

'02 JAN 15 PM3:13

Vol M02 Page 2605Record and Return to:

TOWN & COUNTRY TITLE SERVICES, INC.
 505 S. MAIN STREET
 SUITE 6000
 ORANGE, CA 92868

State of Oregon, County of Klamath
 Recorded 01/15/2002 3:13 p m.
 Vol M02, Pg 2605-2617
 Linda Smith, County Clerk
 Fee \$ 81.00 # of Pgs 13

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

T.S. No: T01-10599 DA

Loan No: 0012693586

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): MARK E GATES AND JULIE M. GATES TENANTS BY ENTIRETY
 TRUSTEE: FIDELITY NATIONAL TITLE
 SUCCESSOR TRUSTEE: FIDELITY NATIONAL TITLE INSURANCE CO.
 BENEFICIARY: AMERIQUEST MORTGAGE COMPANY

B. DESCRIPTION OF PROPERTY:

A PARCEL OF LAND SITUATE IN BLOCK 24 OF ELDORADO HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING IN THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST MOST CORNER OF LOT 7, BLOCK 24, ELDORADO HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, SAID CORNER BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF BIRCH STREET AND FROM WHICH THE NORTHWEST CORNER OF SAID BLOCK 24 BEARS NORTH 40 DEGREES 20 MINUTES 30 SECONDS EAST 129.10 FEET DISTANT; THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF BIRCH STREET NORTH 40 DEGREES 20 MINUTES 30 SECONDS EAST 71.10 FEET; THENCE SOUTH 49 DEGREES 39 MINUTES 30 SECONDS EAST 124.32 FEET; THENCE SOUTH 15 DEGREES 45 MINUTES 10 SECONDS WEST 85.19 FEET, MORE OR LESS, TO THE NORTHEASTERLY CORNER OF LOT 10, BLOCK 24; THENCE ALONG THE NORTHEASTERLY LINE OF LOTS 9 AND 10, ON A 6 DEGREES 36 MINUTES 40 SECONDS CURVE TO THE LEFT, 105.00 FEET TO THE BEGINNING OF SAID CURVE; THENCE CONTINUING ALONG SAID NORTHEASTERLY LINE OF LOT 9 AND LOT 8, BLOCK 24, NORTH 49 DEGREES 45 MINUTES WEST 55.00 FEET, MORE OR LES, TO THE POINT OF BEGINNING.

Property commonly known as: 1855 BIRCH STREET KLAMATH FALLS, OR 97601

C. TRUST DEED INFORMATION:

DATED DATE: 07/20/1999
 RECORDING DATE: 07/29/1999
 RECORDING NUMBER: Instr. #: Book: M99 Page: 30176
 RERECORDED ON:
 RECORDING PLACE: Official records of the County of KLAMATH
 State of Oregon

IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT

8/4

T.S. No: T01-10599 DA

Loan No: 0012693586

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 02/01/2001 and all subsequent installments and late charges.

TOTAL PAYMENTS AND LATE CHARGES	\$6,985.20
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2. **Other Arrearages:**

TOTAL AMOUNT DUE:	\$952.08
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TOTAL AMOUNT DUE: \$7,937.28

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

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: \$72,249.43

In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 01/01/2001 at 10.750%, 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, 02/08/2002

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.

T.S. No: T01-10599 DA

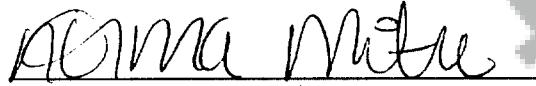
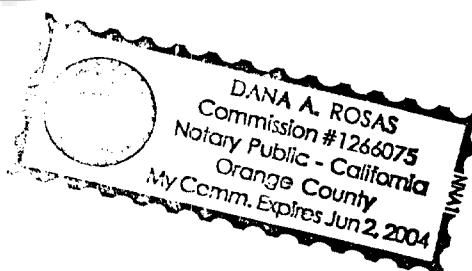
Loan No: 0012693586

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.

