

01 OCT 18 PM 2:56

Record and Return to:  
TOWN & COUNTRY TITLE SERVICES, INC.  
505 S. MAIN STREET  
SUITE 6000  
ORANGE, CA 92868

Vol M01 Page 53009

**AFFIDAVIT OF MAILING**  
**TRUSTEE'S NOTICE OF SALE**

T.S. No: T01-10364 DA

Loan No: 0011727880

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby;

A. **PARTIES IN THE DEED OF TRUST:**

GRANTOR(S): DOROTHY J CARNES ✓

TRUSTEE: ASPEN TITLE AND ESCROW INC. ✓

SUCCESSOR TRUSTEE: FIDELITY NATIONAL TITLE INSURANCE CO. ✓

BENEFICIARY: AMERIQUEST MORTGAGE COMPANY ✓

B. **DESCRIPTION OF PROPERTY:**

LOT 14, BLOCK 212, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, IN THE COUNTY OF KLAMATH, STATE OF OREGON. ✓

Property commonly known as: 2145 WANTLAND AVENUE KLAMATH FALLS, OR 97601 ✓

C. **TRUST DEED INFORMATION:**

DATED DATE: 06/22/1999 ✓

RECORDING DATE: 06/30/1999 ✓

RECORDING NUMBER: Instr. #: Book: M99 Page: 26322 ✓

RERECORDED ON:

RECORDING PLACE: Official records of the County of KLAMATH  
State of Oregon ✓

D. **DEFAULT:** The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

1. **Monthly Payments:**

Monthly installments and late charges from 03/01/2001 and all subsequent installments and late charges.

TOTAL PAYMENTS AND LATE CHARGES \$1,905.88

2. **Other Arrearages:**

\$700.71

TOTAL AMOUNT DUE:

\$2,606.59

Plus all accrued real property taxes, interest or penalties until paid.

**IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT**

81A

T.S. No: T01-10364 DA

Loan No: 0011727880

3. Default(s) other than payment of money:

E. AMOUNT DUE: The beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being:

Principal Balance: \$51,527.62

In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 02/01/2001 at 9.990%, as well as all Trustee's fees and costs, Attorneys fees and costs, and all foreclosure costs.

F. ELECTION TO SELL: NOTICE IS HEREBY GIVEN That the Beneficiary and Trustee, by reason of said default have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 et. seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in the described property which the Debtor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Grantor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of the Trustee's Attorney.

G. TIME AND PLACE OF SALE:

TIME : 10:00 A.M. Friday, 11/02/2001

PLACE: THE FRONT ENTRANCE OF THE KLAMATH FALLS COURTHOUSE 317 SOUTH 7TH STREET, 2ND FLOOR IN THE CITY OF KLAMATH FALLS COUNTY OF KLAMATH, OR

H. RIGHT TO REINSTATE: NOTICE IS FURTHER GIVEN That at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with Trustee's fees and Attorney's fees.

I. 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 the Trust Deed, and the words trustee" and "beneficiary" include their respective successors in interest, if any.

**IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT**

53011

T.S. No: T01-10364 DA

Loan No: 0011727880

DATED: June 15, 2001

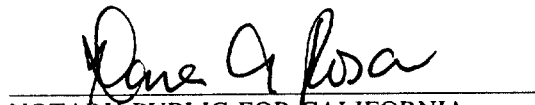
FIDELITY NATIONAL TITLE  
INSURANCE COMPANY, as said Trustee

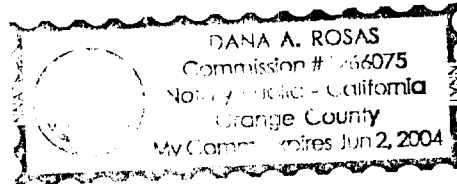
Address for Trustee:  
Fidelity National Title Insurance Company  
401 S.W. 4TH AVENUE  
PORTLAND, OR 972049  
C/O TOWN & COUNTRY TITLE SERVICES, INC  
For sale information call (888) 485-9191.

  
By: NORMA MITRE  
It's: AUTHORIZED SIGNATOR

STATE OF CALIFORNIA  
COUNTY OF ORANGE

This instrument was acknowledged before me on 6/15/01  
by NORMA MITRE as AUTHORIZED SIGNATOR of Fidelity National Title Insurance Company.

  
NOTARY PUBLIC FOR CALIFORNIA  
MY COMMISSION EXPIRES: 6-2-2004



## Affidavit of Publication

RECEIVED

T0110364  
SEP 19 2001

1.1082

STATE OF OREGON,  
COUNTY OF KLAMATH

TOWN &amp; COUNTRY

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 # 4284

Notice of Sale

Dorothy J. Carnes

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:  
August 21, 28, September 4, 11, 2001

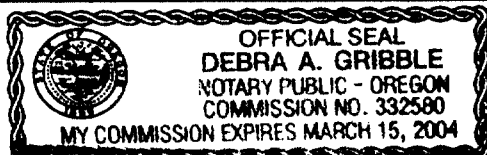
Total Cost:

Subscribed and sworn

before me on: September 11, 2001

Notary Public of Oregon

My commission expires March 15, 2004



## TRUSTEE'S NOTICE OF SALE

T.S. No: T01-10364

DA, Loan No:

0011727880.

