

Vol M02 Page 56930

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

**State of Oregon, County of Klamath**  
Recorded 10/04/2002 2:42 P.m.  
Vol M02, Pg 56930-48  
Linda Smith, County Clerk  
Fee \$ 7100 # of Pgs 11

**AFTER RECORDING RETURN TO:**

Attorneys Equity National Corporation  
23721 Birtcher Drive  
Lake Forest, CA. 92630  
TS#: 55270-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: SHIRON STEWART AND BOBBY JOYNER, WITH RIGHTS  
OF SURVIVORSHIP**

**Beneficiary: DEUTSCHE BANK TRUST FKA BANKERS TRUST COMPANY  
AS TRUSTEE BY RESIDENTIAL FUNDING\***

**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.**

**56931**

**NOTICE OF TRUSTEE'S SALE**

Reference is made to that certain Trust Deed made by SHIRON STEWART AND BOBBY JOYNER, WITH RIGHTS OF SURVIVORSHIP, as grantor(s), to STANDARD TRUST DEED SERVICE COMPANY, A\*, as Trustee in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC. \*CALIFORNIA CORPORATION, as beneficiary, dated September 25, 2001, recorded September 28, 2001 in the Records of KLAMATH County, Oregon, in Book/Reel/Volume/No. M01 at Page 49441, 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:

**LOT 38 OF OLD ORCHARD MANOR 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.**

APN# R-3809-034CB-04500-000

Parcel Number: SEE ABOVE

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:

**1023 ALANDALE STREET  
KLAMATH FALLS, OR 97603**

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 \$323.73 due beginning April 1, 2002 and monthly late charges in the amount of \$25.90 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 \$38,403.80 and accruing interest as of March 1, 2002 at the rate of 10% per annum from March 1, 2002 until paid.

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**NOTICE OF TRUSTEE'S SALE**

Trustee Sale Number: **55270-F**

Loan Number: **413064254**

TSG Number: **2410256**

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. \$51.80 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 28, 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.

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**NOTICE OF TRUSTEE'S SALE**

Trustee Sale Number: 55270-F  
Loan Number: 413064254  
TSG Number: 2410256

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And when recorded mail to:  
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c/o Attorneys Equity National Corporation  
23721 Birtcher Drive  
Lake Forest, CA 92630  
(503) 887-3020

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.

June 12, 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 12 day of June, 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 is subscribed to the within instrument and acknowledged that he/she executed the same.

WITNESS my hand and official seal.

Angela Turkich  
Notary public in and for said County and State




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**NOTICE OF TRUSTEE'S SALE**

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

56934

STATE OF            CALIFORNIA]  
COUNTY OF        ORANGE]

Trustee Sale Number: 55270-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 06/27/02 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 6559 8096  
& Regular Mail

SHARON STEWART  
1023 ALANDALE STREET  
KLAMATH FALLS, OR 97603

Cert#: 7001 0360 0003 6559 8102  
& Regular Mail

HARBOR FUNDING  
240 OAKWAY CENTER  
EUGENE, OR 97401

Cert#: 7001 0360 0003 6559 8119  
& Regular Mail

KLAMATH IRRIGATION DISTRICT  
6640 KID LANE  
KLAMATH FALLS, OR 97603

Cert#: 7001 0360 0003 6559 8126  
& Regular Mail

SHIRON STEWART  
1023 ALANDALE STREET  
KLAMATH FALLS, OR 97603

Cert#: 7001 0360 0003 6559 8133  
& Regular Mail

BOBBY JOYNER  
1023 ALANDALE STREET  
KLAMATH FALLS, OR 97603

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

Date: 06/27/02

x Jennifer Riedel

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

Postmark  
Here

**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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See Reverse for Instructions

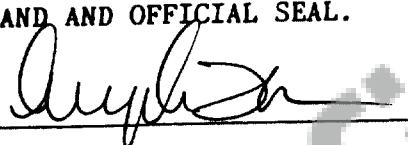
56936

STATE OF CALIFORNIA  
COUNTY OF ORANGE

ON JUNE 21 2002 BEFORE ME, ANGELA TURKICH  
PERSONALLY APPEARED JENNIFER RIEDEL  
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



(SEAL)



