

03 FEB 24 PM 2:18

Record and Return to:
TOWN & COUNTRY TITLE SERVICES, INC.
505 CITY PARKWAY WEST
SUITE 200
ORANGE, CA 92868-2912
(888) 485-9191

State of Oregon, County of Klamath
Recorded 02/24/2003 2:18 p m.
Vol M03 Pg 10922 - 24-A
Linda Smith, County Clerk
Fee \$ 3600 # of Pgs 4

FIDELITY NATIONAL TITLE - NDS
340045

NOTICE OF DEFAULT AND ELECTION TO SELL

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): KENNETH W. LINCOLN
TRUSTEE: AMERITITLE
SUCCESSOR TRUSTEE: FIDELITY NATIONAL TITLE INSURANCE CO.
BENEFICIARY: AMERIQUEST MORTGAGE COMPANY

B. DESCRIPTION OF PROPERTY:

THE NORTHWESTERLY ONE-HALF OF LOT 3 IN BLOCK 4 OF FIRST ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, ACCORDING TO THE DULY RECORDED PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON; SAID PREMISES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 3; THENCE SOUTHEASTERLY ALONG THE LINE BETWEEN SAID LOT 3 AND LOT 2 OF SAID BLOCK 4, A DISTANCE OF 55 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE NORTHWESTERLY LINE OF SAID LOT 3, A DISTANCE OF 52 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 3; THENCE NORTHWESTERLY ALONG THE LINE BETWEEN SAID LOT 3 AND 4 OF SAID BLOCK 4, A DISTANCE OF 55 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 4; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 3, A DISTANCE OF 52 FEET TO THE POINT OF BEGINNING.

PARCEL 2

THE NORTHWESTERLY ONE-HALF OF LOTS 1 AND 2, BLOCK 4, OF FIRST ADDITION TO KLAMATH FALLS, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;
BEGINNING AT THE MOST NORTHERLY OF LOT 1, BLOCK 4 SAID FIRST ADDITION AND RUNNING THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF EIGHT STREET 55 FEET; THENCE SOUTHWESTERLY AND AT RIGHT ANGLES TO EIGHT STREET; 104 FEET MORE OR LESS TO THE WESTERLY LINE OF LOT NUMBERED 2, BLOCK NUMBERED 4 SAID FIRST ADDITION; THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF SAID LOT NUMBERED 2, 55 FEET MORE OR LESS TO THE MOST WESTERLY CORNER OF SAID LOT NUMBERED 2; THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF COOK STREET TO THE PLACE OF BEGINNING.

Property commonly known as: 1134 NORTH 8TH STREET KLAMATH FALLS, OR 97601

C. TRUST DEED INFORMATION:

DATED DATE: 04/18/2001
RECORDING DATE: 04/25/2001
RECORDING NUMBER: Book: M01 Page: 18465
RERECORDED ON:

36A

T.S. No: T03-12378

Loan No: 0020233516

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 05/01/2002 plus all subsequent installments and late charges,

TOTAL PAYMENTS & LATE CHARGES \$6,923.50

2. **Other Arrearages:** \$1,300.75

3. **TOTAL AMOUNT DUE:** \$8,224.25

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: \$88,418.70

In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 04/01/2002 at 7.990%, 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. Wednesday, 07/09/2003

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.

Dated: February 18, 2003

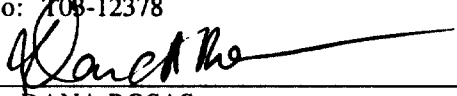
INSURANCE COMPANY

FIDELITY NATIONAL TITLE

10924

T.S. No: 708-12378

Loan No: 0020233516


By: DANA ROSAS
It's: AUTHORIZED SIGNATOR

Address for Trustee:
Fidelity National Title Insurance Company
15061 Red Hill Ave, Suite 201
Tustin, CA 92780
C/O TOWN & COUNTRY TITLE SERVICES
(888)485-9191 EXT. 3312



Unofficial Copy

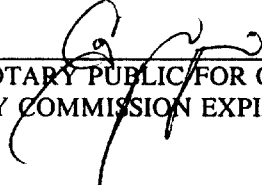
10924-A

T.S. No: T03-12378

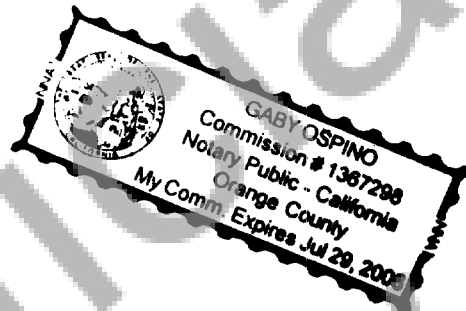
Loan No: 0020233516

STATE OF CALIFORNIA
COUNTY OF ORANGE

This instrument was acknowledged before me on 2/18/09, by DANA ROSAS as AUTHORIZED SIGNATOR
of Fidelity National Title Insurance Company.



NOTARY PUBLIC FOR CALIFORNIA
MY COMMISSION EXPIRES: 7/29



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