

03 FEB 14 PM 2:55

Vol M03 Page 09072

First American Title Insurance Company

State of Oregon, County of Klamath  
Recorded 02/14/2003 2:55 p. m.  
Vol M03 Pg 09072-79  
Linda Smith, County Clerk  
Fee \$ 71.00 # of Pgs 8

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

KS9613 1410881  
**AFTER RECORDING RETURN TO:  
DALIA ESTRADA 98-5333  
First American Title Insurance Company  
400 COUNTRYWIDE WAY SV-35  
SIMI VALLEY, CA 93065**

TS No.: 02-12294  
Doc ID #00008878772005N

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: **KEVIN C CREESE and MICHELLE M CREESE**

Beneficiary: **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.**

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.

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# 1410881

**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain trust deed made by Kevin C Creese And Michelle M Creese, Husband And Wife, as grantor(s), to First American Title Insurance Company, as trustee, in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, dated 12/06/2001, recorded 12/11/2001, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M01 at Page No. 63111 as Recorder's fee/file/instrument/microfilm/reception Number -, covering the following described real property situated in said county and state, to wit:

LOTS 6 AND 7 IN BLOCK 34A, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 53 W IOWA STREET  
KLAMATH FALLS, OR 97601

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 \$1,012.38 beginning 06/01/2002; plus late charges of \$40.50 each month beginning with the 06/01/2002 payment plus prior accrued late charges of \$162.00; plus advances of \$0.00; 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: \$123,375.17 with interest thereon at the rate of 6.5 percent per annum beginning 05/01/2002 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, March 03, 2003 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

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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 10-24, 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 -12294  
Doc ID #00008878772005N

TERIL THOMPSON  
ASSISTANT SECRETARY

STATE OF California )  
 ) ss.  
COUNTY OF Contra Costa )

On 10-24-02, 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

(SEAL)



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.

# 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 both 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).

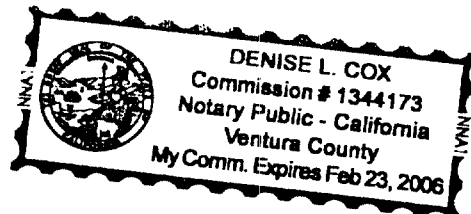
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 10/31/2002. 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 10/31, 2002, by Chantal Methodjian.  
 AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
 RE: Trust Deed from  
 Grantor  
 KEVIN C CREESE and MICHELLE M CREESE

Denise L. Cox  
 Notary Public for California  
 Residing at Ventura  
 My commission expires 2-23-06

First American Title Insurance Company  
 Trustee TS No. 02-12294  
 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"** **09076**

**TS No. 02-12294**

KEVIN C CREESE  
53 W IOWA ST  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0161 4549

KEVIN C CREESE  
53 W IOWA STREET  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0161 4556

MICHELLE M CREESE  
53 W IOWA ST  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0161 4563

MICHELLE M CREESE  
53 W IOWA STREET  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0161 4570

MICHELLE M CREESE  
P.O. BOX 1231  
KLAMATH FALLS, OR 97601  
7187 7930 3131 0161 4587

DEPARTMENT OF JUSTICE  
DIVISION OF CHILD SUPPORT  
3200 LANCASTER DRIVE NE  
SALEM, OR 97305  
7187 7930 3131 0161 4594

DIVISION OF CHILD SUPPORT (DCS)  
PO BOX 14506  
SALEM, OR 97309  
7187 7930 3131 0161 4600

**1000.05294/CREESE**

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## PROOF OF SERVICE

**STATE OF OREGON** )  
 ) ss.  
**County of Klamath** )

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:

**53 W IOWA STREET, KLAMATH FALLS, OREGON 97601, as follows:**


Personal service upon Kevin Creese, by delivering said true copy, personally and in person, at the above address on October 30th, 2002 at 2:25 P.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.**

  
Dave Shuck 256659

SUBSCRIBED AND SWORN to before me this 31<sup>st</sup> day of October, 2002 by Dave Shuck



Margaret C. Nielsen  
Notary Public for Oregon

# Affidavit of Publication

09078

## 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 # 5343

Notice of Sale/Creese

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:  
December 5, 12, 19, 26, 2002

Total Cost: \$729.00

Subscribed and sworn

before me on: December 26, 2002

Notary Public of Oregon

My commission expires March 15, 2004

### TRUSTEE'S NOTICE OF SALE #1410881

Reference is made to that certain trust deed made by Kevin C. Creese and Michelle M. Creese, Husband and Wife, as grantor(s), to First American Title Insurance Company, as trustee, in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, dated 12/06/2001, recorded 12/11/2001, in the mortgage records of Klamath County, Oregon, in Book/ Reel/Volume No. M01 at Page No. 63111 as Recorder's fee/file/instrument/microfilm/reception Number --, covering the following described real property situated in said county and state, to wit:

Lots 6 and 7 in Block 34A Buena Vista Addition to the City of Klamath Falls, Oregon. According to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 53 W Iowa Street, Klamath Falls, OR 97601.

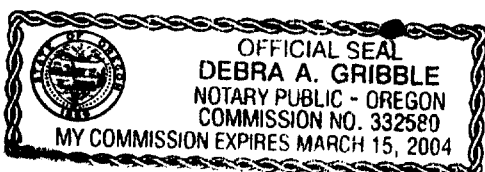
Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$1,012.38 beginning 06/01/2002; plus late charges of \$40.50 each month

beginning with the 06/01/2002 payment plus prior accrued late charges of \$162.00; plus advances of \$0.00; 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: \$123,375.17 with interest thereon at the rate of 6.5 percent per annum beginning 05/01/2002 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, March 03, 2003 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, 314 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 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 said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated October 24, 2002. By: Teri L. Thompson, Assistant Secretary. For further information, please contact: First American Title Insurance Company, 400 Simi Valley, CA 93065. (800) 669-6650. T.S. No. 02-122294. Doc. ID #00008878772005N. #5343 December 5, 12, 19, 26, 2002.