

# Affidavit of Publication

646681

STATE OF OREGON,  
COUNTY OF KLAMATH

Tax 4688080

Vol M01 Page 22642

I, Larry L. Wells, 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 the

Legal#3936  
Oregon Trustee's Notice of Sale  
Juan M. Jimenez

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for:

Four

Insertion(s) in the following issues:

April 11, 18, 25, 2001

May 2, 2001

Total Cost:

Subscribed and sworn before me this 2nd  
day of: May 2001

*Debra A. Gribble*

Notary Public of Oregon

My commission expires March 15, 2004

## OREGON TRUSTEE'S NOTICE OF SALE

RE::Loan#:  
FC#21224/1000723880  
Title#: 646681 800989  
4240  
UTC#: 0-1907  
TO: JUAN M. JIMENEZ

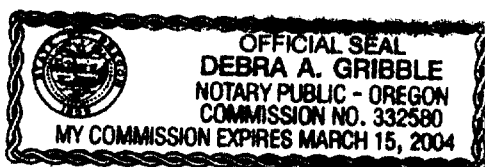
Reference is made to that certain deed of trust made by JUAN M. JIMENEZ, as grantor, AMERITITLE, as trustee, in favor of INDYMAC MORTGAGE HOLDINGS, INC. A DELAWARE CORPORATION as beneficiary, dated FEBRUARY 28, 2000, recorded MARCH 06, 2000, in the mortgage records of KLAMATH County, Oregon, in book/reel/volume No. MOO at page 7137, (fee/file/instrument No.) covering the following described real property situated in said county and state, to wit:

THE NORTHERLY 72 FEET OF LOT 8 AND THE WESTERLY 5 FEET OF THE NORTH 72 FEET OF LOT 7, BLOCK 308, DART ROW ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. MORE COMMONLY KNOWN AS: 2300 RADCLIFFE AVE., 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 deed of trust and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:  
4 Late Charge(s) of \$25.88 from 09/16/00: \$103.52  
5 Payments of \$611.07 from 09/01/00: \$3,055.35  
SUB-TOTAL OF AMOUNTS IN ARREARS: \$3,158.87  
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said deed of trust immediately due and payable, said sums being the following, to wit: Principal \$54,776.83 together with interest as provided in the note or other instrument secured from the 1st day of AUGUST, 2000 and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

Wherefore, notice is hereby given that the undersigned trustee will on JUNE 01, 2001 at the hour of 10:00 AM, o'clock, Standard Time, as established by ORS 187.110, at MAIN STREET ENTRANCE, 316 MAIN STREET, KLAMATH CO. COURT HOUSE 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 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. It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check. The effect of the sale will be to deprive you and all those who hold by, through and under you at all interest in the property described above. In construing this notice, the masculine gender includes the feminine and the

neuter, 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.  
 DATED: 1-9-01  
 David A. Kubat,  
 OSBA#84265  
 DIRECT INQUIRIES TO:  
 T.D. SERVICE  
 COMPANY FORECLOSURE DEPARTMENT  
 (800) 843-0260  
 TAC  
 U68808W  
 #3936 April 11, 18, 25  
 2001  
 May 2, 2001

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 01-00139

Received for Service 01/12/01

I hereby certify that I received for service  
the within:

*(Handwritten mark)*

TRUSTEE'S NOTICE OF SALE

Further I certify that on 01/22/01, after personal inspection, I  
found the following described real property to be unoccupied:

2300 RADCLIFF  
KLAMATH FALLS, OR , Oregon.

All search and service was made within Klamath County, State of  
Oregon.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By *Patty Johnson*  
JOHNSON, PATTY

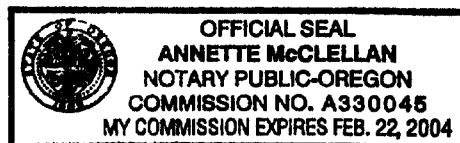
Copy to:

TD SERVICE COMPANY  
1820 EAST FIRST ST #210  
SANTA ANA

PO BOX  
CA 92705

State of Oregon  
County of Klamath

This instrument was acknowledged before me on January 23, 2001,  
by *Patty Johnson*, as a duly appointed and commissioned  
Deputy of Timothy M Evinger, Sheriff of Klamath County, Klamath Falls, Oregon.