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby

elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby: PARTIES IN THE DEED OF

TRUST: GRANTOR(S): DOROTHY J. CARNES

TRUSTEE: ASPEN TITLE AND ESCROW INC.

SUCCESSOR TRUSTEE: FIDELITY NATIONAL TITLE INS. CO.

BENEFICIARY: AMERIQUEST MORTGAGE CO.

DESCRIPTION OF PROPERTY: LOT 14, BLOCK 212, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

Property commonly known as: 2145 WANTLAND AVENUE, KLAMATH FALLS, OR 97601.

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06/22/1999; RECORDING DATE:

06/30/1999; RECORDING NUMBER:

Instr. #:

Book: M99, Page:

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RECORDING PLACE: Official records of the County of KLAMATH, State of Oregon.

DEFAULT: The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

MONTHLY PAYMENTS: Monthly installments and late charges from

3/01/2001 and all subsequent installments and late charges. TOTAL PAYMENTS AND LATE CHARGES: \$1,905.88. OTHER ARREARAGES: \$700.71. TOTAL AMOUNT DUE: \$2,606.59. Plus all accrued real property taxes, interest or penalties until paid. Default(s) other than payment of money: AMOUNT DUE: The beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being: PRINCIPAL BALANCE: \$51,527.62.

In addition to said principal, interest at the rate of variable as provided in the Note or other instrument, secured, shall be payable from 2/01/2001 at 9.990%, as well as all Trustee's fees and costs, Attorneys fees and costs, and all foreclosure costs.

## ELECTION TO SELL: NOTICE IS HEREBY GIVEN

that the Beneficiary and Trustee, by reason of said default have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes 86.705 et. seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in the described property which the Debtor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Grantor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured

by said Trust Deed together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of the Trustee's Attorney.

TIME AND PLACE OF SALE: TIME: 10:00 AM Friday, 11/02/2001. PLACE: THE FRONT ENTRANCE OF THE KLAMATH FALLS COURTHOUSE, 317 SOUTH 7TH STREET, 2ND FLOOR IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OREGON.

RIGHT TO REINSTATE: NOTICE IS HEREBY GIVEN

That at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with Trustee's fees and Attorney's fees.

In construing this notice, the singular includes the plural, the word "grantor" includes any succes-

sor in interest to the 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: June 15, 2001. FIDELITY NATIONAL TITLE INSURANCE COMPANY, as said Trustee. Address for Trustee: Fidelity National Title Insurance Company, 401 SW 4th Avenue, Portland, OR 972049, C/O Town & Country Title Services, Inc. For sale information call (888) 485-9191. By: Norma Mitre, Authorized Signator.  
#4284 August 21, 28, Sept. 4, 11, 2001.

**AFFIDAVIT OF NON-MILITARY SERVICE**

AMERIQUEST MORTGAGE COMPANY  
ATTN: FORECLOSURE DEPARTMENT  
505 S MAIN STREET, SUITE 6000  
ORANGE, CA 92868

Date: June 15, 2001  
Loan #: 0011727880  
T.S. #: T01-10364 DA

State of CALIFORNIA )  
County of ORANGE )SS

ANN POWERS being of legal age and duly sworn, deposes and says that:

1. I am an employee of AMERIQUEST MORTGAGE COMPANY the present beneficiary of a certain Deed of Trust recorded 06/30/1999 as Instrument No. in Book M99 Page 26322 of official records in the office of the County Recorder of KLAMATH County, Oregon

2. To the best of the affiant's knowledge, the following name(s) is (are) known to be the present record owner(s) of the property described in the above Deed of Trust.

Current Trustor(s): DOROTHY J CARNES

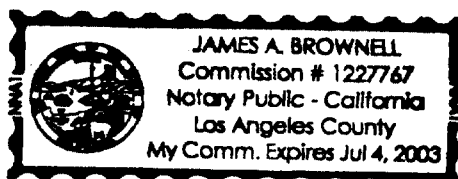
3. Said record owner(s), and each of the, if there be more than one, is NOT a "person in military service" or a "person in the military service of the United States," as defined in Section 101, and subdivisions thereof, of the Soldiers' and Sailors' Relief Act of 1940, as amended.

4. This affidavit is made at the request of the Beneficiary herein named for the purpose of inducing FIDELITY NATIONAL TITLE INSURANCE CO., as Trustee, to cause said property to be sold under the terms of said Deed of Trust without leave of court first obtained.

