

02 SEP 10 PM 2:29

Vol M02 Page 51296

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

State of Oregon, County of Klamath
Recorded 09/10/2002 2:29 p.m.
Vol M02, Pg 51296-51307
Linda Smith, County Clerk
Fee \$ 76.00 # of Pgs 12

AFTER RECORDING RETURN TO:
Attorneys Equity National Corporation
23721 Birtcher Drive
Lake Forest, CA. 92630
TS#: 54680-F

1. TRUSTEE'S NOTICE OF SALE
2. AFFIDAVIT OF MAILING NOTICE OF SALE
3. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
4. PROOF OF SERVICE

**Original Grantor on Trust Deed: GERALD JOSEPH NELSON AND TERRY J. NELSON,
HUSBAND AND WIFE AS TENANTS BY THE ENTIRETY**

**Beneficiary: BANKONE NATIONAL ASSOCIATION, TRUSTEE, BY
RESIDENTIAL FUNDING CORPORATION, ITS***

**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.**

76

NOTICE OF TRUSTEE'S SALE

Reference is made to that certain Trust Deed made by GERALD JOSEPH NELSON AND TERRY J. NELSON, HUSBAND AND WIFE AS TENANTS BY THE ENTIRETY, as grantor(s), to PAUL S. COSGROVE, as Trustee in favor of AAMES FUNDING CORPORATION, A CALIFORNIA CORPORATION, DBA AAMES HOME LOAN, as beneficiary, dated June 13, 2000, recorded June 26, 2000 in the Records of KLAMATH County, Oregon, in Book/Reel/Volume/No. M00 at Page 23032, and/or as Fee/File/Instrument/Microfilm/Reception No. ----, covering the following described real property situated in the above-mentioned county and state, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

MAP NO: R-3809-019CD-01100-000

Parcel Number: KEY NO. R435292

Although the undersigned Trustee disclaims any liability for any incorrectness herein, the street address or other common designation, if any, of the real property described herein is purported to be:

805 WOCUS STREET

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 trust deed and notice has been recorded pursuant to Section 86.735 (3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's failure to pay the monthly payments in the amount of \$445.43 due beginning March 1, 2002 and monthly late charges in the amount of \$35.63 and subsequent installments due thereafter, together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Trustee's fees and other costs and expenses associated with this foreclosure and any further breach of any term or condition in subject note and deed of trust.

By reason of said default, the beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

1. Principal of \$50,352.35 and accruing interest as of February 1, 2002 at the rate of 10% per annum from February 1, 2002 until paid.

NOTICE OF TRUSTEE'S SALE

Trustee Sale Number: **54680-F**

Loan Number: **432143014**

TSG Number: **2410215**

FIDELITY NATIONAL TITLE

Recording Requested by

And when recorded mail to:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

c/o Attorneys Equity National Corporation

23721 Birtcher Drive

Lake Forest, CA 92630

(503) 887-3020

2. \$106.89 in late charges plus future charges.
3. Together with title expenses, costs, trustee's fees, attorney fees, and any other cost advances made by beneficiary to protect its interest in the said property pursuant to the terms of said Trust Deed.

Whereof, notice hereby is given that FIDELITY NATIONAL TITLE INSURANCE COMPANY, c/o Attorneys Equity National Corporation, the undersigned trustee will on October 9, 2002 at the hour of 10:00 AM, as established by Section 187.110, Oregon Revised Statutes, at the following location: AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE 316 MAIN ST. KLAMATH FALLS, OR., 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 hereby given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

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.

NOTICE OF TRUSTEE'S SALE

Trustee Sale Number: **54680-F**

Loan Number: **432143014**

TSG Number: **2410215**

Recording Requested by
And when recorded mail to:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
c/o Attorneys Equity National Corporation
23721 Birtcher Drive
Lake Forest, CA 92630
(503) 887-3020

51299

The right under ORS 86.753 to have the proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, together with costs, trustee's and attorney's fees, and by curing any other default complained of in the notice of default, at any time prior to five days before the date last set for the sale.

May 24, 2002

FIDELITY NATIONAL TITLE INSURANCE
COMPANY

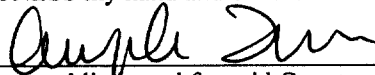


By: Attorneys Equity National Corporation, as Agent
Charles Alderman, III, Vice President

State of California
County of Orange

On this 24 day of May, 02, before me, Angela Turkich, a Notary Public in and for said county and state, personally appeared Charles Alderman III, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name subscribed to the within instrument and acknowledged that he/she executed the same.

WITNESS my hand and official seal.


