

02 SEP 11 PM 2:24

ASPEN 54993

Vol M02 Page 51725

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 09/11/2002 2:24 p.m.
Vol M02, Pg 51725-35
Linda Smith, County Clerk
Fee \$ 71.00 # of Pgs 11

THE SPACE ABOVE LINE IS FOR RECORDER'S USE ONLY

T.S. NO.: 2002-30105-D
LOAN NO.: 3017069174

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

Unofficial Copy

7/1 A

T.S. NO.: 2002-30105-D
LOAN NO.: 3017069174

AFFIDAVIT OF MAILING NOTICE OF SALE

FIDELITY NATIONAL TITLE 2410194
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 **A. FRAGASSI**, for **FIDELITY NATIONAL 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 6/4/2002. 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.

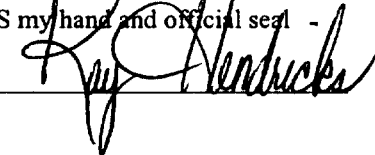
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

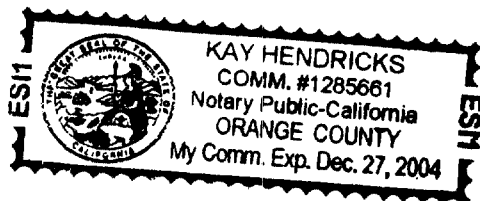


TERI VON ACHEN

STATE OF CALIFORNIA
COUNTY OF ORANGE

On **June 04, 2002** 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. 2002-30105-D

NOTICES WERE SENT TO THE FOLLOWING PARTIES:

<u>NAME</u>	<u>ADDRESS</u>
SUZANNE K. ROOKSTOOL	524 N. SECOND STREET KLAMATH FALLS, OREGON 97601
SUZANNE K. ROOKSTOOL	1512 REXFORD DRIVE HEMET, CA 92545
SUZANNE K. ROTE	524 N. SECOND STREET KLAMATH FALLS, OREGON 97601
SUZANNE K. ROTE	1512 REXFORD DRIVE HEMET, CA 92545
SUZANNE K. ROOKSTOOL AKA SUZANNE KELLY ROOKSTOOL	524 N. SECOND STREET KLAMATH FALLS, OREGON 97601
SUZANNE K. ROOKSTOOL AKA SUZANNE KELLY ROOKSTOOL	1512 REXFORD DRIVE HEMET, CA 92545
SUZANNE K. ROOKSTOOL	4000 ROUNDLAKE ROAD, #46 KLAMATH FALLS, OR 97601
SUZANNE K. ROOTE	1512 REXFORD DR HEMET, CA 92545
SUZANNE K. ROOKSTOOL C/O SUZANNE K. ROTE	1512 REXFORD DR HEMET, CA 92545
COUNTY TAX COLLECTOR GOVERNMENT CENTER	305 MAIN STREET KLAMATH FALLS, OR 97601

TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq.
Trustee No.: 2002-30105-D

Reference is made to that certain Trust Deed made by SUZANNE K. ROOKSTOOL, as Grantor, to REGIONAL TRUSTEE SERVICES CORPORATION, as Trustee, in favor of GN MORGAGE CORPORATION, A WISCONSIN CORPORATION, as Beneficiary, dated 8/11/1998, recorded 8/28/1998, in the mortgage records of KLAMATH, Oregon, as Instrument No. 65388, in Book M98, Page 31790. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by BANK OF NEW YORK AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT SERIES 1998-L AT 101 BARCLAY STREET, NEW YORK, NY 10286 CORP.TRUST-MBS. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

**LOT 10, BLOCK 15, EWAUNA HEIGHTS 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.**

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

**524 N. SECOND STREET
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>
2/1/2002	8.875	9	\$445.57	\$77.60	\$4,708.53
Late Charges:					\$178.24

<u>ADVANCES:</u>	<u>AMOUNT</u>
Grand Total:	\$4,886.77

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 **\$54,518.14** together with interest thereon at the current rate of 8.875% per annum from 1/1/2002 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 10/4/2002, 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.

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: **May 23, 2002**

**FIDELITY NATIONAL TITLE INSURANCE
COMPANY**

By *Andy Fragassi*

For further information, please contact:

**FIDELITY NATIONAL TITLE INSURANCE COMPANY
401 S.W. 4th AVENUE
PORTLAND, OR 97204
C/O LAW OFFICES OF STEVEN J. MELMET, INC.
(949) 263-1000**

STATE OF CA }
COUNTY OF OR } ss.

I certify that I, *ANDY Fragassi* am an authorized representative of FIDELITY NATIONAL TITLE INSURANCE COMPANY, Trustee, and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

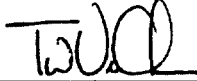
Andy Fragassi
Authorized Representative of Trustee

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

AFFIDAVIT OF MAILING

TS: 2002-30105-D
DATE: June 04, 2002

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 the 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.

SUZANNE K. ROOKSTOOL
524 N. SECOND STREET
KLAMATH FALLS, OREGON 97601
CERTIFIED:71086095528006951978

SUZANNE K. ROOKSTOOL
524 N. SECOND STREET
KLAMATH FALLS, OREGON 97601
First Class

SUZANNE K. ROOKSTOOL
1512 REXFORD DRIVE
HEMET, CA 92545
CERTIFIED:71086095528006951985

SUZANNE K. ROOKSTOOL
1512 REXFORD DRIVE
HEMET, CA 92545
First Class

SUZANNE K. ROTE
524 N. SECOND STREET
KLAMATH FALLS, OREGON 97601
CERTIFIED:71086095528006951992

SUZANNE K. ROTE
524 N. SECOND STREET
KLAMATH FALLS, OREGON 97601
First Class

SUZANNE K. ROTE
1512 REXFORD DRIVE
HEMET, CA 92545
CERTIFIED:71086095528006952005

SUZANNE K. ROTE
1512 REXFORD DRIVE
HEMET, CA 92545
First Class

AFFIDAVIT OF MAILING

51731

TS: 2002-30105-D
DATE: June 04, 2002

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 the 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.

