

Open 56419

Affidavit of Publication

Vol M03 Page 40247

FIDELITY NATIONAL TITLE - NDS
3410024

STATE OF OREGON, COUNTY OF KLAMATH

State of Oregon, County of Klamath

Recorded 06/12/2003 3:01 p.m.

Vol M03 Pg 40247-40257

Linda Smith, County Clerk

Fee \$71.00 # of Pgs 11

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 # 5741

Notice of Sale/Beal

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:

May 6, 13, 20, 27, 2003

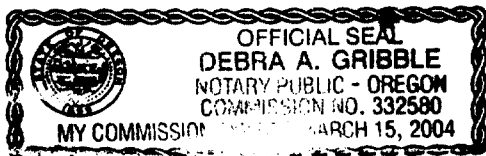
Total Cost: \$715.50

Subscribed and sworn

before me on: May 27, 2003

Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S NOTICE OF SALE

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): Jeff W. Beal and Evelyn Y. Beal, Trustee: David A. Kubat, OSBA 84265 C/O T.D. Service Company, Washington, Successor Trustee: Fidelity National Title Insurance Company, Beneficiary: Western Sunrise aka Crossland Mortgage Corp.; B. Description of Property: Lots 2 and 3, Block 66, Fifth Addition to Nimrod River Park, in the County of Klamath, State of Oregon. Also Lot 1, Block 65. Property commonly known as: 25116 Stevens Street, Chiloquin, OR 97624; C. Trust Deed Information: Dated 01/19/1999, Recording Date: 02/01/1999, Book: M99, Page: 3731, 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 10/01/2002 and all subsequent installments and late charges. Total payments and late charges: \$2,480.96; 2) Other Arrearages: \$15.00; Total Amount Due: \$2,495.96; 3) Default(s) other than

payment of money: 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: \$76,447.63. In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 09/01/2002 at 6.250 %, 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., Friday, 06/20/2003, Place:

On the front steps of the Circuit Court, 316 Main Street, Klamath Falls, 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; I. 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 the Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any. Dated: January 24, 2003 For Trustee's Sale Information please call (925) 603-7342. Fidelity National Title Insurance Com-

40248

pany, c/o Standard
Trustee Service
Company Washing-
ton, 2600 Stanwell
Drive, Suite 200,
Concord, CA 94520
(925) 603-1000, By:
Peggy Payne, It's:
Assistant Secretary,
as their authorized
agent. We are at-
tempting to collect a
debt and any infor-
mation we obtain
will be used for that
purpose. (T.S. No.:
ONMC058474) (Loan
No.:
2963994/685/Beal)
(RSVP47351)
(05/06/03, 05/13/03,
05/20/03, 05/27/03)
#5741 May 6, 13, 20,
27, 2003.

RSVP

JUN 1 REC'D

STATE OF CALIFORNIA) In the matter of Notice of Sale
COUNTY OF Contra Costa) S.S. File # ONMC058474

Katie Christy of Standard Trustee Service Company WA, P.O. Box 5070 of Concord, CA 94524-0070 being duly sworn, deposes and says; That she/he is over the age of eighteen years; That on 02/08/2003, by certified mail, return receipt requested/regular mail enclosed in a sealed envelope with prepaid postage thereon, she/he deposited in the United States Post Office at Concord, CA a true and correct copy of which is hereunto attached and made a part hereof, addressed to the following:

7160390198410029903 — Jeff W. Beal
& first class mail 25116 Stevens Street
Sprague River, OR 97639

7160390198410029904 — Evelyn Y. Beal
& first class mail 25116 Stevens Street
Sprague River, OR 97639

7160390198410029905 — Occupants of the Premises
& first class mail 25116 Stevens Street
Sprague River, OR 97639

The receipts for certification of said letters are hereunto affixed and made a part hereof. I certify (or declare) under penalty of perjury that the foregoing is true and correct.

~~Affiant~~

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA)

COUNTY OF Contra Costa)On 6-10-03

DATE

before me, A. RIGSBY

NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared, Katie Christy

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.

