

# Affidavit of Publication

Vol M02 Page 58679

057523

K5 8855

## STATE OF OREGON, COUNTY OF KLAMATH

State of Oregon, County of Klamath  
Recorded 10/15/2002 11:06 a. m.  
Vol M02, Pg 58679-87  
Linda Smith, County Clerk  
Fee \$ 61.00 # of Pgs 9

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 # 5140

Notice of Sale/Heath

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:  
August 30, September 6, 13, 20, 2002

Total Cost: \$756.00

Larry L. Wells  
Subscribed and sworn

before me on: September 20, 2002

Debra A. Gribble  
Notary Public of Oregon

My commission expires March 15, 2004

### TRUSTEE'S NOTICE OF SALE

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured there-

by:  
A. Parties in the Deed of Trust: Grantor(s): Douglas Heath and Barbara Heath, Trustee: David A. Kubat, OSBA 84265, Successor Trustee: Fidelity National Title Insurance Company, Beneficiary: Western Sunrise aka Crossland Mortgage Corp.;

B. Description of Property: The East one-half of Lot 2 and the Easterly 11 feet of the Westerly one-half of Lot 2, all in Block 34 Hillside 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 commonly known as: 1734 Crescent Avenue, Klamath Falls, OR 97601;

C. Trust Deed Information: Dated: 04/02/1998, Recording Date: 04/15/1998, Instrument No.: 58451, Book: M98, Page: 12514, Assignment: Recording Place: Official records of the County of Klamath, State of Oregon;

D. Default: the Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

1) Monthly Payments: Monthly installments and late charges from 02/01/2001 and all

subsequent installments and late charges. Total payments and late charges: \$1,706.08; 2) Other Arrearages: \$520.00; Total Amount Due: \$2,226.08; 3) Default(s) other than payment of money: Plus all accrued real property taxes, interest or penalties until paid.

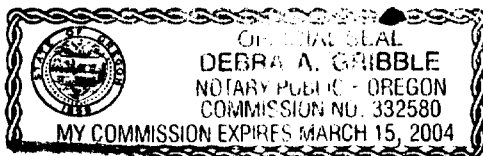
E. Amount Due: The Beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being: Principal Balance:

\$49,066.06. In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 01/01/2002 at 7.500%, as well as all Trustee's fees and costs, Attorneys fees and costs, and all foreclosure costs;

F. Election to Sell: Notice is Hereby Given: That the Beneficiary and Trustee, by reason of said default have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes, Sections 86.705, et seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in the described property which the Debtor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Grantor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed

together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of the Trustee's Attorney: G. Time and Place of Sale: Time: 10:00 AM, Friday, 10/18/2002, Place: On the front steps of the Circuit Court, 316 Main St., in the City of Klamath Falls, County of Klamath, OR; H. Right to Reinstate: Notice is Further Given: That at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with Trustee's fees and Attorney's fees;

I. 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 the Trust Deed, and the words "trustee"



and "beneficiary" include their respective successors in interest, if any.

Dated: May 31, 2002.

For Trustee's Sale Information please call (925) 603-7342.

Fidelity National Title Insurance Company, c/o Standard Trustee Service Company Washington, 2600 Stanwell Drive, Suite 200, Concord, CA 94520. (925) 603-1000. By:

Payne, It's: Assistant Secretary, as their authorized agent. We are attempting to collect a debt and any information we obtain will be used for that purpose. (T.S. No.: ONMC057523) (Loan No.: 2973619/685/Health) (RSVP41521)

(08/30/02, 09/06/02, 09/13/02, 09/20/02).

#5140 August 30, September 6, 13, 20, 2002.

STATE OF CALIFORNIA  
COUNTY OF Contra Costa

) In the matter of Notice of Sale  
) S.S. File # ONMC057523

Amy Murray of Standard Trustee Service Company WA, P.O. Box 5070 of Concord, CA 94524-0070 being duly sworn, deposes and says; That she/he is over the age of eighteen years; That on 06/13/2002, by certified mail, return receipt requested/regular mail enclosed in a sealed envelope with prepaid postage thereon, she/he deposited in the United States Post Office at Concord, CA a true and correct copy of which is hereunto attached and made a part hereof, addressed to the following:

Certified mail  
& first class mail

Douglas Heath ✓  
1734 Crescent Avenue  
Klamath Falls, OR 97601

Certified mail  
& first class mail

Barbara Heath ✓  
1734 Crescent Avenue  
Klamath Falls, OR 97601

Certified mail  
& first class mail

Occupants of the Premises ✓  
1734 Crescent Avenue  
Klamath Falls, OR 97601

Certified mail  
& first class mail

William Francis  
c/o First American Title ✓  
422 Main Street  
Klamath Falls, OR 97601

