

After recording return to:  
First American Title Insurance  
c/o Nevada Trust Deed Services, Inc.  
1380 E. Sahara Ave.  
Las Vegas, NV 89104  
(702)733-9900

State of Oregon, County of Klamath  
Recorded 04/02/2003 2:57 p.m.  
Vol M03 Pg 20033-36  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by JACK ROOKSTOOL  
as grantor(s), to FIRST AMERICAN TITLE  
INSURANCE, substituted as trustee, in favor FIELDSTONE MORTGAGE COMPANY ASSIGNED TO  
\*\*, as beneficiary, dated MAY 1, 2000, recorded  
MAY 9, 2000, in the mortgage records of KLAMATH County, Oregon, as  
~~XXXXXXX~~ VOL. M00 pg. 16693, covering the following described real property situated in said  
county and state, to wit:

\*\* MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR  
HOUSEHOLD FINANCE CORPORATION

SEE ATTACHED FOR LEGAL

PROPERTY ADDRESS:

735 JACKS WAY  
KLAMATH FALLS, OR. 97603

There is a default by the grantor or other person owing an obligation or by their successor in interest, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is grantors' failure to pay when due the following sums:

THE MONTHLY INSTALLMENT OF PRINCIPAL AND INTEREST IN THE AMOUNT OF  
\$ 1,882.53 DUE ON THE November 1, 2001 AND  
ON THE 1st DAY OF EACH MONTH THEREAFTER PLUS LATE CHARGES, COSTS  
AND FEES AS PER THE TERMS OF THE NOTE AND DEED OF TRUST HAVE NOT BEEN PAID

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 said trust deed immediately due and payable, said sums being the following, to wit: \$ 218,910.18 with interest at the rate of 9.65 percent per annum beginning OCT. 11, 2001 plus late charges of \$ \_\_\_\_\_ each month beginning \_\_\_\_\_ until paid; plus prior accrued late charges, plus advances; 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.

## NOTICE OF DEFAULT AND ELECTION TO SELL

RE: Trust Deed from:

TO FIRST AMERICAN TITLE  
INSURANCE

T.S. No. OR-1117

For additional information:

Nevada Trust Deed Services, Inc.  
1380 E. Sahara Ave. suite B  
Las Vegas, NV 89104  
(702)733-9900

Notice is hereby given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which the grantor had, or had the power to convey, at the time grantor executed the trust deed, together with any interest the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and reasonable fees of trustee's attorneys.

The sale will be held at the hour of 10:00 A.M., in accord with the standard of time established by ORS 187.110 on Aug. 13, 2003, at the following place: AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE, 316 MAIN ST., KLAMATH FALLS, which is the hour, date and place last set for the sale. OREGON

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 every other default complained of herein by tendering the performance required under the obligation or trust deed, in addition to paying said sums or tendering the performance necessary to cure the default, by aping all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said 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 4/1/03

FIRST AMERICAN TITLE INSURANCE

*[Signature]*  
By: LAURA SOZA, ASST. SECRETARY

STATE OF CALIFORNIA

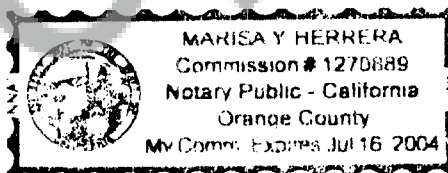
COUNTY OF ORANGE

This instrument was acknowledge before me on 4/1/03

by LAURA M. SOZA, ASSIST. SEC.

Notary Public for *[Signature]*

My commission expires: *[Signature]*



(SEAL)

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**20035**

A tract of land situated in the SW1/4 NW1/4 of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway) said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, as set and show be record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; thence North 89 degrees 47' 40" East along the Westerly extension of an old existing fence line along said fence line 1001.20 feet; thence South 293.25 feet to a 1/2 inch iron pin marking the true point of beginning of this description; thence North 70 degrees 49' 32" East 102.63 feet to a 1/2 inch iron pin on the arc of a 50 foot radius curve, radius point of said curve located North 70 degrees 49' 32" East 50 feet; thence Southeasterly along the arc of said curve (delta is 102 degrees 21' 44") 90.25 feet to a 1/2 inch iron pin; thence South 31 degrees 36' 12" East 104.55 feet to a 1/2 inch iron pin; thence South 65 degrees 48' 00" West 110.00 feet to a 1/2 inch iron pin; thence North 78 degrees 10' 54" West 102.78 feet to a 1/2 inch iron pin; thence North 43 degrees 08' 10" West 35.00 feet to a 1/2 inch iron pin; thence North 00 degrees 12' 20" West 80.00 feet to the true point of beginning of this description.