A. Rigsby

NOTARY PUBLIC SIGNATURE

(SEAL)



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT

TITLE OR TYPE OF DOCUMENT _____

DATE OF DOCUMENT _____

NUMBER OF PAGES _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

SIGNER'S NAME _____

SIGNER'S NAME _____

RIGHT THUMBPRINT

RIGHT THUMBPRINT

RIGHT THUMBPRINT

RIGHT THUMBPRINT

STATE OF CALIFORNIA
COUNTY OF Contra Costa

) In the matter of Notice of Sale
) S.S. File # ONMC058474

Debbie Sartuche of Standard Trust Deed Service Company, P.O. Box 5070 of Concord, CA 94524-0070 being duly sworn, deposes and says; That she/he is over the age of eighteen years; That on 01/28/2003, by certified mail, return receipt requested/regular mail enclosed in a sealed envelope with prepaid postage thereon, she/he deposited in the United States Post Office at Concord, CA a true and correct copy of which is hereunto attached and made a part hereof, addressed to the following:

7160390198410029831 8
& first class mail

Jeffrey W. Beal
25116 Stevens Street
Chiloquin, OR 97624

7160390198410029832 5
& first class mail

Evelyn Y. Beal
25116 Stevens Street
Chiloquin, OR 97624

7160390198410029833 2
& first class mail

Jeffrey W. Beal
1200 8th Street
Tularosa, NM 88352

7160390198410029834 9
& first class mail

Evelyn Y Beal
1200 8th Street
Tularosa, NM 88352

7160390198410029835 6
& first class mail

Jeff W. Beal
25116 Stevens Street
Chiloquin, OR 97624

7160390198410029836 3
& first class mail

Jeff W. Beal
1200 8th Street
Tularosa, NM 88352

The receipts for certification of said letters are hereunto affixed and made a part hereof. I certify (or declare) under penalty of perjury that the foregoing is true and correct.

X Debbie Sartuche
Affiant

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA)

COUNTY OF Contra Costa)

On 6-10-03 before me, A. RIGSBY
 DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared, Debbie Sartuche

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.

ARIGSBY (SEAL)
 NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT

TITLE OR TYPE OF DOCUMENT _____

DATE OF DOCUMENT _____ NUMBER OF PAGES _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

SIGNER'S NAME _____ SIGNER'S NAME _____

RIGHT THUMBPRINT

RIGHT THUMBPRINT

Record and Return to:

STANDARD TRUSTEE SERVICE COMPANY WASHINGTON
 2600 STANWELL DRIVE, SUITE 200
 CONCORD, CA 94520
 (800) 995-2670

TRUSTEE'S NOTICE OF SALE

T.S. No: ONMC058474 TMJ

Loan No: 2963994/685/Beal

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): Jeff W. Beal and Evelyn Y. Beal

TRUSTEE: David A. Kubat, OSBA 84265 C/O T.D. Service Company, Washington

SUCCESSOR TRUSTEE: Fidelity National Title Insurance Company

BENEFICIARY: Western Sunrise aka Crossland Mortgage Corp.

B. DESCRIPTION OF PROPERTY:

Lots 2, and 3, Block 66, Fifth Addition to Nimrod River Park, in the County of Klamath, State of Oregon. Also Lot 1, Block 65.

Property commonly known as: 25116 Stevens Street Chiloquin, OR 97624

C. TRUST DEED INFORMATION:

DATED DATE: 01/19/1999

RECORDING DATE: 02/01/1999

INSTRUMENT NO.: Book: M99 Page: 3731

RERECORDED ON:

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 10/01/2002 and all subsequent installments and late charges.

TOTAL PAYMENTS AND LATE CHARGES	\$2,480.96
---------------------------------	------------

2. Other Arrearages:

\$15.00

TOTAL AMOUNT DUE:	\$2,495.96
-------------------	------------

Plus all accrued real property taxes, interest or penalties until paid.

