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Aspen 55071

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

Vol M03 Page 37590

State of Oregon, County of Klamath  
Recorded 06/03/2003 2:46 P m.  
Vol M03 Pg 37590-37600  
Linda Smith, County Clerk  
Fee \$ 7/00 # of Pgs 11

**AFTER RECORDING RETURN TO:**

Attorneys Equity National Corporation  
23721 Birtcher Drive  
Lake Forest, CA. 92630  
TS#: 58460-F

1. TRUSTEE'S NOTICE OF SALE
2. AFFIDAVIT OF MAILING NOTICE OF SALE
3. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
4. PROOF OF SERVICE

Original Grantor on Trust Deed: GERALD JOSEPH NELSON AND TERRY J NELSON,  
HUSBAND AND WIFE AS TENANTS BY THE ENTIRETY

Beneficiary: BANK ONE, NATIONAL ASSOCIATION, AS TRUSTEE BY  
RESIDENTIAL FUNDING CORPORATION, ITS\*

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.

71 A

## NOTICE OF TRUSTEE'S SALE

37591

Reference is made to that certain Trust Deed made by GERALD JOSEPH NELSON AND TERRY J NELSON, HUSBAND AND WIFE AS TENANTS BY THE ENTIRETY, as grantor(s), to PAUL S COSGROVE, as Trustee in favor of AAMES FUNDING CORPORATION, A CALIFORNIA CORPORATION, DBA AAMES HOME LOAN, as beneficiary, dated June 13, 2000, recorded June 26, 2000 in the Records of KLAMATH County, Oregon, in Book/Reel/Volume/No. M00 at Page 23032, and/or as Fee/File/Instrument/Microfilm/Reception No. ----, covering the following described real property situated in the above-mentioned county and state, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

MAP #: R-3809-019CD-01100-000

Parcel Number: SEE ABOVE

Although the undersigned Trustee disclaims any liability for any incorrectness herein, the street address or other common designation, if any, of the real property described herein is purported to be:

**805 WOCUS STREET**

**KLAMATH FALLS, OR 97601**

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 pay the monthly payments in the amount of \$445.32 due beginning December 1, 2002 and monthly late charges in the amount of \$44.53 and subsequent installments due thereafter, together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Trustee's fees and other costs and expenses associated with this foreclosure and any further breach of any term or condition in subject note and deed of trust.

By reason of said default, the beneficiary has declared all obligations secured by said Trust Deed immediately due and payable, said sums being the following, to-wit:

1. Principal of \$49,879.84 and accruing interest as of November 1, 2002 at the rate of 10% per annum from November 1, 2002 until paid.

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### NOTICE OF TRUSTEE'S SALE

Trustee Sale Number: 58460-F

Loan Number: 432143014

TSG Number: 2410215

### FIDELITY NATIONAL TITLE - NDS

Recording Requested by

And when recorded mail to:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

c/o Attorneys Equity National Corporation

23721 Birtcher Drive

Lake Forest, CA 92630

(949) 707-5543

2. \$89.06 in late charges plus future charges.
3. Together with title expenses, costs, trustee's fees, attorney fees, and any other cost advances made by beneficiary to protect its interest in the said property pursuant to the terms of said Trust Deed.

Whereof, notice hereby is given that FIDELITY NATIONAL TITLE INSURANCE COMPANY, c/o Attorneys Equity National Corporation, the undersigned trustee will on June 23, 2003 at the hour of 10:00 AM, as established by Section 187.110, Oregon Revised Statutes, at the following location: AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE 316 MAIN ST. KLAMATH FALLS, OR., State of Oregon, 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 hereby given that the beneficiary and trustee, by reason of the 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 grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor 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 the reasonable fees of trustee's attorneys.

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.

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**NOTICE OF TRUSTEE'S SALE**

Trustee Sale Number: 58460-F

Loan Number: 432143014

TSG Number: 2410215

Recording Requested by  
And when recorded mail to:  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
c/o Attorneys Equity National Corporation  
23721 Birtcher Drive  
Lake Forest, CA 92630  
(949) 707-5543

37593

The right under ORS 86.753 to have the proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, together with costs, trustee's and attorney's fees, and by curing any other default complained of in the notice of default, at any time prior to five days before the date last set for the sale.

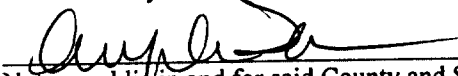
February 7, 2003

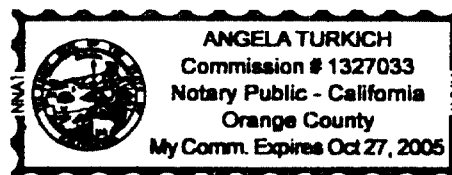
FIDELITY NATIONAL TITLE INSURANCE  
COMPANY

  
By: Attorneys Equity National Corporation, as Agent  
Charles Alderman, III, Vice President

State of California  
County of Orange  
On this 7 day of Feb. 03, before me, Angela Turkich Notary Public in and  
for said county and state, personally appeared Charles Alderman III, personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name subscribed to  
the within instrument and acknowledged that he/she executed the same.

