

02 NOV 25 PM3:03

Vol M02 Page 68519

K59174

First American Title Insurance Company

State of Oregon, County of Klamath  
Recorded 11/25/2002 3:03 P m.  
Vol M02, Pg 68519-26  
Linda Smith, County Clerk  
Fee \$ 7.00 # of Pgs 8

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

**AFTER RECORDING RETURN TO:  
K.DELGADO 98-5335  
First American Title Insurance Company  
400 COUNTRYWIDE WAY SV-35  
SIMI VALLEY, CA 93065**

TS No.: 02 -08997  
Doc ID #00000229742005N

# 1282608

1. AFFIDAVIT OF MAILING NOTICE OF SALE
- ✓ 2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
- ✓ 3. AFFIDAVIT OF SERVICE
- ✓ 4. COPY OF NOTICE OF SALE

Original Grantor on Trust Deed: and TERRY S CARTER

Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,  
SOLELY AS NOMINEE FOR LENDER

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.

5898 CONDOR DRIVE, MP-88, MOORPARK, CA 93021, PHONE: (800) 281-8219

CTC Form ORRCRDNOS.doc (03/02)

56  
+15 K

# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) ss:

I, the undersigned, being first duly sworn, depose and 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 the beneficiary's successor in interest named in the attached original 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 bot first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known address, to-wit:

See attached Exhibit A for all the mailing address(es).

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by First American 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 VENTURA, CALIFORNIA, on 8/23/2002. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. 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.

Subscribed and sworn to before me on 8/23, 2002, by Chantal Mekhridjian.

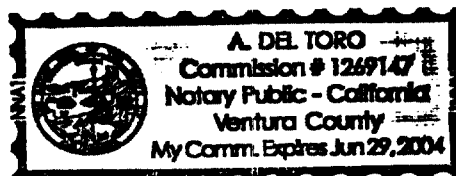
AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor  
and TERRY S CARTER

Del Toro  
Notary Public for California  
Residing at Ventura  
My commission expires: 6/29/04

First American Title Insurance Company  
Trustee TS No. 02-08997  
After Recording return to:  
400 COUNTRYWIDE WAY SV-35  
First American Title Insurance Company  
SIMI VALLEY, CA 93065



**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
"EXHIBIT A"**

**TS No. 02-08997**

TERRY S CARTER  
PO BOX 488  
HEBBRONVILLE, TX 78361  
7187 7930 3131 0137 4122

TERRY S CARTER  
144775 INGLEWOOD RD  
LA PINE, OR 97739  
7187 7930 3131 0137 4139

TERRY S CARTER  
16975 HERMOSA ROAD  
BEND, OR 97707  
7187 7930 3131 0137 4146

**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 # 5204

Notice of Sale/Carter

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:  
September 26, October 3, 10, 17, 2002

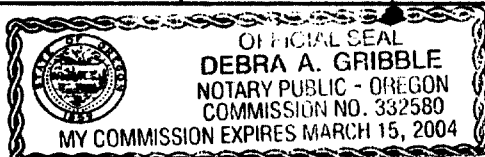
Total Cost: \$715.50

Subscribed and sworn

before me on: October 17, 2002

Notary Public of Oregon

My commission expires March 15, 2004



**TRUSTEE'S  
NOTICE OF SALE  
#1282608**

Reference is made to that certain trust deed made by Terry S. Carter, as grantor(s), to Western Title and Escrow Co., as trustee, in favor of Mortgage Electronic Registration Systems, Inc., Solely as Nominee for Lender, as beneficiary, dated 08/22/2001, recorded 08/31/2001, in the mortgage records of Klamath County, Oregon; in Book/Reel/Volume No. M01 at Page No. 44578 as Recorder's fee/file/instrument/microfilm/reception Number, covering the following described real property situated in said county and state, to wit: Lot 149, Block 1, Tract 1060, Sun-Forest Estates, in the County of Klamath, State of Oregon. PROPERTY ADDRESS: 144775 Inglewood RD, LaPine, OR 97739.

