

103 JUN 3 PM 2:46

Aspen 55756

Vol M03 Page 37601

AMENDED
NOTICE OF TRUSTEE'S SALE

Reference is made to that certain Trust Deed made by ROBERT GARDNER AND JERRI GARDNER, HUSBAND AND WIFE, as grantor(s), to FIRST AMERICAN TITLE INSURANCE CO., as Trustee in favor of MERITAGE MORTGAGE CORPORATION, AN OREGON CORPORATION, as beneficiary, dated April 8, 1999, recorded April 19, 1999 in the Records of KLAMATH County, Oregon, in Book/Reel/Volume/No. M99 at Page 14336, 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:

LOT 1, BLOCK 6, RIVER PINE ESTATES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON
FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.

State of Oregon, County of Klamath
Recorded 06/03/2003 2:46 p m.
Vol M03 Pg 37601-06
Linda Smith, County Clerk
Fee \$ 46.00 # of Pgs 6

Parcel Number: R132109

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:

1145 RECTOR DRIVE

LAPINE, OR 977390000

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 \$727.38 due beginning July 1, 2002 and monthly late charges in the amount of \$58.19 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 \$78,750.00 and accruing interest as of June 1, 2002 at the rate of 11% per annum from June 1, 2002 until paid.
2. \$640.09 in late charges plus future charges.

NOTICE OF TRUSTEE'S SALE

Trustee Sale Number: 56539-F

Loan Number: 800707580

TSG Number: 2410416

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

46A

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 18, 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.

**Original sale proceedings were stayed due to a bankruptcy filing, which has been terminated. Sale is being rescheduled,

NOTICE OF TRUSTEE'S SALE

Trustee Sale Number: 56539-F
 Loan Number: 800707580
 TSG Number: 2410416

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 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

37603

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.

May 23, 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 23rd day of MAY, 2003, before me, ANGELA TURKICH, a 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.

Angela Turkich
Notary public in and for said County and State



NOTICE OF TRUSTEE'S SALE

Trustee Sale Number: **56539-F**

Loan Number: **800707580**

TSG Number: **2410416**

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

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

37604

STATE OF CALIFORNIA]
COUNTY OF ORANGE]

Trustee Sale Number: 56539-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 05/27/03 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 3150 0004 5327 6481
& Regular Mail

ROBERT GARDNER
1145 RECTOR DRIVE
LAPINE, OR 97739

Cert#: 7002 3150 0004 5327 6498
& Regular Mail

ROBERT GARDNER
1145 RECTOR DRIVE
LAPINE, OR 97739-0000

Cert#: 7002 3150 0004 5327 6504
& Regular Mail

JERRI GARDNER
1145 RECTOR DRIVE
LAPINE, OR 97739

Cert#: 7002 3150 0004 5327 6511
& Regular Mail

JERRI GARDNER
1145 RECTOR DRIVE
LAPINE, OR 97739-0000

Cert#: 7002 3150 0004 5327 6528
& Regular Mail

ROBERT GARDNER
1145 RECTOR DRIVE
LAPINE, OR 97739-0000

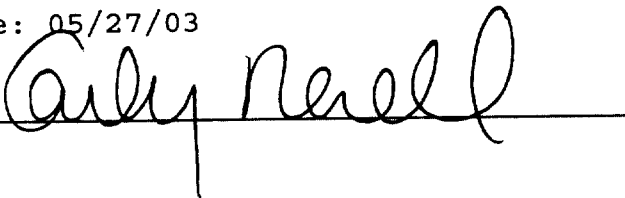
Cert#: 7002 3150 0004 5327 6535
& Regular Mail

JERRI GARDNER
1145 RECTOR DRIVE
LAPINE, OR 97739-0000

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

Date: 05/27/03

x

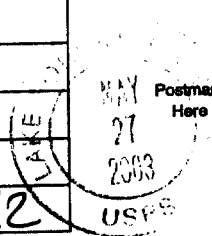


7002 3150 0004 5327 6481

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

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

PS Form 3800, June 2002 See Reverse for Instructions

7002 3150 0004 5327 6504

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

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

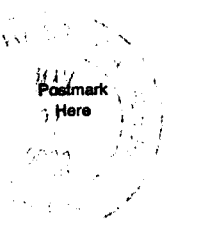
PS Form 3800, June 2002 See Reverse for Instructions

7002 3150 0004 5327 6526

U.S. Postal ServiceTM
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For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

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

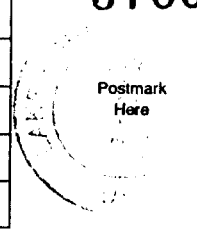
PS Form 3800, June 2002 See Reverse for Instructions

7002 3150 0004 5327 6498

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE 37605

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

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

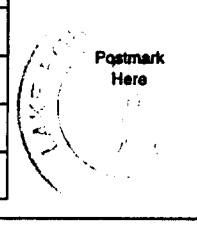
PS Form 3800, June 2002 See Reverse for Instructions

7002 3150 0004 5327 6511

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

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

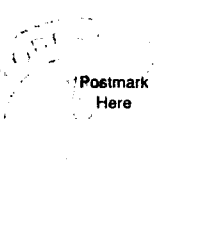
PS Form 3800, June 2002 See Reverse for Instructions

7002 3150 0004 5327 6535

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 442	

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


PS Form 3800, June 2002 See Reverse for Instructions

37606

STATE OF CALIFORNIA
COUNTY OF ORANGE

ON MAY 21 20 07 BEFORE ME ANGELA TURKICH
PERSONALLY APPEARED CARLY NEBEL
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)