Affiant: Ann Powers

Subscribed and sworn before me this 19 day of June, 192001

James A. Brownell  
Notary Public in and for said County and State



STATE OF CALIFORNIA  
COUNTY OF ORANGE

) In the matter of Notice of Sale  
) S.S. File # T01-10364

DANA ROSAS of TOWN & COUNTRY TITLE SERVICES, INC., 505 S. MAIN STREET SUITE 6000 of ORANGE, CA 92868 being duly sworn, deposes and says; That she/he is over the age of eighteen years; That on 06/29/2001, by certified mail/regular mail enclosed in a sealed envelope with prepaid postage thereon, she/he deposited in the United States Post Office at ORANGE, CA notices, a true and correct copy of which is hereunto attached and made a part hereof, addressed to the following:

Certified mail  
& first class mail

DOROTHY J CARNES  
2145 WANTLAND AVENUE  
KLAMATH FALLS, OR 97601

Certified mail  
& first class mail

FORD MOTOR CREDIT COMPANY  
1335 S. CLEARVIEW AVENUE  
MESA, AZ 85208

Certified mail  
& first class mail

FORD MOTOR CREDIT COMPANY  
C/O CHELSEA S. LEW ANDOWSKI  
1100 S.W. 6TH AVENUE SUITE 1507  
PORTLAND, OR 97204-1016

The receipts for certification of said letters are hereunto affixed and made a part hereof. I certify (or declare) under penalty of perjury that the foregoing is true and correct.

X  
Affiant

*Dane A. Rosas*

PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS

RECEIVED  
53016  
AUG 10 2001

STATE OF OREGON  
COUNTY OF Klamath

COURT CASE NO. \_\_\_\_\_  
TOWN & COUNTRY

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- |   |                                    |  |                                   |                                   |
|---|------------------------------------|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint    | <input type="checkbox"/> Summons   | <input type="checkbox"/> Small Claim         | <input type="checkbox"/> Motion   | <input type="checkbox"/> Answer   |
| <input type="checkbox"/> Restraining Order      | <input type="checkbox"/> Judgment  | <input type="checkbox"/> Affidavit           | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter   |
| <input type="checkbox"/> Summons & Petition     | <input type="checkbox"/> Order     | <input type="checkbox"/> Decree              | <input type="checkbox"/> Notice   | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena |                                   |
- ☒ Trustee's Notice of Sale

For the within named: Occupants of 2145 Wantland Avenue

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Dorothy Carnes at the address below.

☐ SUBSTITUTE SERVICE: By delivering an Original or True Copy to \_\_\_\_\_, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: \_\_\_\_\_

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with \_\_\_\_\_, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.  
Upon \_\_\_\_\_, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.

to: \_\_\_\_\_ who is a/the \_\_\_\_\_ thereof, or  
(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the office of \_\_\_\_\_, who is a/the \_\_\_\_\_ thereof.

☐ OTHER METHOD: \_\_\_\_\_ By leaving an Original or True Copy with \_\_\_\_\_

☐ NOT FOUND: I certify that I received the within document for service on \_\_\_\_\_ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, \_\_\_\_\_ within \_\_\_\_\_ County.

2145 Wantland Avenue  
ADDRESS OF SERVICE STREET  
Klamath Falls CITY  
Oregon STATE  
UNIT / APT. / SPC# 97601 ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

July 24, 2001 DATE OF SERVICE  
3:00 a.m. ☐ p.m. ☒ TIME OF SERVICE  
Dave Shuck SIGNATURE



IN THE COURT STATE OF OREGON, COUNTY OF

Ameriquet Mortgage Co.

Plaintiff,

v.

Dorothy J. Carnes

Defendant(s).

)  
)  
) NO.  
) NOTICE OF  
) SUBSTITUTE SERVICE  
)  
)  
)

TO DEFENDANT(S): All Occupant

YOU ARE HEREBY NOTIFIED that service of TRUSTEE'S NOTICE OF SALE in the above cause was made upon you by SUBSTITUTE service at the address below, your usual place of abode.

DATE AND TIME OF SERVICE:  
TO WHOM THE DOCUMENTS  
WERE DELIVERED:

July 24th, 2001 3PM  
Dorothy J. Carnes, co occupant  
2145 Wantland Ave.  
Klamath Falls, OR 97601

Capitol Investigation Co., LTD.  
P.O. Box 3225  
Portland, OR 97208

AFFIDAVIT OF MAILING

STATE OF OREGON

)

)ss

DATE: 07/25/2001

County of Multnomah

)