DATED: September 24, 2001

FIDELITY NATIONAL TITLE
INSURANCE COMPANY, as said Trustee

Address for Trustee:

Fidelity National Title Insurance Company
401 S.W. 4TH AVENUE
PORTLAND, OR 972049C/O TOWN & COUNTRY TITLE SERVICES, INC
For sale information call (888) 485-9191XT3312
By: NORMA MITRE
It's: AUTHORIZED SIGNATORSTATE OF CALIFORNIA
COUNTY OF ORANGEThis instrument was acknowledged before me on 9/24/01
by NORMA MITRE as AUTHORIZED SIGNATOR of Fidelity National Title Insurance Company.
NOTARY PUBLIC FOR CALIFORNIA
MY COMMISSION EXPIRES: 6-2-2004

STATE OF CALIFORNIA
COUNTY OF ORANGE

) In the matter of Notice of Sale
) S.S. File # T01-10599

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 10/01/2001, 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

MARK E GATES
1855 BIRCH STREET
KLAMATH FALLS, OR 97601

Certified mail
& first class mail

JULIE M. GATES
1855 BIRCH STREET
KLAMATH FALLS, OR 97601

Certified mail
& first class mail

MARK E. GATES
679 LONGACRE LANE
KLAMATH FALLS, OR 97601-9307

Certified mail
& first class mail

JULIE M. GATES
6709 LONGACRE LANE
KLAMATH FALLS, OR 97601-9307

Certified mail
& first class mail

CARTER JONES COLLECTION LLC
1143 PINE STREET
KLAMATH FALLS, OR 9760

Certified mail
& first class mail

CARTER JONES COLLECTION LLC
P.O. BOX 145
KLAMATH FALLS, OR 976

Certified mail
& first class mail

FARMER INSURANCE COMPANY OF OREGON
HOME OFFICE
13333 SOUTHWEST 68TH PARKWAY
PORTLAND, OR 97223

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

Dana A. Rosas

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**2609**

State of California

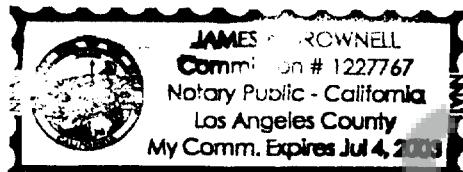
County of ORANGE

} ss.

On 1/1/02, before me, James A. Brownell,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Dana A. Rose,
Name(s) of Signer(s)

personally known to me
 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.



Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document
and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Affidavit of Mailings

Document Date: 10/1/01 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____

**RIGHT THUMBPRINT
OF SIGNER**

Top of thumb here

Signer Is Representing: _____

file

AFFIDAVIT OF NON-MILITARY SERVICE

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

Date: September 24, 2001
Loan #: 0012693586
T.S. #: T01-10599 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 07/29/1999 as Instrument No. in Book M99 Page 30176 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.

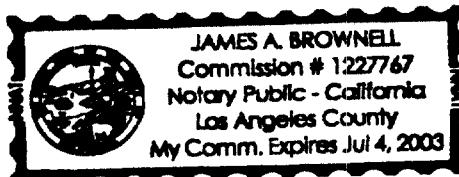
Current Trustor(s): MARK E GATES, JULIE M. GATES

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:

Subscribed and sworn before me this 25 day of September, 100

Notary Public in and for said County and State



PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

TOP 10599
2611

STATE OF OREGON
COUNTY OF

Klamath

COURT CASE NO. 6

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"/>			

For the within named: Occupants of 1855 Birch st. Klamath Falls, OR

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

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

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.

1855
ADDRESS OF SERVICE

STREET

UNIT / APT ./ SPC #

Klamath Falls
CITY

OR

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.

Sept. 27, 2001 5:28

DATE OF SERVICE

a.m. p.m.

TIME OF SERVICE

Ed Foreman

SIGNATURE

or not found

PRINTED IN OREGON

TEK 212

T&C 2612

#T0110599

TRUSTEE'S NOTICE OF SALE

AMERIQUEST MORTGAGE CO.

)

ORIGINAL

AFFIDAVIT/PROOF OF SERVICE

Client # 447518

vs

MARK E. GATES ETAL

)

)

STATE OF OREGON)
COUNTY OF MULTNOMAH) SS.

I hereby certify that on the 27th day of September, 2001, at the hour of 5:28PM, a copy of a TRUSTEE'S NOTICE OF SALE was served to all occupant(s) located at 1855 Birch St., Klamath Falls, OR 97601.

THE OCCUPANTS WERE SERVED IN THE FOLLOWING MANNER:

I served Occupant(s), Ann Babcock by PERSONAL SERVICE

I served Occupant(s), John Babcock by SUBSTITUTE SERVICE TO Ann Babcock, Co occupant, , a person over the age of 14 and who is an occupant of the described residence.

I served All Occupants over 18 years old by SUBSTITUTE SERVICE TO Ann Babcock, Co occupant, , a person over the age of 14 and who is an occupant of the described residence.,

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.

