

02 OCT 4 PM 2:42

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 56930-40
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.**

71A

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.

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

56932

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.

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

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

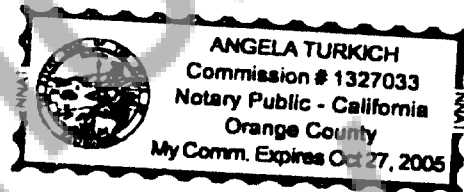
FIDELITY NATIONAL TITLE INSURANCE
COMPANY


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 Turkish, 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: 55270-F
Loan Number: 413064254
TSG Number: 2410256

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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

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

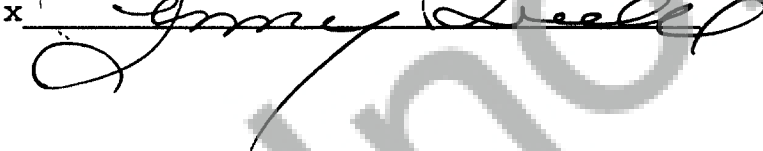
SHIRON STEWART
1023 ALANDALE STREET
KLAMATH FALLS, OR 97603

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 

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

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

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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

56935

Sent To

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

City, State, ZIP+ 4

PS Form 3800, January 2001

See Reverse for Instructions

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
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Sent To

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or PO Box No.

City, State, ZIP+ 4

PS Form 3800, January 2001

See Reverse for Instructions

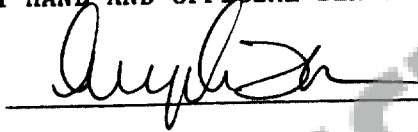
56936

STATE OF CALIFORNIA
COUNTY OF ORANGE

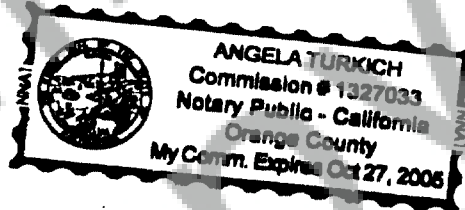
ON JUNE 27 20 02 BEFORE ME, ANGELA TURKICH
PERSONALLY APPEARED JENNIFER REDEL
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF
SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S)
IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR
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

88998

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

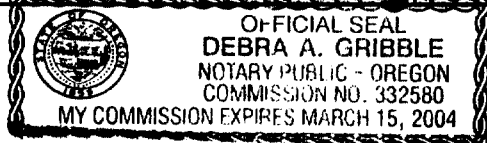
Total Cost:

Subscribed and sworn

before me on: August 9, 2002

Notary Public of Oregon

My commission expires March 15, 2004



NOTICE OF TRUSTEE'S SALE

T.S. No: 55270-F,
Loan No: 41304254,
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 26, 2001 in the Records of Klamath County, Oregon, in Book 41304254, 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-

corded 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 said trust 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 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 SURANCE COMPANY, c/o Attorney 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 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 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 commissions of the trustee as provided by law and the rea-

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, is hereby waived. By: National Corporation as Agent
Charles Alderman, III, Vice President
Fidelity National Title Insurance Company, 23721 Birtcher Drive, Lake Forest, CA 92630, P177356
1553 July 19, 26, August 2, 9, 2002

52270-F

OR 56939

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

I served Occupant(s), Shiron Stewart; Henry Walker, by ^{Laveena Glenn} 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.,

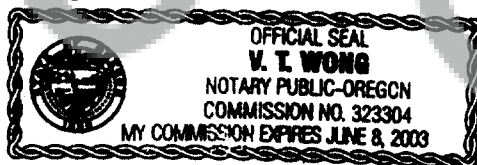
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

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

[Signature]
Notary for the State of Oregon

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

56940

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 1023 Alandale Street

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

☒ SUBSTITUTE SERVICE: By delivering an Original or True Copy to Bobby Jayner, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Sharon Stewart, Henry Walker + Lavonia Glenn

☐ 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.

1023 Alandale Street
ADDRESS OF SERVICE STREET
Klamath Falls CITY
Oregon STATE
UNIT / APT. / SPC# 97603 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 14, 2002 DATE OF SERVICE
8:50 a.m. ☒ p.m. ☐ TIME OF SERVICE
Dave Shack SIGNATURE