Certified mail  
& first class mail

Associates Financial Services, Inc. ✓  
P.O. Box 142139  
Irving, TX 75062

Certified mail  
& first class mail

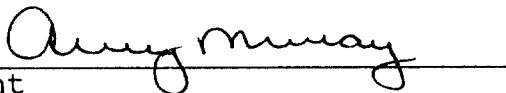
Infinity Financial Network LLC., ✓  
a Corporation  
1750 124th Ave. NE  
Bellevue, WA 98005

Certified mail  
& first class mail

Infinity Financial Network LLC.,  
a Corporation ✓  
c/o Quality Title Service Corp.  
P.O. Box 34780  
Las Vegas, NV 89133-4780

The receipts for certification of said letters are hereunto affixed and made a part hereof. I certify (or declare) under penalty of perjury that the foregoing is true and correct.

X  
Affiant



STATE OF CALIFORNIA  
COUNTY OF Contra Costa

) In the matter of Notice of Sale  
) S.S. File # ONMC057523

Amy Murray of Standard Trustee Service Company WA, P.O. Box 5070 of Concord, CA 94524-0070 being duly sworn, deposes and says; That she/he is over the age of eighteen years; That on 06/13/2002, by certified mail, return receipt requested/regular mail enclosed in a sealed envelope with prepaid postage thereon, she/he deposited in the United States Post Office at Concord, CA a true and correct copy of which is hereunto attached and made a part hereof, addressed to the following:

Certified mail  
& first class mail

Shasta Financial Services, Inc. ✓  
c/o Quality Title Service  
P.O. Box 34780  
Las Vegas, NV 89133-4780

Certified mail  
& first class mail

Shasta Financial Services  
169 Hartnel Avenue, 2nd Floor ✓  
Redding, CA 96002

Certified mail  
& first class mail

The Chase Manhattan Bank,  
as Indenture Trustee  
c/o Residential Funding Corp. ✓  
1301 Office Center Drive #200  
Fort Washington, PA 19034

Certified mail  
& first class mail

The Chase Manhattan Bank,  
as Indenture Trustee  
c/o Peele Management Corp. ✓  
Assignment Job #90603  
P.O. Box 1710  
Campbell, CA 95009-1710

The receipts for certification of said letters are hereunto affixed and made a part hereof. I certify (or declare) under penalty of perjury that the foregoing is true and correct.

X Amy Murray  
Affiant

58683

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA )

COUNTY OF Contra Costa )

On 10-11-02 before me, A. Rigshy  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared, Amy Murray

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.

A. Rigshy (SEAL)  
NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

DATE OF DOCUMENT \_\_\_\_\_ NUMBER OF PAGES \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

SIGNER'S NAME \_\_\_\_\_ SIGNER'S NAME \_\_\_\_\_

| RIGHT THUMBPRINT |
|------------------|
|                  |

| RIGHT THUMBPRINT |
|------------------|
|                  |

Record and Return to:  
STANDARD TRUSTEE SERVICE COMPANY WASHINGTON  
2600 STANWELL DRIVE, SUITE 200  
CONCORD, CA 94520  
(800) 995-2670

**58684**

**TRUSTEE'S NOTICE OF SALE**

T.S. No: ONMC057523 AMM

Loan No: 2973619/685/Heath

The Trustee, under the terms of the Trust Deed described herein, at the direction of the Beneficiary, hereby elects to sell the property described in said Trust Deed to satisfy the obligations secured thereby;

A. PARTIES IN THE DEED OF TRUST:

GRANTOR(S): Douglas Heath and Barbara Heath ✓

TRUSTEE: David A. Kubat, OSBA 84265

SUCCESSOR TRUSTEE: Fidelity National Title Insurance Company ✓

BENEFICIARY: Western Sunrise aka Crossland Mortgage Corp.

B. DESCRIPTION OF PROPERTY:

The East one-half of Lot 2 and the Easterly 11 feet of the Westerly one-half of Lot 2, all in Block 34, Hillside 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 commonly known as: 1734 Crescent Avenue Klamath Falls, OR 97601

C. TRUST DEED INFORMATION:

DATED DATE: 04/02/1998 ✓

RECORDING DATE: 04/15/1998 ✓

INSTRUMENT NO.: 58451 Book: M98 ✓ Page: 12514 ✓

RECORDING PLACE: Official records of the County of Klamath State of Oregon

D. **DEFAULT:** The Debtor(s) are in default and the Beneficiary elects to foreclose the Trust Deed for failure to pay:

1. Monthly Payments:

Monthly installments and late charges from 02/01/2002 and all subsequent installments and late charges.