Jefferson State Adjusters, Server
Capitol Investigation Company

I HEREBY CERTIFY that I completed substitute service, as required by law, by depositing with the United States Post Office by regular mail a properly addressed, postage prepaid envelope containing a copy of the TRUSTEE'S NOTICE OF SALE to John Babcock and all other occupants 18 years or older at 1855 Birch St., Klamath Falls, OR 97601 on Oct 10-01. Signed: Jean Tigrayma

Subscribed to and sworn to before me this
10th day of October, 2001 by Jefferson State



Wong
Notary for the State of Oregon
My commission expires 6-8-03

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: T01-10599 DA

Loan No: 0012693586

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): MARK E GATES AND JULIE M. GATES TENANTS BY ENTIRETY

TRUSTEE: FIDELITY NATIONAL TITLE

SUCCESSOR TRUSTEE: FIDELITY NATIONAL TITLE INSURANCE CO.

BENEFICIARY: AMERIQUEST MORTGAGE COMPANY

B. DESCRIPTION OF PROPERTY:

A PARCEL OF LAND SITUATE IN BLOCK 24 OF ELDORADO HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING IN THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST MOST CORNER OF LOT 7, BLOCK 24, ELDORADO HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, SAID CORNER BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF BIRCH STREET AND FROM WHICH THE NORTHWEST CORNER OF SAID BLOCK 24 BEARS NORTH 40 DEGREES 20 MINUTES 30 SECONDS EAST 129.10 FEET DISTANT; THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF BIRCH STREET NORTH 40 DEGREES 20 MINUTES 30 SECONDS EAST 71.10 FEET; THENCE SOUTH 49 DEGREES 39 MINUTES 30 SECONDS EAST 124.32 FEET; THENCE SOUTH 15 DEGREES 45 MINUTES 10 SECONDS WEST 85.19 FEET, MORE OR LESS, TO THE NORTHEASTERLY CORNER OF LOT 10, BLOCK 24; THENCE ALONG THE NORTHEASTERLY LINE OF LOTS 9 AND 10, ON A 6 DEGREES 36 MINUTES 40 SECONDS CURVE TO THE LEFT, 105.00 FEET TO THE BEGINNING OF SAID CURVE; THENCE CONTINUING ALONG SAID NORTHEASTERLY LINE OF LOT 9 AND LOT 8, BLOCK 24, NORTH 49 DEGREES 45 MINUTES WEST 55.00 FEET, MORE OR LBS, TO THE POINT OF BEGINNING.

Property commonly known as: 1855 BIRCH STREET KLAMATH FALLS, OR 97601

C. TRUST DEED INFORMATION:

DATED DATE: 07/20/1999

RECORDING DATE: 07/29/1999

RECORDING NUMBER: Instr. #: Book: M99 Page: 30176

RERECORDED ON:

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

IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT

(MON) 9.24.01 12:19/ST. 12:17/NO. 4862187502 P 2

FROM T C SVCS

T.S. No: T01-10599 DA

Loan No: 0012693586

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.

DATED: September 24, 2001

FIDELITY NATIONAL TITLE
INSURANCE COMPANY, as said Trustee

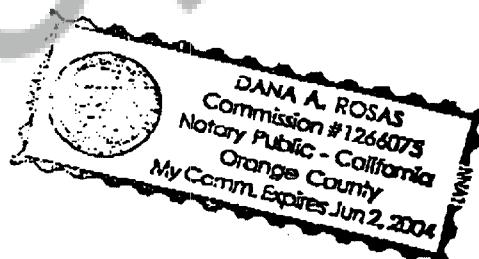
Address for Trustee:
 Fidelity National Title Insurance Company
 401 S.W. 4TH AVENUE
 PORTLAND, OR 972049
 C/O TOWN & COUNTRY TITLE SERVICES, INC
 For sale information call (888) 485-9191 XT3312

NORMA MITRE
 By: NORMA MITRE
 It's: AUTHORIZED SIGNATOR

STATE OF CALIFORNIA
COUNTY OF ORANGE

This instrument was acknowledged before me on 9/24/01
 by NORMA MITRE as AUTHORIZED SIGNATOR of Fidelity National Title Insurance Company.