*Annette McClellan*  
Notary for the State of Oregon  
My Commission Expires: 2-22-04

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF ORANGE, ss:

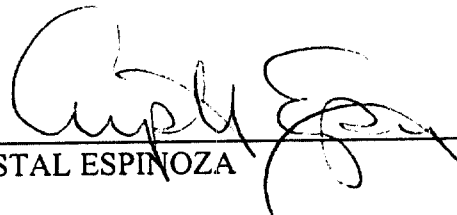
I, Crystal Espinoza, being first duly sworn, depose, and say and certify that: At all times hereinafter mentioned I was and now am a resident of the State of California a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under terms of that certain trust 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 addresses, attached hereto.

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 of 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 of 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.

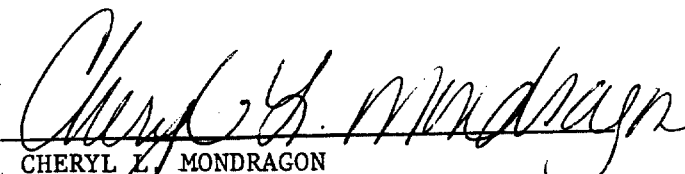
Each of the notices so mailed was certified to be a true copy of the original notice of sale by David Kubat, OSBA No. 84265, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Santa Ana, CA on 1-31-01. With respect to each person listed on the attached, 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.

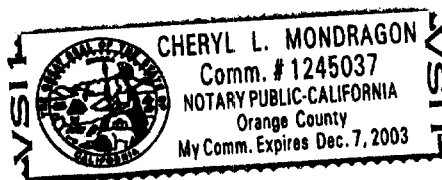
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

  
CRYSTAL ESPINOZA

Subscribed and sworn before me this 31<sup>st</sup> day of January, 2001

WITNESS my hand and official seal.

  
CHERYL L. MONDRAGON  
Notary Public for California  
My Commission Expires: 12-7-03



AFTER RECORDING RETURN TO:

T. D. SERVICE COMPANY  
1820 EAST FIRST STREET, SUITE 210  
SANTA ANA, CA 92705

TD # 01907

DECLARATION OF MAILING BY CERTIFIED/REGISTERED MAIL

22646

T.S.# O 1907 F

Date: 02/01/01 12:01 PM

JUAN M. JIMENEZ  
2300 RADCLIFFE AVENUE  
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0000 9883  
RETURN RECEIPT REQUESTED

SPOUSE OF JUAN M. JIMENEZ  
2300 RADCLIFFE AVENUE  
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0000 9890  
RETURN RECEIPT REQUESTED

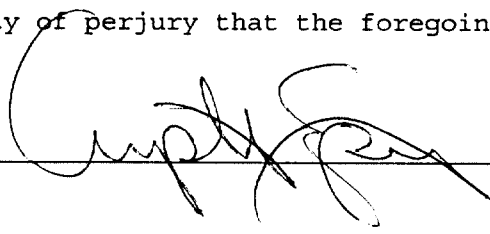
OCCUPANTS  
2300 RADCLIFFE AVENUE  
KLAMATH FALLS, OR 97601

CERTIFIED 7105 2257 2920 0000 9906  
RETURN RECEIPT REQUESTED

STATE OF CALIFORNIA  
COUNTY OF ORANGE

The undersigned does hereby declare that he/she is over the age of 18 year and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by Certified/Registered mail, in a sealed envelope, a copy of the document which is attached to this declaration.

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



AFFIDAVIT OF MAILING  
BY FIRST CLASS MAIL

22647

T.S.# 0 1907 F

Date: 02/01/01

STATE OF CALIFORNIA  
COUNTY OF ORANGE

SS.

