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WHEN RECORDED MAIL TO:

LAW OFFICES OF STEVEN J. MELMET, INC.
2912 S. Daimler Street
Santa Ana, CA 92705-5811

State of Oregon, County of Klamath
Recorded 01/03/2002 3:09 p m.
Vol M02, Pg 385-394
Linda Smith, County Clerk
Fee \$ 81⁰⁰ # of Pgs 10

K57506

THE SPACE ABOVE LINE IS FOR RECORDER'S USE ONLY

T.S. NO.: 2001-25378-D
LOAN NO.: 7002692718

**AFFIDAVITS OF MAILING, PUBLICATION, AND SERVICE
OF NOTICE OF DEFAULT AND ELECTION TO SELL
AND TRUSTEE'S NOTICE OF SALE**

K66
+15
872

T.S. NO.: 2001-25378-D
 LOAN NO.: 7002692718

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA
 COUNTY OF ORANGE

I, **TERI VON ACHEN**, 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.

I gave notice of sale of the real property described in the attached notice of sale by mailing a copy thereof by registered or certified mail and regular mail to each of the following named person's at their last known address, attached hereto.

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of records or 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.

Each of the notices so mailed were certified to be a true copy of the original notice of sale by **TERI VON ACHEN**, for **FIRST AMERICAN TITLE INSURANCE COMPANY**, 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 9/20/2001. 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.



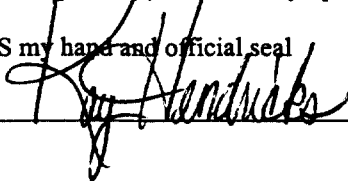
 TERI VON ACHEN

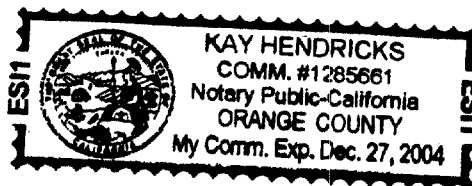
STATE OF CALIFORNIA
 COUNTY OF ORANGE

On September 20, 2001 before me, the undersigned, A Notary Public in and for said State, personally appeared **TERI VON ACHEN** personally known to me (or 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.

WITNESS my hand and official seal

Signature





T.S. No. 2001-25378-D

NOTICES WERE SENT TO THE FOLLOWING PARTIES:

NAME

ADDRESS

MARY MCEWAN

534 RICHMOND AVENUE
KLAMATH FALLS, OREGON 97601

AFFIDAVIT OF MAILING

TS: 2001-25378-D

DATE: September 20, 2001

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Orange County at 2912 S. Daimler, Santa Ana, CA 92705 by Law Offices of Steven J. Melmet, and is not a party to he within action; and that on the date set forth above, (s)he personally served the Notice of Default / Trustee Sale, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice in a sealed envelope, certified or registered mail and regular mail or as otherwise indicated below, 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.

MARY MCEWAN
534 RICHMOND AVENUE
KLAMATH FALLS, OREGON 97601
CERTIFIED:71086095528001488905

MARY MCEWAN
534 RICHMOND AVENUE
KLAMATH FALLS, OREGON 97601
First Class

TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq.
Trustee No.: 2001-25378-D

389

Reference is made to that certain Trust Deed made by MARY MCEWAN, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY, as Grantor, to CHICAGO TITLE INSURANCE COMPANY, as Trustee, in favor of FIRST FRANKLIN FINANCIAL CORPORATION, as Beneficiary, dated 1/25/99, recorded 2/2/99, in the mortgage records of KLAMATH, Oregon, as Instrument No. , in Book M99, Page 3800. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by NATIONSCREDIT HOME EQUITY SERVICES. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

LOTS 4 AND 5 IN BLOCK 14 OF THE INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

The street address or other common designation, if any, of the real property described above is purported to be:

534 RICHMOND AVENUE
KLAMATH FALLS, OREGON 97601

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735 (3); the default for which the foreclosure is made is Grantor's failure to pay when due, the following sums:

<u>FROM</u>	<u>INT. RATE</u>	<u>NO. PMT</u>	<u>AMOUNT</u>	<u>IMPOUND</u>	<u>TOTAL</u>
1/1/2001	10.5	13	\$256.13		\$3,329.69
Late Charges:					\$166.53
<u>ADVANCES:</u>					<u>AMOUNT</u>
ADVANCE BAL					\$310.19
Grand Total:					\$3,806.41

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Deed of Trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following:

The unpaid principal balance of \$27,714.59 together with interest thereon at the current rate of 10.5% per annum from 12/1/2000 until paid, plus all accrued late charges, escrow advances, attorney fees and costs, and any other sums incurred or advanced by the beneficiary pursuant to the terms and conditions of said deed of trust.

WHEREFORE, notice hereby is given that the undersigned trustee will, on 1/23/2002, at the hour of 10:00 AM in accord with the standard of time established by O.R.S. 187.110 at the following place;

AT THE MAIN ENTRANCE TO THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET,
KLAMATH FALLS, OREGON

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 has or had power to convey at the time of execution by him of the said Trust Deed, together with any interest which the Grantor 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 reasonable charge by the trustee. 390

Notice is further given that any person named in O.R.S. 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 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.