Dana A. Rosas
 NOTARY PUBLIC FOR CALIFORNIA
 MY COMMISSION EXPIRES: 6-2-2004



(MON) 9.24.01 12:20/ST. 12:17/NO. 4862187502 P 4

FROM T C SVCS

T.S. No: T01-10599 DA

Loan No: 0012693586

D. **DEFAULT:** The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:1. **Monthly Payments:**

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TOTAL PAYMENTS AND LATE CHARGES

\$6,985.20

2. **Other Arrearages:**

\$952.08

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\$7,937.28

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TIME : 10:00 A.M. Friday, 02/08/2002

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

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Affidavit of Publication

TO-105998
RECEIVED

2616

NOV 13 2001

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 # 4427

Notice of Sale/Gates

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 16, 23, 30, November 6, 2001

Total Cost:

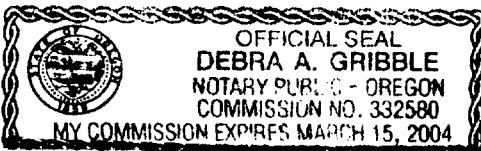
Subscribed and sworn

before me on: November 6, 2001

Debra A. Gribble

Notary Public of Oregon

My commission expires March 15, 2004



<p>TRUSTEE'S NOTICE OF SALE</p> <p>T.S. NO: TO1-10599 DA, Loan No: 0012693586. ASAP #447518.</p> <p>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:</p> <p>A. PARTIES IN THE DEED OF TRUST: GRANTOR(S): MARK E. GATES AND JULIE M. GATES, TENANTS BY ENTIRETY, TRUSTEE: FIDELITY NATIONAL TITLE, SUCCESSION TRUSTEE: FIDELITY NATIONAL TITLE INSURANCE CO., BENEFICIARY: AMERIQUEST MORTGAGE COMPANY.</p> <p>B. DESCRIPTION OF PROPERTY: A PARCEL OF LAND SITUATE IN BLOCK 24 OF ELDORADO HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING IN THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST MOST CORNER OF LOT 7, BLOCK 24, ELDORADO HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, SAID CORNER BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF</p>	<p>BIRCH STREET AND FROM WHICH THE NORTHWEST CORNER OF SAID BLOCK 24 BEARS NORTH 40 DEGREES 20 MINUTES 30 SECONDS EAST 129.10 FEET DISTANT; THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF BIRCH STREET NORTH 40 DEGREES 20 MINUTES 30 SECONDS EAST 71.10 FEET; THENCE SOUTH 49 DEGREES 39 MINUTES 30 SECONDS EAST 124.32 FEET; THENCE SOUTH 15 DEGREES 45 MINUTES 10 SECONDS WEST 85.19 FEET, MORE OR LESS, TO THE NORTHEASTERLY CORNER OF LOT 10, BLOCK 24; THENCE ALONG THE NORTHEASTERLY LINE OF LOTS 9 AND 10, ON A 6 DEGREES 36 MINUTES 40 SECONDS CURVE TO THE LEFT 105.00 FEET TO THE BEGINNING OF SAID CURVE; THENCE CONTINUING ALONG SAID NORTHEASTERLY LINE OF LOT 9 AND LOT 8, BLOCK 24, NORTH 49 DEGREES 45 MINUTES WEST 55.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.</p> <p>Property commonly known as: 1855 BIRCH STREET, KLAMATH FALLS, OR 97601.</p> <p>C. TRUST DEED INFORMATION: DATED DATE: 07/20/1999, RECORDING DATE: 07/29/1999, RECORDING NUMBER: 1str. #: Book: M99, Page: 30176, RERECD.</p>	<p>ED ON RECORDING PLACE: Official records of the County of KLAMATH, State of Oregon.</p> <p>D. DEFAULT: The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:</p> <ol style="list-style-type: none"> 1. Monthly Payments: Monthly installments and late charges from 02/01/2001 and all subsequent installments and late charges. TOTAL PAYMENTS AND LATE CHARGES: \$6,985.20. 2. Other arrearages: \$952.08. TOTAL AMOUNT DUE: \$7,937.28, Plus all accrued real property taxes, interest or penalties until paid. 3. Default(s) other than payment of money: <p>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: \$72,249.43.</p> <p>In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 01/01/2001 at 10.750%, as well as all Trustee's fees and costs, Attorneys fees and costs, and all foreclosure costs.</p> <p>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 86.705</p>
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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 AM
Friday, 02/08/2002,
PLACE: THE FRONT ENTRANCE OF THE KLAMATH FALLS COURTHOUSE, 317 S. 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.

and Attorney's fees.
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.
DATED: September 24, 2001. Fidelity National Title Insurance Company, as said Trustee. By: Norma Mitre, Authorized Signator, Fidelity National Title Insurance Co., 401 SW 4th Ave., Portland, OR 97204, C/O Town & Country Title Services, Inc., For sale information call (888) 485-9191 Ext. 3312.
#4427 October 16, 23, 30, November 6, 2001

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