WITNESS my hand and official seal.

  
Notary public in and for said County and State



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**NOTICE OF TRUSTEE'S SALE**

Trustee Sale Number: **58460-F**  
Loan Number: **432143014**  
TSG Number: **2410215**

Recording Requested by  
And when recorded mail to:  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
c/o Attorneys Equity National Corporation  
23721 Birtcher Drive  
Lake Forest, CA 92630  
(949) 707-5543

# EXHIBIT "A"

37594

A portion of Lots 10 and 11, Block 5, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon, described as follows:

Beginning at the most Easterly corner of Lot 10 in Block 5 of BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, running thence Northwesterly along the Southerly line of Crater Street to the most Northerly corner of Lot 11 of said Block 5; thence Southwesterly along the line between Lots 11 and 12 of said Block 5, a distance of 75 feet; thence Southeasterly parallel to Crater Street, to the Northerly line of Wocus Street; thence Northeasterly along the said line of Wocus Street, 75 feet to the point of beginning..

## A F F I D A V I T O F M A I L I N G

37595

STATE OF CALIFORNIA]  
COUNTY OF ORANGE]

Trustee Sale Number: 58460-F

CARLY NERELL of Attorneys Equity National Corporation being duly sworn, and deposes says:

That he/she is over the age of eighteen years;

That on 02/21/03 by certified mail properly enclosed in a sealed envelope with the prepaid postage thereon, he/she deposited in the United States Post Office at Lake Forest, CA, a true and correct copy of the referenced Notice of Default & Notice of Trustee's Sale addressed to the following:

Cert#: 7002 2410 0004 7362 1614  
& Regular Mail

CAPITAL ONE BANK  
2001 MAYWILL STREET  
RICHMOND, VA 23230  
DERRICK E. MCGAVIC  
PO BOX 10163

Cert#: 7002 2410 0004 7362 1621  
& Regular Mail

EUGENE, OR 97440

Cert#: 7002 2410 0004 7362 1638  
& Regular Mail

GERALD JOSEPH NELSON  
805 WOCUS STREET  
KLAMATH FALLS, OR 97601

Cert#: 7002 2410 0004 7362 1645  
& Regular Mail

TERRY J. NELSON  
805 WOCUS STREET  
KLAMATH FALLS, OR 97601

Cert#: 7002 2410 0004 7362 1652  
& Regular Mail

GERALD JOSEPH NELSON  
805 WOCUS STREET  
KLAMATH FALLS, OR 97601

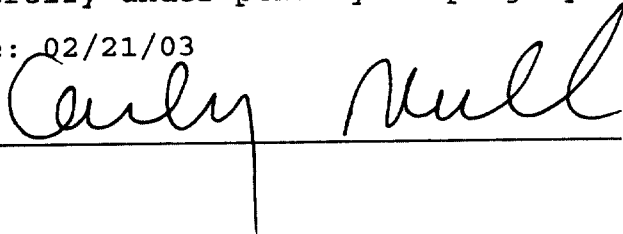
Cert#: 7002 2410 0004 7362 1669  
& Regular Mail

TERRY J NELSON  
805 WOCUS STREET  
KLAMATH FALLS, OR 97601

I certify under penalty of perjury that the foregoing is true and correct.

Date: 02/21/03

x



7002 2410 0004 7362 1669

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 6.00
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 10.05

Postmark  
Here

Sent To \_\_\_\_\_  
 Street, Apt. No.,  
 or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, June 2002

See Reverse for Instructions

7002 2410 0004 7362 1621

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 6.00
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 10.05

37596

Postmark  
Here

Sent To \_\_\_\_\_  
 Street, Apt. No.,  
 or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, June 2002

See Reverse for Instructions

7002 2410 0004 7362 1652

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 6.00
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 10.05

Postmark  
Here

Sent To \_\_\_\_\_  
 Street, Apt. No.,  
 or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, June 2002

See Reverse for Instructions

7002 2410 0004 7362 1638

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 6.00
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 10.05

Postmark  
Here

Sent To \_\_\_\_\_  
 Street, Apt. No.,  
 or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, June 2002

See Reverse for Instructions

7002 2410 0004 7362 1645

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 6.00
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 10.05

Postmark  
Here

Sent To \_\_\_\_\_  
 Street, Apt. No.,  
 or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, June 2002

See Reverse for Instructions

7002 2410 0004 7362 1614

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 6.00
Certified Fee	2.30
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 10.05

Postmark  
Here

Sent To \_\_\_\_\_  
 Street, Apt. No.,  
 or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, June 2002

See Reverse for Instructions

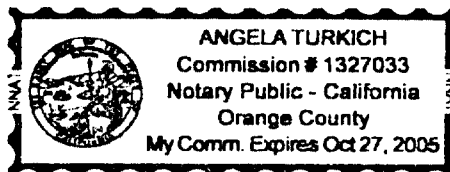
37597

STATE OF CALIFORNIA  
COUNTY OF ORANGE

ON FEBRUARY 21 20 03 BEFORE ME ANGELA TURKICH  
PERSONALLY APPEARED DANNY NEFF  
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF PERSONAL  
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  
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