3. Default(s) other than payment of money:

E. AMOUNT DUE: The beneficiary has declared all sums owing on the obligation and Trust Deed immediately due and payable, said sums being:

IMPORTANT: READ SECOND & THIRD PAGE OF THIS DOCUMENT

T.S. No: ONMC058474 TMJ

Loan No: 2963994/685/Beal

Principal Balance: \$76,447.63


In addition to said principal, interest at the rate of variable as provided in the Note or other instrument secured, shall be payable from 09/01/2002 at 6.250%, 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. Friday, 06/20/2003
 PLACE: On the front steps of the Circuit Court 316 Main Street Klamath Falls, 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.
- I. 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 the Trust Deed, and the words trustee" and "beneficiary" include their respective successors in interest, if any.

FOR TRUSTEE'S SALE INFORMATION PLEASE CALL (925)603-7342.

Dated: January 24, 2003

Fidelity National Title Insurance Company
 c/o Standard Trustee Service Company Washington
 2600 Stanwell Drive, Suite 200
 Concord, Ca 94520
 (925)603-1000


 By: Peggy Payne
 It's: Assistant Secretary, as their authorized agent

STATE OF CALIFORNIA
 COUNTY OF CONTRA COSTA

This instrument was acknowledged before me on January 24, 2003 by
 Peggy Payne as Assistant Secretary of Standard Trustee Service Company Washington


 NOTARY PUBLIC FOR CALIFORNIA
 MY COMMISSION EXPIRES: 11/3/04



STANDARD TRUSTEE SERVICE COMPANY WASHINGTON
2600 Stanwell Drive, Ste. 200
Concord, CA 94520
925-603-1000
FAX 925-685-3735

40255

T.S. Number: ONMC058474 TMJ
Loan Number: 2963994/685/Beal

FAIR DEBT COLLECTION PRACTICES ACT NOTIFICATION

Pursuant to and in compliance with the Fair Debt Collection Practices Acts (Federal [15 USC 1692]) the Trustee/Agent named in the Notice of Default hereby provides the following notification(s):

"We are attempting to collect a debt and any information we obtain will be used for that purpose."

"The debt described in the Notice of Default is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification.

If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor."

****IF YOU HAVE FILED A CHAPTER 7 BANKRUPTCY AND RECEIVED A DISCHARGE OF DEBTOR, YOU ARE NO LONGER PERSONALLY OBLIGATED TO MAKE PAYMENTS ON THE LOAN. However, the beneficiary still retains a security interest in the property and can exercise its rights to commence foreclosure unless a cure of the default under the security instrument is effected. The following communication is mandatory and should not be read as a requirement that you make payments on your loan. If you in fact follow the options specified in the attached communication and make payments, you should only do so if you are interested in preserving your rights to the property.****

40256

Court Case No.
Sheriff's Case No. 03-00361

I hereby certify that I received for service on
OCCUPANTS, ALL
the within:

OCCUPANTS, ALL
was served by leaving a true copy of the process with _____, a person in charge of the office maintained for the conduct of business by, OCCUPANTS, ALL _____, located at, 25116 STEVENS ST CHILOQUIN _____, OR, on 02/07/03, at 18:06 hours.

Timothy M. Evinger, Sheriff
Klamath County, Oregon

POB 4
OR 97204

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN C SERVICE

40257

058474

State of Oregon)
County of Klamath)

Court Case No.
Sheriff's Case No. 03-00361

Received for Service 01/31/03

I hereby certify that I received for service
the within:

TRUSTEE'S NOTICE OF SALE

Further I certify that on 02/07/03, after personal inspection, I
found the following described real property to be unoccupied:

25116 STEVENS ST
CHILOQUIN, Oregon.

All search and service was made within Klamath County, State of
Oregon.

Timothy M. Evinger, Sheriff

Klamath County, Oregon

By


BRYANT, JOSH

Copy to:

TRANSERV LEGAL PROCESS
310 SW 4TH AVE #200
PORTLAND

POB 4
OR 97204