

State of Oregon, County of Klamath  
Recorded 01/31/2002 2:51 p. m.  
Vol M02, Pg 6199-6205  
Linda Smith, County Clerk  
Fee \$ 66<sup>00</sup> # of Pgs 7

'02 JAN 31 PM 2:51

982505 K57768

**RECORDING COVER SHEET FOR  
NOTICE OF SALE PROOF OF COMPLIANCE  
Per ORS 205.234**

**AFTER RECORDING RETURN TO:  
FIRST AMERICAN TITLE INSURANCE COMPANY  
400 Countrywide Way SV-35  
Simi Valley, CA 93065**

**TS No.: 017007338**

1. AFFIDAVIT OF MAILING NOTICE OF SALE
- ✓ 2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
- ✓ 3. AFFIDAVIT OF SERVICE
- ✓ 4. COPY OF NOTICE OF SALE

Original Grantor on Trust Deed:

JOHNATHAN J. RANDOLPH  
MARISOL RANDOLPH

Beneficiary:

COUNTRYWIDE HOME LOANS, INC.

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING, ANY ERRORS CONTAINED IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

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

STATE OF CALIFORNIA, COUNTY OF VENTURA) ss:

I, the undersigned, 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 the beneficiary's successor in interest named in the attached original 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 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 address, to-wit:

JOHNATHAN J. RANDOLPH  
4047 DOUGLAS AVE  
KLAMATH FALLS, OR 97601  
7001 0360 0003 1450 7612

MARISOL RANDOLPH  
4047 DOUGLAS AVE  
KLAMATH FALLS, OR 97601  
7001 0360 0003 1450 7629

JOHNATHAN J. RANDOLPH  
4949 W NORTHERN AVE APT 143  
GLENDALE AZ 85301  
7001 0360 0003 1450 7605

MARISOL RANDOLPH  
4949 W NORTHERN AVE APT 143  
GLENDALE AZ 85301  
7001 0360 0003 1450 7599

JOHNATHAN J. RANDOLPH  
4058 DOUGLAS AVE  
KLAMATH FALLS, OR 97601  
7001 0360 0003 1450 7636

MARISOL RANDOLPH  
4058 DOUGLAS AVE  
KLAMATH FALLS, OR 97601  
7001 0360 0003 1450 7643

ASSOCIATES FINANCIAL SERVICES  
CO. OF OREGON, INC.  
C/O DANIEL N. GORDON, P.C.  
260 COUNTY CLUB ROAD #210  
EUGENE, OR 97401  
7001 0360 0003 1450 7650

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 or 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 or 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 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 Ventura, CALIFORNIA, on 10/25/01. With respect to each person listed above, 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 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.

Subscribed and sworn to before me on

October 25, 2001

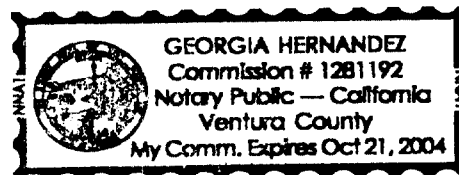
by

Georgia Hernandez

Notary Public for California

Residing at

My Commission expires: \_\_\_\_\_

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE****RE: Trust Deed from****JOHNATHAN J. RANDOLPH, MARISOL RANDOLPH****Grantor****to****FIRST AMERICAN TITLE INSURANCE COMPANY,****Trustee****TS No. 017007338**

After Recording return to:

Foreclosure Department

FIRST AMERICAN TITLE INSURANCE COMPANY

400 Countrywide Way, SV-35

Simi Valley, CA 93065

1000.02787/Randolph

**AFFIDAVIT OF NON-OCCUPANCY**

STATE OF OREGON       )  
                                   ) ss.  
 County of Klamath       )

I, Ed Foreman, being first duly sworn, depose and say:

That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of Klamath County, State of Oregon. I am not a party to, an attorney in, or interested in any suit of action involving the property described below.

That on the 12th day of October, 2001, after personal inspection, I found the following described real property to be unoccupied:

**LOT 21 IN BLOCK 4 OF STEWART 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.**

Commonly known as:       4047 DOUGLAS AVE  
                                   KLAMATH FALLS, OR 97601

I declare under the penalty of perjury that the above statements are true and correct.

*Ed Foreman*  
 Ed Foreman                               234122

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of October, 2001, by Ed Foreman.