# Affidavit of Publication

55270-F  
OR

56937

## 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 # 5053

Notice of Sale/Stewart-Joyner

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 19, 26, August 2, 9, 2002

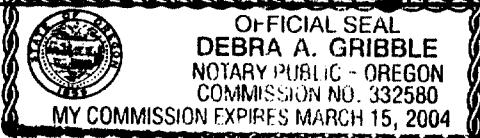
Total Cost: \_\_\_\_\_

*Larry L. Wells*  
Subscribed and sworn  
before me on:

August 9, 2002

*Debra A. Gribble*  
Notary Public of Oregon

My commission expires March 15, 2004



NOTICE OF  
TRUSTEE'S SALE  
T.S. No: 55270-F,  
Loan No: 413064254,  
T.S.G. No: 2410256.

Reference is made to that certain Trust Deed made by SHIRON STEWART and BOBBY JOYNER, with rights of survivorship, as grantor(s), to STANDARD TRUST DEED SERVICE COMPANY, a California Corporation as Trustee in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC., as beneficiary, dated September 25, 2001, recorded September 28, 2001 in the Records of Klamath County, Oregon, in Book 511, page 129, Reel/VOLUME No. M01 at Page 49441, 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: Lot 38 of Old Orchard Manor 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. Parcel No. APN #R-3609-034CB-04500-000. 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 1023 Alandale Street, Klamath Falls, OR 97603.

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 re-

cored 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 \$323.73 and due beginning April 1, 2002 and monthly late charges in the amount of \$25.70 and subsequent installments due thereafter, together with all subsequent sums advanced by beneficiary, in accordance with 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 the 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 \$38,403.80 and accruing interest as of March 1, 2002 at the rate of 10% per annum from March 1, 2002 until paid.
2. \$51.80 in late charges plus future charges.
3. Together with title expenses, costs, trustee's fees, attorney's fees, and any other costs advanced made by beneficiary to protect its interest in the said property pursuant to the terms of said Trust Deed.

Whereof, notice is given that FIDELITY NATIONAL TITLE INSURANCE COMPANY, c/o Attorney at Law, Equity National Corporation, the undersigned trustee will be at the hour of 10:00 AM

AM as established by Section 187.110, Oregon Revised Statutes, at the following location: AT THE MAIN ENTRANCE TO THE COUNTY COURT-HOUSE, 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 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 re-

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sonable 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, June 13, 2002, by the Attorneys for Equity National Corporation as Agent, Charles Alderman, III, Vice President, Fidelity National Title Insurance Company, 23721 Birtcher Drive, Lake Forest, 06592630, P177356, 7553 July 19, 24, August 21, 2002.

unofficial  
copy

~~52270-F~~

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op

55270-F

NOTICE OF TRUSTEE'S SALE & NOTICE OF DEFAULT

MORTGAGE ELECTRONIC REGISTRATION )  
SYSTEMS, INC. )  
vs )  
SHIRON STEWART ETAL )  
)  
STATE OF OREGON )  
COUNTY OF MULTNOMAH ) SS.

ORIGINAL  
AFFIDAVIT/PROOF OF SERVICE  
Client # 177356

I hereby certify that on the 14th day of June, 2002, at the hour of 8:50AM, a copy of a NOTICE OF TRUSTEE'S SALE & NOTICE OF DEFAULT was served to all occupant(s) located at 1023 Alandale St., Klamath Falls, OR 97603.

**THE OCCUPANTS WERE SERVED IN THE FOLLOWING MANNER:**

I served Occupant(s), Bobby Joyner by PERSONAL SERVICE *Laveena Glenn*  
I served Occupant(s), Shiron Stewart; Henry Walker; by SUBSTITUTE SERVICE TO Bobby Joyner, 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 Bobby Joyner, 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**

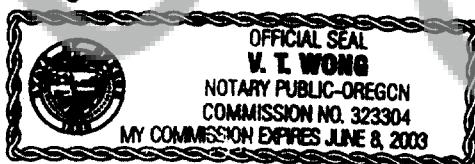
I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm, or corporation served is the identical one named in the action.

/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 Shiron Stewart; Henry Walker; and all other occupants 18 years or older at 1023 Alandale St., Klamath Falls, OR 97603 on JUN 27 2002.

Signed: *J. Carter*



Subscribed to and sworn to before me this  
26th day of June, 2002 by *J. Carter*

*U. T. Wong*  
Notary for the State of Oregon

