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TRUSTEE'S DEED

THIS INDENTURE, Made June 19, 2003, between FIDELITY NATIONAL TITLE INSURANCE COMPANY, c/o Attorneys Equity National Corporation, hereinafter called trustee, and BANK ONE, NATIONAL ASSOCIATION, AS TRUSTEE BY RESIDENTIAL FUNDING CORPORATION, ITS **, hereinafter called the second party;

WITNESSETH

RECITALS: ROBERT GARDNER AND JERRI GARDNER, HUSBAND AND WIFE, as grantor, executed and delivered to FIRST AMERICAN TITLE INSURANCE CO., as trustee, for the benefit of MERITAGE MORTGAGE CORPORATION, AN OREGON CORPORATION as beneficiary, a certain Trust Deed dated April 8, 1999, duly recorded on April 19, 1999, in the mortgage records of KLAMATH County, Oregon, in Book/Reel/Volume/No. M99 at Page 14336, or as Fee/File/Instrument/Microfilm/Reception No. ----.

In said trust deed the real property therein and hereinafter described was conveyed by said grantor to said trustee to secure, among other things, the performance of certain obligations of the grantor to the said beneficiary. The said grantor thereafter defaulted in his performance of the obligations secured by said trust deed as stated in the notice of default hereinafter mentioned and such default still existed at the time of the sale hereinafter described.

By reason of said default, the owner and holder of the obligations secured by said trust deed, being the beneficiary therein named, or his successor in interest, declared all sums so secured immediately due and owing; a Notice of Default, containing an election to sell the said real property and to foreclose said Trust Deed by advertisement and sale to satisfy grantor's said obligations was recorded in the mortgage records of said county on September 13, 2002, in Book/Reel/Volume No. M02 at Page 52301 thereof or as Fee/File/Instrument/Microfilm/Reception No. ----, to which reference now is made.

After the recording of said notice of default, as aforesaid, FIDELITY NATIONAL TITLE INSURANCE COMPANY, c/o Attorneys Equity National Corporation, the undersigned trustee gave notice of the time for and place of sale of said real property as fixed by him and as required by law; copies of the Trustee's Notice of Sale were served pursuant to ORCP 7D.(2) and 7D.(3) or mailed by both first class and certified mail with return receipt requested, to the last known address of the persons or their legal representatives, if any, named in ORS 86.740(1) and (2)(a), at least 120 days before the date of the property was sold, and the Trustee's Notice of Sale was mailed by first class and certified mail with return receipt requested, to the last-known address of the guardian, conservator or administrator or executor of any person named in ORS 86.740(1), promptly after the trustee received knowledge of the disability, insanity or death of any such person; the Notice of Sale was served upon occupants of the property described in the trust deed in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3) at least 120 days before the date the property was sold, pursuant to ORS 86.750(1). If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form required by ORS 86.755(6) were mailed by registered or certified mail to the last-known address on those persons listed in ORS 86.740 and 86.750(1) and to the address provided by each person who was present at the time and place set for the sale which was stayed within 30 days after the release from the stay. Further, the

TRUSTEE'S DEED

Trustee Sale Number: 56539-F

Loan Number: 800707580

TSG Number: 2410416

****ATTORNEY-IN-FACT.**

FIDELITY NATIONAL TITLE - NDS

Recording Requested by

FIDELITY NATIONAL TITLE INSURANCE COMPANY

c/o Attorneys Equity National Corporation

And when recorded mail to:

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

9350 WAXIE WAY

SAN DIEGO, CA 92123

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State of Oregon, County of Klamath

Recorded 06/20/2003 3:28 p. m.

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Linda Smith, County Clerk

Fee \$ 36⁰⁰ # of Pgs 4

36A

trustee published a copy of said notice of sale in a newspaper of general circulation in each county in which the said real property is situated, once a week for four successive weeks; the last publication of said notice occurred more than twenty days prior to the date of such sale. The mailing, service and publication of said notice of sale are shown by one or more affidavits or proofs of duly recorded prior to the date of sale in the official records of said county, said affidavits and proofs, together with the said notice of default and election to sell and the trustee's notice of sale, being now referred to and incorporated in and made a part of this trustee's deed as fully as if set out herein verbatim. The undersigned trustee has no actual notice of any person, other than the persons named in said affidavits and proofs as having or claiming a lien on or interest in said described real property, entitled to notice pursuant to ORS 86.740(1)(b) or (1)(c).