ALSO A tract of land situated in the S1/2 NW1/4 of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of Section 18; thence South 00 degrees 01' 10" West along the Section line, 2162.47 feet; thence along the centerline of a road easement as described in Deed Volume M78, page 2313, Deed Records of Klamath County, Oregon, South 89 degrees 51' 42" East 599.83 feet, North 00 degrees 02' 42" West 439.32 feet and South 89 degrees 59' 04" East 132.38 feet; thence South 78 degrees 33' 22" East 185.01 feet to the true point of beginning of this description and being on the Northerly line of that road easement reserved by Grantors as described in Deed Volume M79, page 7271, Deed Records of Klamath County, Oregon; thence North 34 degrees 13' 49" East 135.80 feet; thence along the arc of a curve to the right (radius equals 70.00 feet and central angle equals 36 degrees 48' 59") 44.98 feet to the Northwestern corner of that tract of land described in Deed Volume M66, page 1501, Deed Records of Klamath County, Oregon; thence along the Northerly line of said tract of land, North 71 degrees 02' 48" East 102.63 feet; thence continuing North 71 degrees 02' 48" East 86.14 feet; thence North 18 degrees 57' 12" West 30.00 feet; thence South 88 degrees 56' 17" East 356.31 feet; thence on the arc of a curve to the right (radius point bears N 85 degrees 29' 00" West 400.00 feet and central angle equals 61 degrees 30' 16") 429.38 feet; thence South 66 degrees 01' 16" West 144.49 feet; thence on the arc of a curve to the right (radius equals 205.06 feet and central angle equals 71 degrees 03' 30") 254.32 feet; thence North 42 degrees 55' 14" West 81.00 feet; thence on the arc of a curve to the left (radius equals 220.00 feet and central angle equals 06 degrees 41' 57") 25.72 feet; thence North 40 degrees 22' 49" East 60.00 feet to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed to Jack Rookstool and Sonja Rookstool in Warranty Deed recorded March 23, 1984 in Book M84, page 4742, Microfilm Records of Klamath County, Oregon.

- Continued -

EXHIBIT "A"  
LEGAL DESCRIPTION  
CONTINUED

TOGETHER WITH an easement for ingress and egress more fully described as follows:

A 30 foot wide easement, situated in the S1/2 NW1/4 of Section 18, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of Section 18; thence South 00 degrees 01' 10" West, along the Section line, 2162.47 feet; thence along the centerline of a road easement as described in Deed Volume M78, page 2313, Deed Records of Klamath County, Oregon, South 89 degrees 51' 42" East 599.83 feet, North 00 degrees 02' 42" West 439.32 feet and South 89 degrees 59' 04" East 132.38 feet; thence South 78 degrees 33' 22" East 185.01 feet to the true point of beginning of this description and being on the Northerly line of that road easement reserved by Grantors as described in Deed Volume M79, page 7271, Deed Records of Klamath County, Oregon; thence North 34 degrees 13' 49" East 135.80 feet; thence along the arc of a curve to the right (radius equals 70.00 feet and central angle equals 36 degrees 48' 59") 44.98 feet to the Northwesterly corner of that tract of land described in Deed Volume M66, page 1501, Deed Records of Klamath County, Oregon; thence along the Northerly line of said tract of land, North 71 degrees 02' 48" East 102.63 feet; thence continuing North 71 degrees 02' 48" East 86.14 feet; thence North 18 degrees 57' 12" West 30.00 feet; thence South 71 degrees 02' 48" West 188.77 feet; thence on the arc of a curve to the left (radius equals 100.00 feet and central angle equals 36 degrees 48' 59") 64.25 feet; thence South 34 degrees 13' 49" West 135 feet, more or less, to the Northerly line of that said easement described in Deed Volume M79, page 7271, Microfilm Records of Klamath County, Oregon; thence Southeasterly along said easement, 30 feet to the point of beginning.