

03 JAN 21 AM 11:14

Vol M03 Page 03590

K59500  
**RECORDING COVER SHEET  
FOR NOTICE OF SALE PROOF  
OF COMPLIANCE, PER ORS 205.234**

THIS COVER SHEET HAS BEEN PREPARED BY THE  
PERSON PRESENTING THE ATTACHED INSTRUMENT  
FOR RECORDING. ANY ERRORS IN THIS COVER SHEET  
DO NOT AFFECT THE TRANSACTION(S) CONTAINED  
IN THE INSTRUMENT ITSELF.

State of Oregon, County of Klamath  
Recorded 01/21/2003 11:14a m.  
Vol M03 Pg 03590-03603  
Linda Smith, County Clerk  
Fee \$ 10.00 # of Pgs 14

**AFTER RECORDING RETURN TO:**  
QUALITY LOAN SERVICE CORP.  
319 ELM STREET, 2<sup>ND</sup> FLOOR  
SAN DIEGO, CA 92101-3006

**AFFIDAVIT OF MAILING NOTICE OF SALE**

**AFFIDAVIT OF PUBLICATION**

**PROOF OF SERVICE**

**NOTICE OF TRUSTEE'S SALE**

**ORIGINAL GRANTOR: CHRISTINE R. BAXENDALE**

**BENEFICIARY: FIRST AMERICAN TITLE INSURANCE COMPANY AS TRUSTEE  
BY: QUALITY LOAN SERVICE CORPORATION AS AGENT**

**T.S. #: F-29037-OR-JB**

**Loan #: 8408395**

K816 - 15 -

03591

**AFFIDAVIT OF MAILING**

Date: **October 08, 2002**

T.S. No.: **F-29037-OR-JB**

Loan No.: **8408395**

STATE OF **California** }  
COUNTY OF **San Diego** }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in **San Diego** County at QUALITY LOAN SERVICE CORPORATION, and is not a party to the within action and that on **October 08, 2002**, (s)he personally served the Notice, 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 first class, 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.

X   
Affiant **Laura Johansson**

CHRISTINE R. BAXENDALE  
19336 ANDERSON ROAD  
MERRILL, OR 97633  
Z71086095528002545263

CHRISTINE R. BAXENDALE  
19336 ANDERSON ROAD  
MERRILL, OR 97633  
First Class

CHRISTINE R. BAXENDALE  
P.O. BOX 825  
MERRILL, OR 97633  
Z71086095528002545270

CHRISTINE R. BAXENDALE  
P.O. BOX 825  
MERRILL, OR 97633  
First Class

**TRUSTEE'S NOTICE OF SALE**

Loan No: 8408395  
T.S. No.: F-29037-OR-JB

Reference is made to that certain deed made by, CHRISTINE R. BAXENDALE as Grantor to LUCY E. KIVEL, ESQ., in favor of

TMS MORTGAGE INC., DBA THE MONEY STORE,  
as Beneficiary,

dated 9/29/1999, recorded 10/4/1999, in official records of KLAMATH county, Oregon in volume No. M99 at page No. 39371, instrument No. 39371, covering the following described real property situated in said County and State, to-wit:

A PIECE OR PARCEL OF LAND SITUATE IN THE NE 1/4 NW 1/4 OF SECTION 5, TOWNSHIP 41 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, AND MORE COMPLETELY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Tax Assessor's #: R252997

More commonly known as:	19336 ANDERSON ROAD MERRILL, OR 97633
-------------------------	--

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 MAKE THE 8/1/2002 PAYMENT OF PRINCIPAL AND INTEREST AND ALL SUBSEQUENT PAYMENTS, TOGETHER WITH LATE CHARGES, IMPOUNDS, TAXES ADVANCES AND ASSESSMENTS.

Monthly Payment \$355.45      Monthly Late Charge 13.84

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, to-wit: \$30,897.97 with interest thereon at the rate of 10.05% percent per annum beginning 7/1/2002; plus late charges of \$13.84 each month beginning 8/1/2002 until paid; plus advances of \$78.97; together with title expense, costs, trustee's fees and attorneys 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.