SIGNATURE  (SEAL)





## Affidavit of Publication

37598

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 # 5592

Notice of Sale/Nelson

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:

March 18, 25, April 1, 8, 2003

Subscribed and sworn

before me on: April 8, 2003

Notary Public of Oregon

My commission expires March 15, 2004

Trustee Sale  
Number: 58460-F  
Loan Number:  
432143014  
TSG Number:  
2410215  
Notice of Trustee's  
Sale

Reference is made to that certain Trust Deed made by Gerald Joseph Nelson and Terry J Nelson, husband and wife as tenants by the entirety as grantor(s) to Paul S Cosgrove, as Trustee in favor of Aames Funding Corporation, a California Corporation, DBA Aames Home Loan, as beneficiary, dated June 13, 2000, recorded June 26, 2000 in the records of Klamath County, Oregon, in Book/Reel/Volume No. M00 at page 23032, and/or as Fee/File/Instrument/Microfilm/Reception No., covering the following described real property situated in the above mentioned county and state, to wit:

A portion of lots 10 and 11, block 5, Buena Vista Addition to the city of Klamath Falls, according to there official plat thereof on file in the office of the clerk of Klamath County, Oregon, described as follows:

Beginning at the most easterly corner of lot 10 in block 5 of Buena Vista Addition to the city of Klamath Falls, Oregon, running thence northwesterly along the southerly line of Crater Street to the most northerly corner of lot 11 of said block 5; thence southwesterly along the line between lots 11 and 12 of said block 5, a distance of 75 feet; thence

southeasterly parallel to Crater Street, to the northerly line of Wocus Street; thence northeasterly along the said line of Wocus Street, 75 feet to the point of beginning. Map #: R-3809-019CD-01100-000 Parcel Number: SEE ABOVE. Although the undersigned Trustee disclaims any liability for any incorrectness herein, the street address or other common designation, if any, of the real property described herein is purported to be: 805 Wocus Street Klamath Falls, OR 97601

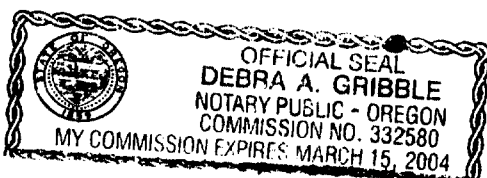
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735 (3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's failure to pay the monthly payments in the amount of \$445.32 due beginning December 1, 2002 and monthly late charges in the amount of \$44.53 and subsequent installments due thereafter, together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. Trustee's fees and other costs and expenses associated with this foreclosure and any further breach of any term or condition in subject note and deed of trust.

By reason of said default, the beneficiary has declared all obligations secured by said Trust

Deed immediately due and payable, said sums being the following to wit: 1. Principal of \$49,879.84 and accruing interest as of November 1, 2002 at the rate of 10% per annum from November 1, 2002 until paid. 2. \$89.06 in late charges plus future charges. 3. Together with title expenses, costs, trustee's fees, attorney fees, and any other cost advances made by beneficiary to protect its interest in the said property pursuant to the terms of said Trust Deed.

Whereof, notice is hereby given that Fidelity National Title Insurance Company, c/o Attorneys Equity National Corporation, the undersigned trustee will on June 23, 2003 at the hour of 10:00 AM, as established by Section 187.110, Oregon Revised Statutes, at the following location: At the main entrance to the County Courthouse, 316 Main St., Klamath Falls, OR, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which is 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 charge by the trustee.

Notice is hereby given



BAK

en that the beneficiary and trustee, by reason of the 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 grantor had or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor 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 the reasonable fees of trustee's attorneys.

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. The right under ORS 86.753 to have the proceeding dismissed and the trust deed reinstated by payment of the en-

tire amount then due, together with costs, trustee's and attorney's fees, and by curing any other default complained of in the notice of default, at any time prior to five days before the date last set for the sale.

February 7, 2003. Fidelity National Title Insurance Company.  
By: Attorneys Equity National Corporation, as Agent  
Charles Alderman, III, Vice President,  
23721 Birtcher Drive, Lake Forest, CA 92630. (503) 887-3020. P190306., 3/18, 3/25, 4/1, 04/08/2003.  
#5592 March 18, 25, April 1, 8, 2003.

58460-F

File # 190306

37600

State of Oregon, 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, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or 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, as follows:

Upon GERALD J. NEZSW, by delivering such true copy to him/her, personally and in person at 805 WOCUS ST KEO, on FEB 12, 2003, at 8:00 o'clock AM

Upon TERRY J. NEZSW, by delivering such true copy to him/her, personally and in person at 805 WOCUS ST KEO, on FEB 12, 2003, at 8:00 o'clock AM

Dated: FEB, 13, 2003DMDDave Davis

Subscribed and sworn to before me this  
13 day of February 2003

Jessica L. Johnston  
Notary Public for Oregon  
My commission expires: 08/26/03

Prompt Process Serving Agency  
5906 N. Greeley Ave.  
Portland, Oregon 97217  
(503)286-4144