SUZANNE K. ROOKSTOOL AKA
SUZANNE KELLY ROOKSTOOL
524 N. SECOND STREET
KLAMATH FALLS, OREGON 97601
CERTIFIED:71086095528006952012

SUZANNE K. ROOKSTOOL AKA
SUZANNE KELLY ROOKSTOOL
524 N. SECOND STREET
KLAMATH FALLS, OREGON 97601
First Class

SUZANNE K. ROOKSTOOL AKA
SUZANNE KELLY ROOKSTOOL
1512 REXFORD DRIVE
HEMET, CA 92545
CERTIFIED:71086095528006952029

SUZANNE K. ROOKSTOOL AKA
SUZANNE KELLY ROOKSTOOL
1512 REXFORD DRIVE
HEMET, CA 92545
First Class

SUZANNE K. ROOKSTOOL
4000 ROUNDLAKE ROAD, #46
KLAMATH FALLS, OR 97601
CERTIFIED:71086095528006952036

SUZANNE K. ROOKSTOOL
4000 ROUNDLAKE ROAD, #46
KLAMATH FALLS, OR 97601
First Class

SUZANNE K. ROOTE
1512 REXFORD DR
HEMET, CA 92545
CERTIFIED:71086095528006952043

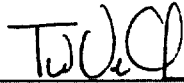
SUZANNE K. ROOTE
1512 REXFORD DR
HEMET, CA 92545
First Class

51732

AFFIDAVIT OF MAILING

TS: 2002-30105-D
DATE: June 04, 2002

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 the 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.

SUZANNE K. ROOKSTOOL
C/O SUZANNE K. ROTE
1512 REXFORD DR
HEMET, CA 92545
CERTIFIED:71086095528006952050

SUZANNE K. ROOKSTOOL
C/O SUZANNE K. ROTE
1512 REXFORD DR
HEMET, CA 92545
First Class

COUNTY TAX COLLECTOR
GOVERNMENT CENTER
305 MAIN STREET
KLAMATH FALLS, OR 97601
CERTIFIED:71086095528006952067

COUNTY TAX COLLECTOR
GOVERNMENT CENTER
305 MAIN STREET
KLAMATH FALLS, OR 97601
First Class

Unofficial Copy

51733

**JEFFERSON STATE ADJUSTERS
RECOVERY IS OUR BUSINESS**

1135 Pine Street
Klamath Falls, Oregon 97601
Phone: (541) 882-8036 Fax: (541) 883-2129

AFFIDAVIT OF NON-OCCUPANCY

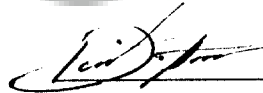
STATE OF OREGON
COUNTY OF KLAMATH

I, David 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 the county of Klamath, State of Oregon. I am not a party to, an attorney for, or interested in any suit or action involving the property described below.

That on the 14th day of June, 2002, after personal inspection, I found the following described real property to be unoccupied.

Commonly described as (Street address) 524 North Second Street
Klamath Falls, OR 97601


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



(Signed and Dated)

Subscribed and Sworn to before me this 17 day of June, 2002




NOTARY PUBLIC OF OREGON
MY COMMISSION EXPIRES: 4-12-04

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 # 5010
Notice of Sale/Rookstool

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:
July 3, 10, 17, 24, 2002

Larry L. Wells
Subscribed and sworn
before me on: July 24, 2002

Debra A. Gribble
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: 2002-30105-D.

Reference is made to that certain Trust Deed made by SUZANNE K. ROOKSTOOL, as Grantor, to REGIONAL TRUSTEE SERVICES CORPORATION, as Trustee, in favor on GN MORTGAGE CORPORATION, a WISCONSIN CORPORATION, as Beneficiary, dated 8/11/1998, recorded 8/28/1998, in the mortgage records of KLAMATH, Oregon, as Instrument No. 65388, in Book M98, Page 31790. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by BANK OF NEW YORK as TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT SERIES 1998L at 101 Barclay Street, New York, NY 10286 Corp. Trust-MBS. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: Lot 10, Block 15, Ewauna Heights 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. The street address or other common designation, if any, of the real property described above is purported to be: 524 N. Second Street, 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: 2/01/2002, Int. Rate: 8.875, No. Pmt.: 9, Amount: \$455.57, Impound: \$77.60, Total: \$4,708.53, Late Charges: \$178.24, Advances, Amount, Grand Total: \$4,886.77.

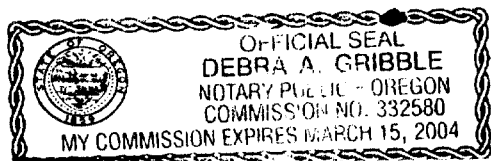
ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Deed of Trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a 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 \$54,518.14 together with interest

thereon at the current rate of 8.875% per annum from 1/01/2002 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 10/04/2002, 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 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 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 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: May 23, 2002.
By: Andy Fragassi,
Authorized Representative. For further information, please contact: Fidelity National Title Insurance Company, 401 SW 4th Ave., Portland, OR 97204. C/O Law Offices of Steven J. Melmet, Inc. (949) 263-1000. P176220, 7/03, 7/10, 7/17, 7/24/02.

This is an attempt to collect a debt and any information obtained will be used for that purpose.
#5010 July 3, 10, 17, 24, 2002.