Whereof, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY the undersigned trustee will on 2/14/2003 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at  
ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR


County of KLAMATH, 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 further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in

the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

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 persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

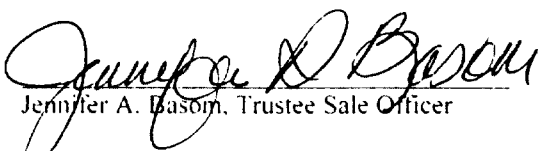
Dated: October 02, 2002

LITTON LOAN SERVICING LP  
4828 Loop Central Drive  
Houston, TX 77081-2226  
BY: FIRST AMERICAN TITLE INSURANCE  
COMPANY, TRUSTEE  
BY: QUALITY LOAN SERVICE CORP., AGENT  
(619) 645-7711  
**For Sale Information (916) 387-7728**

Signature By   
Jennifer A. Basom, Trustee Sale Officer

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

I, the undersigned, certify that I am the Trustee Sale Officer, and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

  
Jennifer A. Basom, Trustee Sale Officer

**TRUSTEE'S NOTICE OF SALE**

Loan No: 8408395

T.S. No.: F-29037-OR-JB

## EXHIBIT "B"

A piece or parcel of land situate in the NE 1/4 NW 1/4 of Section 5, Township 41 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the Southerly right of way line of Anderson Road from which point a railroad spike marking the Northwest corner of Section 5, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, bears North 30.0 feet and South 89 degrees 53' 10" West 2256.16 feet distant; thence North 89 degrees 53' 10" East 390.34 feet, more or less, along said Southerly right of way line to a point on the North-South center line of said Section 5; thence South 112.16 feet along said North-South center line to a point; thence South 76 degrees 42' 30" West 136.70 feet to a point; thence North 81 degrees 00' 30" West 125.00 feet to a point; thence North 60 degrees 23' 00" West 108.27 feet to a point; thence North 29 degrees 39' 20" West 80.28 feet, more or less, to the point of beginning.

CODE 18 MAP 4111-500 TL 400

# Affidavit of Publication

03595

## 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 # 5250

501239

Notice of Sale/Baxendale

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:

October 14, 21, 28, November 4, 2002

Total Cost:

~~200.00~~

Subscribed and sworn

before me on: November 4, 2002

Notary Public of Oregon

My commission expires March 15, 2004

### TRUSTEE'S NOTICE OF SALE

T.S. No.: F-29037-OR-JB Loan No: 8408395

Reference is made to that certain deed made by, Christine R. Baxendale as Grantor to Lucy E. Kivel, Esq., in favor of TMS Mortgage Inc., dba The Money Store, as Beneficiary, dated 9/29/1999, recorded 10/4/1999, in official records of KLAMATH county, Oregon in volume No. M99 at page No. 39371, No. 39371, covering the following described real property situated in said County and State, to-wit:

#### EXHIBIT "A"

A piece or parcel of land situate in the NE 1/4 NW 1/4 of Section 5, Township 41 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows: Beginning at a point on the Southerly right of way line of Anderson Road from which point a railroad spike marking the Northwest corner of Section 5, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, bears North 30.0 feet and South 89 degrees 53' 10" West 2256.16 feet distant; thence North 89 degrees 53' 10" East 390.34 feet, more or less, along said Southerly right of way line to a point on the North-South center line of said Section 5; thence South 112.16 feet along said North-South center line to a point; thence South 76 degrees 42' 30" West 136.70 feet to a point; thence North 61 degrees 00' 30"

West 125.00 feet to a point; thence North 60 degrees 23' 00" West 108.27 feet to a point; thence North 29 degrees 39' 20" West 80.28 feet, more or less, to the point of beginning. CODE 18 MAP 4111-500 TL 400 Tax Assessor's #: R252997 More commonly known as: 19336 Anderson Road Merrill, OR 97633.

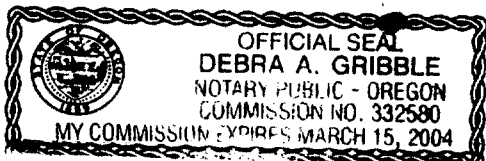
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's: Failure to make the 8/1/2002 payment of principal and interest and all subsequent payments, together with late charges, impounds, taxes advances and assessments. Monthly Payment \$355.45 Monthly Late Charge 13.84.

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, to-wit: \$30,897.97 with interest thereon at the rate of 10.05% percent per annum beginning 7/1/2002; plus late charges of \$13.84 each month beginning 8/1/2002 until paid; plus advances of \$78.97; together with title expense, costs, trustee's fees and attorneys 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.

Whereof, notice hereby is given that, First American Title Insurance Company the undersigned trustee will on 2/14/2003 at the hour of 10:00 AM, Standard of Time, as established by section 187,110, Oregon Revised Statutes, at on the front steps of the Circuit Court, 316 Main Street, in the City of Klamath Falls, County of Klamath, OR, County of Klamath, 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 further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the per-



03596

formance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

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 persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include the respective successors in interest, if any.

Lifton Loan Servicing LP, 4828 Loop Central Drive, Houston, TX 77081-2226.