*Margaret A. Nielsen*  
 Notary Public for Oregon



922505

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by JOHNATHAN J. RANDOLPH AND MARISOL RANDOLPH, as grantor(s), to PACIFIC NORTHWEST TITLE OF OREGON, INC., AN OREGON CORPORATION, as trustee, in favor of MORTGAGE MARKET, INC., AN OREGON CORPORATION, as beneficiary, dated 02/23/2000, recorded 02/29/2000, in the mortgage records of KLAMATH County, Oregon, in Reel No. M00 at Page No. 6370 as Recorder's fee/file/instrument/microfilm/reception Number and subsequently assigned to COUNTRYWIDE HOME LOANS, INC. by Assignment recorded 12/14/2000 in Reel No. M00 at Page No. 44891 as Recorder's fee/file/instrument/ microfilm/reception No. covering the following described real property situated in said county and state, to wit:

LOT 21 IN BLOCK 4 OF STEWART 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.

PROPERTY ADDRESS: 4047 DOUGLAS AVE  
KLAMATH FALLS, OR 97601

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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: monthly payments of \$515.00 beginning 06/01/2001; plus late charges of \$20.60 each month beginning 06/01/2001 plus prior accrued late charges of \$61.80 payment plus advances of \$24.00; together with title expense, costs, trustee's fees and attorney's fees 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.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following to wit: \$44,717.42 with interest thereon at the rate of 8.75 percent per annum beginning 05/01/2001 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees 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 interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on 02/22/2002 at the hour of 10:00:00 AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street in the City of Klamath Falls, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 the trustee's and attorney's fees not exceeding the amounts provided by OSRS 86.753.

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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated 10-9, 2001

Charles R. Avilla

FIRST AMERICAN TITLE INSURANCE COMPANY

For further information, please contact:

**Foreclosure Department**  
**FIRST AMERICAN TITLE INSURANCE COMPANY**  
 400 Countrywide Way, SV-35  
 Simi Valley, CA 93065  
 800-281-8219  
 TS No. 017007338  
**JOHNATHAN J. RANDOLPH**  
**MARISOL RANDOLPH**

STATE OF CALIFORNIA )  
 ) ss.  
 COUNTY OF CONTRA COSTA

This instrument was acknowledged before me on 10-9, 2001, by Charles R. Avilla  
 FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee.

Janice R. McIntire  
 Notary Public for \_\_\_\_\_  
 My commission expires: \_\_\_\_\_

(SEAL)



**THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.**

# Affidavit of Publication

## 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 # 4493

Notice of Sale/Randolph

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:  
November 22, 29, December 6, 13, 2001

Total Cost \$783.00

Subscribed and sworn  
before me or: December 13, 2001

Debra A. Gribble  
Notary Public of Oregon

My commission expires March 15, 2004

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by JONATHAN J. RANDOLPH AND MARISOL RANDOLPH, as grantor(s), to PACIFIC NORTHWEST TITLE OF OREGON, INC., AN OREGON CORPORATION, as trustee, in favor of MORTGAGE MARKET, INC., AN OREGON CORPORATION, as beneficiary, dated 02/23/2000, recorded 02/29/2000, in the mortgage records of KLAMATH County, Oregon, in Reel No M00 at Page No. 6370 as Recorder's fee/file/instrument/microfilm/reception Number and subsequently assigned to COUNTRYWIDE HOME LOANS, INC. by assignment recorded 12/14/2000 in Reel No. M00 at Page No. 44891 as Recorder's fee/file/instrument/microfilm/reception No. covering the following described real property situated in said county and state, to wit: LOT 21 IN BLOCK 4 OF STEWART 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. PROPERTY ADDRESS: 4047 DOUGLAS AVE., KLAMATH FALLS, OR 97601.

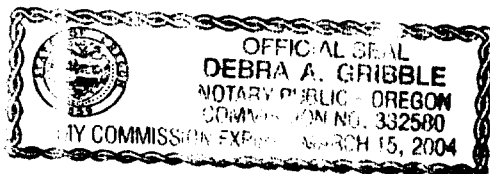
Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the

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: monthly payments of \$515.00 beginning 06/01/2001; plus late charges of \$20.60 each month beginning 06/01/2001 plus prior accrued late charges of \$61.80, payment plus advances of \$24.00; together with title expense, costs, trustee's fees and attorney's fees 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.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following to wit; \$44,717.42 with interest thereon at the rate of 8.75 percent per annum beginning 05/01/2001 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees 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 interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on 02/22/2002 at the

hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place; inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street in the City of Klamath Falls, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey, at the time of the execution by grantor of the trust deed, together with any, interest which the grantor or grantor's successors in interest acquired after the execution of the 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 the trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 10/9/2001.

For further information, please contact: Foreclosure Department, First American Title Insurance Company, 400 Countrywide Way, SV-35, Simi Valley, CA 93065, 800-281-8219, TS No. 017007338. Johnathan J. Randolph, Marisol Randolph.

#4493 November 22, 29, December 6, 13, 2001.

**RECEIVED**  
DEC 21 2001  
ROUTH CRABTREE & FENNELL