Notary public in and for said County and State



NOTICE OF TRUSTEE'S SALE

Trustee Sale Number: **54680-F**
Loan Number: **432143014**
TSG Number: **2410215**

Recording Requested by
And when recorded mail to:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
c/o Attorneys Equity National Corporation
23721 Birtcher Drive
Lake Forest, CA 92630
(503) 887-3020

EXHIBIT "A"

A portion of Lots 10 and 11, Block 5, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon, described as follows:

Beginning at the most Easterly corner of Lot 10 in Block 5 of BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, running thence Northwesterly along the Southerly line of Crater Street to the most Northerly corner of Lot 11 of said Block 5; thence Southwesterly along the line between Lots 11 and 12 of said Block 5, a distance of 75 feet; thence Southeasterly parallel to Crater Street, to the Northerly line of Wocus Street; thence Northeasterly along the said line of Wocus Street, 75 feet to the point of beginning..

Unofficial
Copy

A F F I D A V I T O F M A I L I N G

STATE OF CALIFORNIA]
COUNTY OF ORANGE]

Trustee Sale Number: 54680-F

JENNIFER RIEDEL of Attorneys Equity National Corporation being duly sworn, and deposes says:

That he/she is over the age of eighteen years;

That on 06/05/02 by certified mail properly enclosed in a sealed envelope with the prepaid postage thereon, he/she deposited in the United States Post Office at Lake Forest, CA, a true and correct copy of the referenced Notice of Default & Notice of Trustee's Sale addressed to the following:

Cert#: 7001 0360 0003 6558 2156
& Regular Mail

GERALD JOSEPH NELSON
805 WOCUS STREET
KLAMATH FALLS, OR 97601

Cert#: 7001 0360 0003 6558 2163
& Regular Mail

TERRY J. NELSON
805 WOCUS STREET
KLAMATH FALLS, OR 97601

Cert#: 7001 0360 0003 6558 2170
& Regular Mail

GERALD JOSEPH NELSON
805 WOCUS STREET
KLAMATH FALLS, OR 97601

Cert#: 7001 0360 0003 6558 2187
& Regular Mail

TERRY J. NELSON
805 WOCUS STREET
KLAMATH FALLS, OR 97601

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

Date: 06/05/02

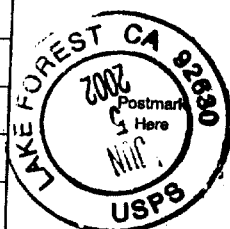
x

Jenny Riedel

LAKE FOREST

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)
OFFICIAL USE

| | |
|---|---------------|
| Postage | \$.57 |
| Certified Fee | 2.10 |
| Return Receipt Fee (Endorsement Required) | 1.50 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$4.17 |


Sent To

 Street, Apt. No.,
or PO Box No.

City, State, ZIP+ 4

PS Form 3800, January 2001

See Reverse for Instructions

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 Street, Apt. No.,
or PO Box No.

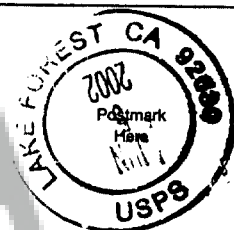
City, State, ZIP+ 4

PS Form 3800, January 2001

See Reverse for Instructions

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City, State, ZIP+ 4

PS Form 3800, January 2001

See Reverse for Instructions

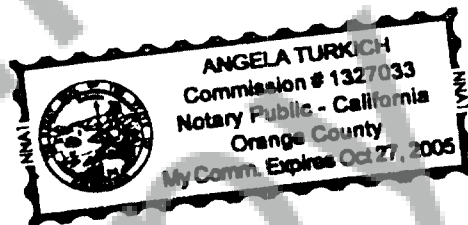
STATE OF CALIFORNIA
COUNTY OF ORANGE

ON JUNE 5 20 02 BEFORE ME, ANGELA TURKICHA
PERSONALLY APPEARED JENNIFER HEDEL
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

Angela Turkicha (SEAL)



Affidavit of Publication

54680-F

51304

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 # 4964

Notice of Sale/Nelson

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:
June 17, 24, July 1, 8, 2002

Total Cost:

Subscribed and sworn

before me on: July 8, 2002

Notary Public of Oregon

My commission expires March 15, 2004

NOTICE OF TRUSTEE'S SALE

Trustee Sale Number: 54680-F, Loan Number: 43214301-4, TSG Number: 2410215.
Reference is made to that certain Trust Deed made by GERALD JOSEPH NELSON and TERRY J. NELSON, husband and wife, as tenants by the entirety, as grantor, to PAUL S. COSGROVE, as Trustee in favor of AAMES FUNDING CORPORATION, A CALIFORNIA CORPORATION, DBA AAMES HOME LOAN, as beneficiary, dated June 13, 2000, recorded June 26, 2000 in the Records of Klamath County, Oregon, in Book/Reel/Volume No. M00 at Page 23032, and/or as Fee/File/Instrument/Microfilm/Reception No., covering the following described real property situated in the above-mentioned county and state, to-wit: **EXHIBIT "A"**

