
2141 5th Avenue  
San Diego, CA 92101

T.S. NO.: **OR-10-336222-SH**

(Above Space is for Recorder's Use)

**AFFIDAVIT OF MAILING AMENDED NOTICE OF SALE**

STATE OF **California** } SS  
COUNTY OF **San Diego** }

I, **David Fry** *[Signature]*, being first duly sworn, depose, say and certify that:  
At all times hereinafter mentioned I was and now am a resident of the State of **California**, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original or copy of notice of sale given under the terms of that certain trust deed described in said notice.

Notice of sale of the real property described in the attached Notice of Sale was provided as required under Section 20, Chapter 19, Oregon Law 2008, by the mailing of a copy thereof by registered or certified mail and regular mail to each of the following named person's at their last known address, to-wit:

**NAME AND ADDRESS**

**CERTIFIED NO.**

**SEE ATTACHED**

Said person(s) include the grantor of the trust deed, 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 any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

"Notice as required by and in accordance with ORS Chapter 646 was provided to Grantor and successor in interest, if any"

Each of the notices so mailed was certified to be a true copy of the original notice of sale by **Angelica Castillo**, for **LSI TITLE COMPANY OF OREGON, LLC**, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail, **San Diego, California**, on **11/12/2010**. Each of said notices was mailed after the notice of default and election to sell described in said Notice of Sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

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 **California**} SS  
COUNTY OF **San Diego**}

On **11.16.10** before me **Michelle Nguyen**, the undersigned, A Notary Public personally appeared **David Fry** 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.

Signature *[Signature]*  
**Michelle Nguyen**



## AFFIDAVIT OF MAILING

Date: 11/12/2010  
T.S. No.: OR-10-336222-SH  
Loan No.: 1003019578  
Mailing: Notice of Sale

STATE OF California }  
COUNTY OF San Diego }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in San Diego County that his/her business address is at 2141 5th Avenue San Diego CA 92101, It is further declared that (s)he is readily familiar with business practices relative to the mailing of documents and that on 11/12/2010, a copy of the Notice of Sale, of which the attached is a true and correct copy, was mailed in the ordinary course of business. The copy of the Notice of Sale was placed in a sealed envelope and addressed to the person(s)/entity(ies) set forth below. Said mailing was sent by certified or registered mail and first class, with postage prepaid and then delivered to the United States Postal Service for delivery.

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



Affiant David Fry

Occupant  
2550 DARROW AVENUE  
KLAMATH FALLS, OR 97601  
First Class and Cert. No. 71039628594174119609

EAL LEASING, INC.,  
1180 AIRPORT WAY  
NORTH BEND, OR 97459  
First Class and Cert. No. 71039628594174119630

FINANCIAL CAPITAL, INC  
1123 HILLTOP DRIVE  
REDDING, CA 96003  
First Class and Cert. No. 71039628594174119661

FINANCIAL CAPITAL, INC  
C/O MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
P.O. BOX 2026  
FLINT, MI 48501-2026  
First Class and Cert. No. 71039628594174119708

FINANCIAL CAPITAL, INC  
C/O NATIONAL REGISTERED AGENTS, INC.

3533 FAIRVIEW INDUSTRIAL DR SE  
SALEM, OR 97302-1155  
First Class and Cert. No. 71039628594174119746

GORILLA CAPITAL  
1400 High St. #B-2  
Eugene, OR 97401  
First Class and Cert. No. 71039628594174119784

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
P.O. BOX 2026  
FLINT, MI 48501-2026  
Electronic notice pursuant to agreement

SALVADOR RUELAS  
2550 DARROW AVENUE  
KLAMATH FALLS, OR 97601  
First Class and Cert. No. 71039628594174119821

SALVADOR RUELAS  
2550 DARROW AVENUE  
KLAMATH FALLS, OR 97601  
First Class and Cert. No. 71039628594174119869

SALVADOR RUELAS  
2550 DARROW AVENUE  
KLAMATH FALLS, OR 97601  
First Class and Cert. No. 71039628594174119883

SCOTT J. MAHADY  
C/O EAL LEASING, INC.,  
1180 AIRPORT WAY  
NORTH BEND, OR 97459  
First Class and Cert. No. 71039628594174119913

U.S. Trustee  
405 E 8th Ave #1100  
Eugene, PA 97401  
First Class and Cert. No. 71039628594174119944

**AMENDED TRUSTEE'S NOTICE OF SALE**

T.S. No.: **OR-10-336222-SH**

Reference is made to that certain deed made by, **SALVADOR RUELAS, A MARRIED MAN, AS HIS SOLE AND SEPARATE PROPERTY** as Grantor to **FIRST AMERICAN TITLE INSURANCE OF OREGON**, in favor of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR FINANCIAL CAPITAL, INC A CALIFORNIA CORPORATION**, as Beneficiary, dated **5/8/2006**, recorded **5/11/2006**, in official records of **KLAMATH** county, Oregon in book/reel/volume No. **xxx** at page No. **xxx**, fee/file/instrument/microfile/reception No. **M06-09543** (indicated which), covering the following described real property situated in said County and State, to-wit:

**THE NORTH 50 FEET OF LOTS 612 AND 613 IN BLOCK 128, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

Tax Assessor's #: **R614437**

More commonly known as:	<b>2550 DARROW AVENUE KLAMATH FALLS, OR 97601</b>
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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:

**The installments of principal and interest which became due on 9/1/2009, and all subsequent installments of principal and interest through the date of this Notice, plus amounts that are due for late charges, delinquent property taxes, insurance premiums, advances made on senior liens, taxes and/or insurance, trustee's fees, and any attorney fees and court costs arising from or associated with the beneficiaries efforts to protect and preserve its security, all of which must be paid as a condition of reinstatement, including all sums that shall accrue through reinstatement or pay-off. Nothing in this notice shall be construed as a waiver of any fees owing to the Beneficiary under the Deed of Trust pursuant to the terms of the loan documents.**

Monthly Payment **\$691.38**

Monthly Late Charge **\$34.57**

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: **\$100,250.88** with interest thereon at the rate **7.0000** per annum from **8/1/2009** until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on **6/4/2010**, at the hour of **10:00:00 AM** Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at **ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN ST, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR**, however, subsequent to the recording of said Notice of Default the original sale proceedings were stayed by order of the Court or by proceedings under the National Bankruptcy Act or for other lawful reason. The beneficiary did not participate in obtaining such stay. Said stay was terminated on 11/2/2010.

Whereof, notice hereby is given that, **LSI Title Company** the undersigned trustee will on **12/3/2010** at the hour of **10:00:00 AM**, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at **ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN ST, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR**

County of ~~K~~**CLAMATH**, 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 sale.

**For Sale Information Call: 714-730-2727 or Login to: [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:

11/12/2010

**LSI Title Company, as trustee**

By: Quality Loan Service Corp., as agent

619-645-7711

Signature By \_\_\_\_\_

**Angelica Castillo, Assistant Secretary**

If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holder's rights against the real property only.

**THIS OFFICE IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED  
WILL BE USED FOR THAT PURPOSE.**

As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit report agency if you fail to fulfill the terms of your credit obligations.

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

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.



**Angelica Castillo, Assistant Secretary**

**AMENDED TRUSTEE'S NOTICE OF SALE**

Loan No.: 1003019578

T.S. No.: OR-10-336222-SH