The undersigned does hereby declare that he/she is over the age of 18 years and that his/her business address is 1820 E. First Street, Ste# 300, Santa Ana, CA, 92705. That he/she did cause to be deposited, on the above date, in the United States mail, with postage fully prepaid, mailed by First Class Mail, in a sealed envelope, a copy of the Notice of Default / Notice of Trustee's Sale (Circle)

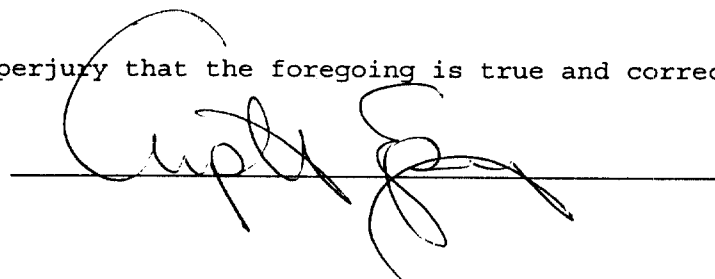
Addressed to the following:

JUAN M. JIMENEZ  
2300 RADCLIFFE AVENUE  
KLAMATH FALLS, OR 97601

SPOUSE OF JUAN M. JIMENEZ  
2300 RADCLIFFE AVENUE  
KLAMATH FALLS, OR 97601

OCCUPANTS  
2300 RADCLIFFE AVENUE  
KLAMATH FALLS, OR 97601

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



RE: Loan #: FC#21224/1000723880  
Title #: 646681 800 989 4240  
UTC #: 0-1907

OREGON  
TRUSTEE'S NOTICE OF SALE

TO: JUAN M. JIMENEZ

Reference is made to that certain deed of trust made by JUAN M. JIMENEZ

AMERITITLE, as grantor,  
in favor of INDYMAC MORTGAGE HOLDINGS, INC. A DELAWARE CORPORATION, as trustee,  
dated FEBRUARY 28, 2000, recorded MARCH 06, 2000, as beneficiary,  
mortgage records of KLAMATH, County, Oregon, in book/reel/  
volume No. M00 at page 7137, (fee/file/instrument No. )  
covering the following described real property situated in said county and state, to wit:

THE NORTHERLY 72 FEET OF LOT 8 AND THE WESTERLY 5 FEET OF THE NORTH 72 FEET OF LOT 7,  
BLOCK 308, DARROW ADDITION TO THE CITY OF KLAMATH FALLS, OREGON. ACCORDING TO THE  
OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY,  
OREGON. MORE COMMONLY KNOWN AS: 2300 RADCLIFFE AVE., 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 deed of trust and a notice of default has been recorded pursuant to Oregon Revised Statutes  
86.735; the default for which the foreclosure is made is grantor's failure to pay when due the following  
sums:

4 Late Charge(s) of \$25.88 from 09/16/00	103.52
5 Payments of \$611.07 from 09/01/00	3,055.35
	-----
SUB-TOTAL OF AMOUNTS IN ARREARS:	3,158.87

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said deed  
of trust immediately due and payable, said sums being the following, to wit: Principal \$ 54,776.83 ,  
together with interest as provided in the note or other instrument secured from the 1ST day of  
AUGUST , 2000 and such other costs and fees as are due under the note or other instrument  
secured, and as are provided by statute.

Wherefore, notice is hereby given that the undersigned trustee will on JUNE 01, 2001 ,  
at the hour of 10 : 00 AM , o'clock, Standard Time, as established by ORS 187.110, at MAIN  
STREET ENTRANCE, 316 MAIN STREET, KLAMATH CO. COURTHOUSE KLAMATH FALLS

KLAMATH, County of  
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 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 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.

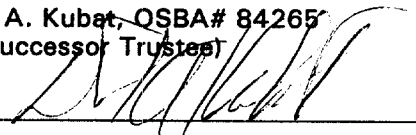
It will be necessary for you to contact the undersigned prior to the time you tender reinstatement or payoff so that you may be advised of the exact amount, including trustee's costs and fees, that you will be required to pay. Payment must be in the full amount in the form of cashier's or certified check.

The effect of the sale will be to deprive you and all those who hold by, through and under you of all interest in the property described above.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: 1-9-01

David A. Kubat, QSBA# 84265  
(Successor Trustee)

BY: 

DIRECT INQUIRIES TO:  
T.D. SERVICE COMPANY  
FORECLOSURE DEPARTMENT  
(800) 843-0260

State of Oregon, County of Klamath  
Recorded 05/16/01, at 2:59 p. m.  
In Vol. M01 Page 22642  
Linda Smith,  
County Clerk Fee\$ 56<sup>00</sup>