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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: monthly payments of \$578.14 beginning 03/01/2002; plus late charges of \$23.13 each month beginning with the 03/01/2002 payment plus prior accrued late charges of \$69.39; plus advances of \$37.50; together with title expenses, trustee's fees, and attorney's fees incurred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following to wit: \$66,776.61 with interest thereon at the rate of 7.75 percent per annum beginning 02/01/2002 until paid, plus all accrued late charges thereon together with the expense of trustee's fees and attorney's fees incurred herein by reason of said default, and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee, will on Monday, December 23, 2002 at the hour of 10:00 AM in accordance with the standard of time established by ORS 187.110 at the following place: Inside the 1st floor lobby of the Klamath County Courthouse, 316 W. Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor and/or had power to convey at the time of the execution of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with the trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

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, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with the trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

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

68523

said trust deed and  
the words "trustee"  
and "beneficiary" in-  
clude their respec-  
tive successors in in-  
terest. If any  
Deed is dated 14/00  
2000, by J. L.  
Thompson, Assistant  
Secretary. For fur-  
ther information,  
please contact  
First American Title  
Insurance Company,  
400 Countrywide  
Way, Suite 535, Simi  
Valley, CA 93065. Tlw  
(800) 449-6450. TS  
No. 02-08997. Doc.  
ID #0000229742005N.  
#5204 September 26,  
October 3, 10, 17, 2002.

1000.04855/CARTER

68524

## PROOF OF SERVICE

STATE OF OREGON           )  
                                  ) ss.  
County of Deschutes    )

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, upon an **OCCUPANT** at the following address:

**144775 INGLEWOOD ROAD, LA PINE, OREGON 97739**, as follows:

Personal service upon Linda DeWald, by delivering said true copy, personally and in person, at the above address on August 20, 2002 at 11:25 a.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2002 at \_\_\_\_\_:\_\_\_\_\_.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2002 at \_\_\_\_\_:\_\_\_\_\_.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2002 at \_\_\_\_\_:\_\_\_\_\_.m.

I declare under the penalty of perjury that the above statement is true and correct.

SUBSCRIBED AND SWORN to before me this

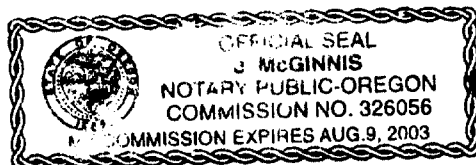
25

day of

August

, 2002 by

Paul Halikman 252256



Notary Public for Oregon

68525

#1282608

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Terry S Carter, as grantor(s), to Western Title And Escrow Co., as trustee, in favor of Mortgage Electronic Registration Systems, Inc., Solely As Nominee For Lender, as beneficiary, dated 08/22/2001, recorded 08/31/2001, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M01 at Page No. 44578 as Recorder's fee/file/instrument/microfilm/reception Number -, covering the following described real property situated in said county and state, to wit:

LOT 149, BLOCK 1, TRACT 1060, SUN FOREST ESTATES, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

PROPERTY ADDRESS: 144775 INGLEWOOD RD  
LA PINE, OR 97739

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the 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: monthly payments of \$578.14 beginning 03/01/2002; plus late charges of \$23.13 each month beginning with the 03/01/2002 payment plus prior accrued late charges of \$69.39; plus advances of \$37.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following to wit: \$66,776.61 with interest thereon at the rate of 7.75 percent per annum beginning 02/01/2002 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on Monday, December 23, 2002 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default by paying all costs and expenses actually incurred in enforcing the obligation

and trust deed, together with the trustee's and attorney's fees not exceeding the amounts provided by OSRS 86.753.

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.

Dated 8-14, 2002

Teri L. Thompson

FIRST AMERICAN TITLE INSURANCE COMPANY

For further information, please contact:

FIRST AMERICAN TITLE INSURANCE COMPANY  
400 COUNTRYWIDE WAY SV-35  
SIMI VALLEY, CA 93065  
(800) 669 6650  
TS No. 02 -08997  
Doc ID #00000229742005N

TERI L THOMPSON  
ASSISTANT SECRETARY

STATE OF California  
COUNTY OF Contra Costa ss.

On 8-14-02, before me, H. A. Briggs, personally appeared Teri L. Thompson, 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.

H. A. Briggs  
Notary Public for Contra Costa  
My commission expires: 1/27/06



THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.