By: First American Title Insurance Company, Trustee.

By: Quality Loan Service Corp.,

Agent. (619) 645-7711

For Sale Information: (916) 387-7728.

Signature By: Jennifer A. Basom, Trustee

Sale Officer. Dated: October 02, 2002

ASAP501239 10/14, 10/21, 10/28, 11/04.

#5250 October 14, 21,

28, November 4, 2002.

RECEIVED  
NOV 14 2002

PROOF OF SERVICE  
JEFFERSON STATE ADJUSTERS

F290370RTJB  
03597 (QLOAW)

STATE OF: OREGON  
COUNTY OF: KLAMATH

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: TRUSTEE'S NOTICE OF SALE

FOR THE WITHIN NAMED: Occupants of 19336 Anderson Road

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

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Christine Baxendale, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Mark Baxendale

☐ **OTHER METHOD:** By leaving an Original or True Copy with \_\_\_\_\_.

☐ **NON OCCUPANCY:** I certify that I received the within document(s) for service on \_\_\_\_\_ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the 28<sup>th</sup> day of October, 2002 I mailed a copy of the Trustee's Notice of Sale addresses to Occupant(s) at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed

Jenny Johnson  
Jenny Johnson

19336 Anderson Road Merrill, OR 97633

**ADDRESS OF SERVICE**

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of 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.

October 24<sup>th</sup>, 2002

7:55 A.M.

**DATE OF SERVICE**

**TIME OF SERVICE**

☐ or non occupancy

By:

Dave Shuck  
Dave Shuck

Dated this 28<sup>th</sup> day of October, 2002.

Subscribed and sworn to before me by

Dave Shuck



Margaret A. Nielsen  
Notary Public for Oregon



03598

# TRUSTEE'S NOTICE OF SALE

Loan No: 8408395  
T.S. No.: F-29037-OR-JB

Reference is made to that certain deed made by, CHRISTINE R. BAXENDALE as Grantor to LUCY E. KIVEL, ESQ., in favor of

TMS MORTGAGE INC., DBA THE MONEY STORE,  
as Beneficiary,

dated 9/29/1999, recorded 10/4/1999, in official records of KLAMATH county, Oregon in volume No. M99 at page No. 39371, instrument No. 39371, covering the following described real property situated in said County and State, to-wit:

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Tax Assessor's #: R252997

More commonly known as:	19336 ANDERSON ROAD MERRILL, OR 97633
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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 MAKE THE 8/1/2002 PAYMENT OF PRINCIPAL AND INTEREST AND ALL SUBSEQUENT PAYMENTS, TOGETHER WITH LATE CHARGES, IMPOUNDS, TAXES ADVANCES AND ASSESSMENTS.

Monthly Payment \$355.45      Monthly Late Charge 13.84

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Whereof, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY the undersigned trustee will on 2/14/2003 at the hour of 10:00 AM, Standard of Time, as established by section 187,110, Oregon Revised Statutes, at  
ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR

County of KLAMATH, 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 further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in

03599

the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

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Dated: October 02, 2002

LITTON LOAN SERVICING LP  
4828 Loop Central Drive  
Houston, TX 77081-2226  
BY: FIRST AMERICAN TITLE INSURANCE  
COMPANY, TRUSTEE  
BY: QUALITY LOAN SERVICE CORP., AGENT  
(619) 645-7711  
For Sale Information (916) 387-7728

Signature By   
Jennifer A. Basom, Trustee Sale Officer

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

I, the undersigned, certify that I am the Trustee Sale Officer, and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

Jennifer A. Basom, Trustee Sale Officer

**TRUSTEE'S NOTICE OF SALE**

Loan No: 8408395

T.S. No.: F-29037-OR-JB

03600

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CODE 18 MAP 4111-500 TL 400

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ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR

County of KLAMATH, 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 further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in

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Dated: October 02, 2002

LITTON LOAN SERVICING LP  
4828 Loop Central Drive  
Houston, TX 77081-2226  
BY: FIRST AMERICAN TITLE INSURANCE  
COMPANY, TRUSTEE  
BY: QUALITY LOAN SERVICE CORP., AGENT  
(619) 645-7711  
**For Sale Information (916) 387-7728**

Signature By   
Jennifer A. Basom, Trustee Sale Officer

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

I, the undersigned, certify that I am the Trustee Sale Officer, and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.

\_\_\_\_\_  
Jennifer A. Basom, Trustee Sale Officer

**TRUSTEE'S NOTICE OF SALE**

Loan No: **8408395**

T.S. No.: **F-29037-OR-JB**

## EXHIBIT "B"

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CODE 18 MAP 4111-500 TL 400