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 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: September 09, 2001

FIRST AMERICAN TITLE INSURANCE
COMPANY

By Diane Erickson

DIANE ERICKSON ASSISTANT SECRETARY

For further information, please contact:

FIRST AMERICAN TITLE INSURANCE COMPANY
200 S.W. MARKET STREET, SUITE 250
PORTLAND, OR 97201-5730
C/O LAW OFFICES OF STEVEN J. MELMET, INC.
(949) 263-1000

STATE OF CA
COUNTY OF Orange } ss.

I certify that I, DIANE ERICKSON ASSISTANT SECRETARY am an authorized representative of FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee, and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Diane Erickson
Authorized Representative of Trustee

DIANE ERICKSON ASSISTANT SECRETARY

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

391 159288
2001-25378

STATE OF OREGON
COUNTY OF Klamath

COURT CASE NO. N/A

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"/> Small Claim | <input type="checkbox"/> Order | <input type="checkbox"/> Subpoena | <input type="checkbox"/> Order to Show Cause |
| <input type="checkbox"/> Summons | <input type="checkbox"/> Motion | <input type="checkbox"/> Notice | <input checked="" type="checkbox"/> Trustee's Notice of Sale |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Letter | <input type="checkbox"/> Writ of Continuing Garnishment |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ | <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

For the within named: Occupants of 534 Richmond Avenue

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

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

☐ 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: _____

☐ 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.



534 Richmond Street
ADDRESS OF SERVICE STREET

UNIT / APT. / SPC#

Klamath Falls CITY Oregon STATE 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.

September 12, 01 DATE OF SERVICE 2:07 a.m. ☐ p.m. ☒ Toy W. Garrison SIGNATURE

AFFIDAVIT OF MAILING

STATE OF Oregon COUNTY OF KlamathInterstate Process PlaintiffN/A

Case Number

Mary McEwan Defendant

I hereby certify that on the 19th day of September, 20 01, I mailed a Certified true copy of the Trustee's Notice of Sale to the above stated defendant, at the address of 534 Richmond St.
Klamath Falls, OR. 97601 upon whom substitute service was made on the 17th day of September, 20 01, with a statement of the date, time and place at which service was made.

Dated this 19th day of September, 20 01.

By

Candi S. Cordonnier
Candi S. CordonnierSubscribed and sworn before me this 19th day of September, 20 01.Margaret A. Nielsen
Notary Public for OregonMy Commission Expires: 4-12-04

**STATE OF OREGON,
COUNTY OF KLAMATH**

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 # 4437

Notice of Sale/McEwan

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)
Four

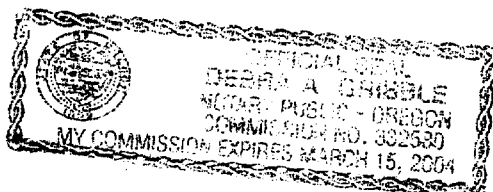
Insertion(s) in the following issues:
October 18, 25, November 1, 8, 2001

Larry L. Wells
Subscribed and sworn

before me on: November 8, 2001

Debra A. Drizzle
Notary Public of Oregon

My commission expires March 15, 2004



**TRUSTEE'S
NOTICE OF SALE**

Pursuant to ORS 86.705, et seq. and ORS 79.5010, et seq. Trustee No: 2001-25378-D. Reference is made to that certain deed made by Mary McEwan, a married woman as her sole and separate property, as grantor, to Chicago Title Insurance Company as Trustee, in favor of First Franklin Financial Corporation, as beneficiary, dated 1/25/99, recorded 2/2/99 in the mortgage records of Klamath Oregon, as Instrument No. in book, M99, page 3800. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by Nationscredit Home Equity Services. Said Trust Deed encumbers the following described real property situated in said county and state to wit: Lots 4 and 5 in block 14 of the Industrial Addition to the City of Klamath Falls, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. The street address or other common designation, if any, of the real property above is purported to be: 534 Richmond Avenue, Klamath Falls, Oregon 97601. The undersigned trustee disclaims any liability for any incorrectness of the above street address or other common designation. Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by

Said trust deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735 (3); the default for which the foreclosure is made is grantor's failure to pay when due, the following sums: From 1/1/2001 Int. Rate 10.5 No. Pmt 13 Amount \$256.13 Impound Total \$3,329.69 Late Charges: \$166.53 Advances Amount Advance Bal \$310.19 Grand Total: \$3,806.41. Also, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned trustee. By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following: The unpaid principal balance of \$27,714.59 together with interest thereon at the current rate of 10.5% per annum from 12/1/2000 until paid, plus all accrued late charges, escrow advances, attorney fees and costs, and

any other sums incurred or advanced by the beneficiary pursuant to the terms and conditions of said deed of trust.

Wherefore, notice hereby is given that the undersigned trustee will, on 1/23/2002, at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110 at the following place: At the main entrance to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, 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 has or had power to convey at the time of execution by him of the said Trust Deed, together with any interest which the Grantor, 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 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 (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 obligations or to cure to default, by paying all cost and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees.

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 dated, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated: September 9, 2001. First American Title Insurance Company. By: Diane Erickson, Assistant Secretary; 200 SW Market Street, Suite 250, Portland, OR 97201-5730. C/O Law Office of Steven J. Melmet, Inc. (949)263-1000. This is an attempt to collect a debt and any information obtained will be used for that purpose. P159288 10/18, 10/25, 11/1, 11/8/01. #4437 October 18, 25, November 1, 8, 2001.