TOTAL PAYMENTS AND LATE CHARGES \$1,706.08

2. Other Arrearages:

\$520.00

TOTAL AMOUNT DUE:

\$2,226.08

**Plus all accrued real property taxes, interest or penalties until paid.**

3. Default(s) other than payment of money:

E. AMOUNT DUE: The beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being:

Principal Balance: \$49,066.06

**IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT**

T.S. No: ONMC057523 AMM

Loan No: 2973619/685/Heath

In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 01/01/2002 at 7.500%, as well as all Trustee's fees and costs, Attorneys fees and costs, and all foreclosure costs.

- F. **ELECTION TO SELL:** NOTICE IS HEREBY GIVEN That the Beneficiary and Trustee, by reason of said default have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Sections 86.705 et. seq., and to cause to be sold at public auction to the highest bidder, for cash or certified funds, the interest in the described property which the Debtor(s) had, or had the power to convey, at the time of the execution of the Trust Deed together with any interest the Grantor or successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed together with the expenses of the sale, including the compensations of the Trustee as provided by law, and the reasonable fees of the Trustee's Attorney.
- G. **TIME AND PLACE OF SALE:**  
 TIME : 10:00 A.M. Friday, 10/18/2002  
 PLACE: On the front steps of the Circuit Court 316 Main Street Klamath Falls, OR
- H. **RIGHT TO REINSTATE:** NOTICE IS FURTHER GIVEN That at any time prior to five days before the sale, this foreclosure proceeding may be dismissed and the Trust Deed reinstated by payment to the Trustee 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 to the Trustee actually incurred by Beneficiary and Trustee in enforcing the obligation and Trust Deed, together with Trustee's fees and Attorney's fees.
- I. 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 the Trust Deed, and the words trustee" and "beneficiary" include their respective successors in interest, if any.

FOR TRUSTEE'S SALE INFORMATION PLEASE CALL (925)603-7342.

Dated: May 31, 2002

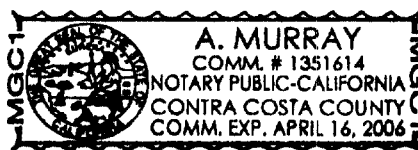
Fidelity National Title Insurance Company  
 c/o Standard Trustee Service Company Washington  
 2600 Stanwell Drive, Suite 200  
 Concord, Ca 94520  
 (925)603-1000

*Peggy Payne*  
 By: *Peggy Payne*  
 It's: Assistant Secretary, as their authorized agent

STATE OF CALIFORNIA  
 COUNTY OF CONTRA COSTA

This instrument was acknowledged before me on May 31, 2002 by Peggy Payne  
 as Assistant Secretary of Standard Trustee Service Company Washington

*A. Murray*  
 NOTARY PUBLIC FOR CALIFORNIA  
 MY COMMISSION EXPIRES: 4/16/2006



**STANDARL RUSTEE SERVICE COMPANY W, HINGTON**  
2600 Stanwell Drive, Ste. 200  
Concord, CA 94520  
925-603-1000  
FAX 925-685-3735

**58686**

T.S. Number: ONMC057523 AMM  
Loan Number: 2973619/685/Heath

**FAIR DEBT COLLECTION PRACTICES ACT NOTIFICATION**

Pursuant to and in compliance with the Fair Debt Collection Practices Acts (Federal [15 USC 1692]) the Trustee/Agent named in the Notice of Default hereby provides the following notification(s):

"We are attempting to collect a debt and any information we obtain will be used for that purpose."

"The debt described in the Notice of Default is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification.

If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor."

**\*\*IF YOU HAVE FILED A CHAPTER 7 BANKRUPTCY AND RECEIVED A DISCHARGE OF DEBTOR, YOU ARE NO LONGER PERSONALLY OBLIGATED TO MAKE PAYMENTS ON THE LOAN. However, the beneficiary still retains a security interest in the property and can exercise its rights to commence foreclosure unless a cure of the default under the security instrument is effected. The following communication is mandatory and should not be read as a requirement that you make payments on your loan. If you in fact follow the options specified in the attached communication and make payments, you should only do so if you are interested in preserving your rights to the property.\*\***



KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

58687

State of Oregon     )  
County of Klamath    )

Court Case No.  
Sheriff's Case No. 02-01726

Received for Service 06/07/02

I hereby certify that I received for service  
the within:

TRUSTEE'S NOTICE OF SALE

Further I certify that on 06/18/02, after personal inspection, I  
found the following described real property to be unoccupied:

1734 CRESCENT  
KLAMATH FALLS                     , Oregon.

All search and service was made within Klamath County, State of  
Oregon.

Timothy M. Evinger, Sheriff

Klamath County, Oregon

By

  
ALEXANDER, TERRI L

Copy to:

TRANSERV LEGAL PROCESS  
310 SW 4TH AVE #200  
PORTLAND

POB 4  
OR 97204