A portion of Lots 10 and 11, Block 5, Buena Vista Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon described as follows: Beginning at the most Easterly corner of Lot 10 in Block 5 of Buena Vista Addition to the City of Klamath Falls, Oregon, running thence Northwesterly along the Southerly line of Crater Street to the most Northerly corner of Lot 11 of said Block 5; thence Southwesterly along the line between Lots 11 and 12 of said Block 5, a distance of 75 feet;

thence Southeasterly parallel to Crater Street, to the Northerly line of Wocus Street; thence Northeasterly along the said line of Wocus Street, 75 feet to the point of beginning. MAP No: R-3809-019CD-01100-000. Parcel No: KEY No: R435292. Although the undersigned Trustee disclaims any liability for any incorrectness herein, the street address or other common designation, if any, of the real property described herein is purported to be: 805 Wocus St., Klamath Falls, Or 97601.

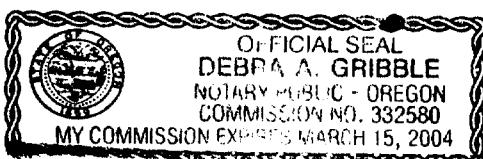
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's failure to pay the monthly payments in the amount of \$465.43 due beginning March 1, 2002 and monthly late charges to the amount of \$35.63 and subsequent installments due thereafter, together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Trustee's fees and other costs and expenses associated with this foreclosure and any further breach of any term or condition in subject note and deed of trust.

By reason of said default, the beneficiary has declared all obligations secured by said Trust Deed immediately

due and payable, said sums being the following, to-wit: 1. Principal of \$50,352.35 and accruing interest as of February 1, 2002 at the rate of 10% per annum from February 1, 2002 until paid. 2. \$106.89 in late charges plus future charges. 3. Together with title expenses, costs, trustee's fees, attorney's fees, and any other cost advances made by beneficiary to protect its interest in the said property pursuant to the terms of said Trust Deed.

Whereof, notice hereby is given that FIDELITY NATIONAL TITLE INSURANCE COMPANY, c/o Attorneys Equity National Corporation, the undersigned trustee will on October 9, 2002, at the hour of 10:00 AM as established by Section 187.110, Oregon Revised Statutes, at the following location at the main entrance to the Klamath County Courthouse, 316 Main St., Klamath Falls, 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 hereby given that the bene-



ficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the deed, together with any interest, grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expense of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

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.

The right under ORS 86.753 to have the proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, together with costs, trustee's and attorney's fees and by curing any other default complained of in the notice of default, at any time prior to five days before the date last set for the sale. May 24, 2002. By: Attorneys Equity National Corporation, as Agent Charles Alderman, III, Vice President. P176977. 6/17, 6/24, 7/01. 7/08/02. Fidelity National Title Insurance, 23721 Birtcher Dr., Lake Forest, CA 92630. (508) 887-3020. #4964 June 17, 24, July 1, 8, 2002.

NOTICE OF TRUSTEE'S SALE & NOTICE OF DEFAULT

AAMES FUNDING CORP., A CALIFORNIA
CORP.

vs

GERALD JOSEPH NELSON ETAL

STATE OF OREGON)
COUNTY OF MULTNOMAH) SS.ORIGINAL
AFFIDAVIT/PROOF OF SERVICE
Client # 176217

I hereby certify that on the 4th day of June, 2002, at the hour of 11:35AM, a copy of a NOTICE OF TRUSTEE'S SALE & NOTICE OF DEFAULT was served to all occupant(s) located at 805 Wocus St., Klamath Falls, OR 97601.

THE OCCUPANTS WERE SERVED IN THE FOLLOWING MANNER:

I served Occupant(s), Terry Nelson by PERSONAL SERVICE

I served Occupant(s), Gerald Nelson by SUBSTITUTE SERVICE TO Terry Nelson, 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 Terry Nelson, co occupant, a person over the age of 14 and who is an occupant of the described residence.,

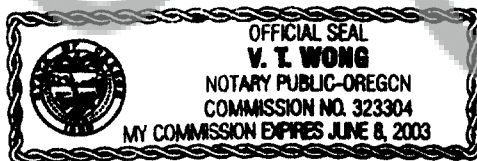
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

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.

/s/ _____
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 NOTICE OF TRUSTEE'S SALE & NOTICE OF DEFAULT to Gerald Nelson and all other occupants 18 years or older at 805 Wocus St., Klamath Falls, OR 97601 on JUN 11 2002. Signed: M. Richardson

Subscribed to and sworn to before me this
11th day of June, 2002 by M. Richardson



[Signature]
Notary for the State of Oregon

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

51307

STATE OF OREGON
COUNTY OF Klamath

COURT CASE NO. _____

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 805 Wocus Street

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

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

☐ 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.

805 Wocus Street
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.

June 4, 2002 11:35 a.m. ☒ p.m. ☐
DATE OF SERVICE TIME OF SERVICE
or not found
PRINTED IN OREGON
Dave Shack
SIGNATURE