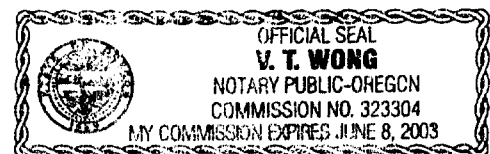
I, THE UNDERSIGNED, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I CAUSED TO BE MAILED TO THE DEFENDANT(S) WHOSE NAME AND ADDRESS APPEARS BELOW, TRUE, EXACT AND COMPLETE COPIES OF THE FOREGOING NOTICE, AND OF THE TRUSTEE'S NOTICE OF SALE HEREIN REFERRED TO, BY CAUSING SAME TO BE DEPOSITED IN THE UNITED STATES MAIL AT Portland, OREGON, ON SAID DATE, ADDRESSED AS SHOWN, WHICH IS THE USUAL PLACE OF ABODE OF SAID DEFENDANT(S) BEING THE ADDRESS AT WHICH SUBSTITUTE SERVICE OF TRUSTEE'S NOTICE OF SALE THEREIN WAS HERETOFORE MADE UPON SAID DEFENDANT(S).

*Jan Higgins*

SUBSCRIBED AND SWORN TO BEFORE ME  
THE DAY AND YEAR LAST ABOVE WRITTEN:

All Occupant  
2145 Wantland Ave.  
Klamath Falls, OR 97601

*Wong*



IN THE \_\_\_\_\_ COURT OF THE STATE OF Oregon  
COUNTY OF \_\_\_\_\_ : COURT CASE NO. \_\_\_\_\_

Ameriquist Mortgage Co.

vs

Dorothy J. Carnes

53018

**AFFIDAVIT/PROOF OF SERVICE**

STATE OF OREGON )

) SS.

County of Multnomah

I hereby certify that on the 24th day of July, 2001, at the hour of 3PM  
I served Dorothy J. Carnes and All Occupant by:

Dorothy Personal Service (personally and in person)

All Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)

Office Service (by serving the person apparently in charge)

By posting (said residence)

A certified/true copy of:

Summons

Writ of Garnishment

Small Claims

Motion

Order

Affidavit

Complaint

Citation

Subpoena

Petition

Notice

Decree

xxxx Other: Trustee's Notice of Sale

Together with a copy of \_\_\_\_\_

To Dorothy J. Carnes, co occupant At 2145 Wantland Ave.  
Klamath Falls, OR 97601

NOT FOUND: I certify that I received the within document for service on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
and after due and diligent search and inquiry, I have been unable to locate \_\_\_\_\_  
within the county of \_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF Klamath

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this  
25th day of Jul., 2001

Capitol Investigation Company  
JEFF STATE

Papers Received From ASAP  
P O Box 276420  
Sacramento, CA 95827

Remit to: CAPITOL P.O. Box 3225 Portland, OR 97208	Service Fee	
	Mileage	\$ 0.00
Date: 07/25/2001	Rush/Emergency	
File No. 01-24698-M	Incorrect Add.	\$ 0.00
Client No. 438860	Amount Paid	\$ 0.00
	TOTAL DUE	

79:11 TO 110361

53019

Record and Return to:  
TOWN & COUNTRY TITLE SERVICES, INC.  
505 S. MAIN STREET  
SUITE 6000  
ORANGE, CA 92868

**TRUSTEE'S NOTICE OF SALE**

T.S. No: T01-10364 DA

Loan No: 0011727880

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RECORDING DATE: 06/30/1999

RECORDING NUMBER: Instr. #: Book: M99 Page: 26322

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IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT

53021

T.S. No: T01-10364 DA

Loan No: 0011727880

DATED: June 15, 2001

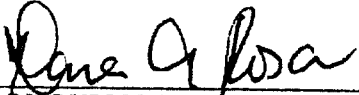
FIDELITY NATIONAL TITLE  
INSURANCE COMPANY, as said Trustee

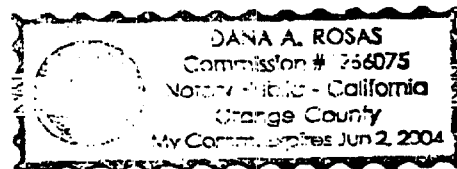
Address for Trustee:  
Fidelity National Title Insurance Company  
401 S.W. 4TH AVENUE  
PORTLAND, OR 972049  
C/O TOWN & COUNTRY TITLE SERVICES, INC  
For sale information call (888) 485-9191.

  
By: NORMA MITRE  
It's: AUTHORIZED SIGNATOR

STATE OF CALIFORNIA  
COUNTY OF ORANGE

This instrument was acknowledged before me on 6/15/01  
by NORMA MITRE as AUTHORIZED SIGNATOR of Fidelity National Title Insurance Company.

  
NOTARY PUBLIC FOR CALIFORNIA  
MY COMMISSION EXPIRES: 6-2-2004



State of Oregon, County of Klamath  
Recorded 10/18/01 at 2:56 p.m.  
In Vol. M01 Page 53009  
Linda Smith,  
County Clerk Fee\$ 81.00