Pursuant to said Notice of Sale, the undersigned trustee on June 18, 2003, at the hour of 10:00 AM, of said day, in accord with the standard of time established by ORS 187.110 and at the place so fixed for sale, as aforesaid, in full accordance with the laws of the state of Oregon and pursuant to the power conferred upon him by said trust deed, sold said real property in one parcel at public auction to the said second party for the sum of \$77,350.00, he being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property. The true and actual consideration paid for this transfer is the sum of \$77,350.00.

NOW THEREFORE, in consideration of the said sum so paid by the second party in cash, the receipt whereof is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said trust deed, the trustee does hereby convey unto the second party all interest which the grantor had or had the power to convey at the time of grantor's execution of said trust deed, together with any interest the said grantor or his successors in interest acquired after the execution of said deed in and to the following described real property, 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.
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**

TO HAVE AND TO HOLD the same unto the second party, his heirs, successors-in-interest and assigns forever.

In constructing this instrument and wherever the context so requires, the masculine gender includes the feminine and the neuter and the singular includes the plural; the word "grantor" includes any successor-in-interest to the grantor as well as each and all other persons owing an obligation, the performance which is secured by said trust deed; the word "trustee" includes any successor trustee, the word "beneficiary" includes any successor-in-interest

TRUSTEE'S DEED

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

Recording Requested by
FIDELITY NATIONAL TITLE INSURANCE COMPANY
c/o Attorneys Equity National Corporation

And when recorded mail to:
BANK ONE, NATIONAL ASSOCIATION, AS TRUSTEE BY RESIDENTIAL FUNDING CORPORATION,
ITS **
9350 WAXIE WAY
SAN DIEGO, CA 92123

of the beneficiary first named above, and the word "person" includes corporation and any other legal or commercial entity.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITIES OR COUNTIES PLANNING DEPARTMENT TO VERIFY APPROVED USES.

June 19, 2003

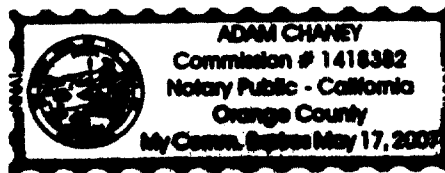
FIDELITY NATIONAL TITLE INSURANCE
COMPANY

A. Fragasso

State of CA
County of ORANGE
On this 19 day of 06/2003, before me, Adam Chaney, a Notary Public in and for said county and state, personally appeared A-FRAGASSO, 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.

Adam Chaney
Notary public in and for said County and State



TRUSTEE'S DEED

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

Recording Requested by
FIDELITY NATIONAL TITLE INSURANCE COMPANY
c/o Attorneys Equity National Corporation

And when recorded mail to:
BANK ONE, NATIONAL ASSOCIATION, AS TRUSTEE BY RESIDENTIAL FUNDING CORPORATION,
ITS **
9350 WAXIE WAY
SAN DIEGO, CA 92123

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON,

County of KLAMATH

]

]ss.

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Trustee Sale Number: 56539-F
Loan Number: 800707580

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

Current Trustor(s): ROBERT GARDNER AND JERRI GARDNER, HUSBAND AND WIFE

I, the undersigned, say:

1. I am an employee of the above referenced beneficiary who is the beneficiary on the above referenced loan. A Trust Deed was dated April 8, 1999 and recorded April 19, 1999, in the mortgage records of said county, in Book No. M99 at Page 14336 under Document No. ----; thereafter a Notice of Default with respect to said Trust Deed was recorded in Book No. M02 at Page 52301 of said mortgage records, under Document No. ----; thereafter the said Trust Deed was duly foreclosed by advertisement and sale and the real property covered by said Trust Deed was sold at the trustee's sale on June 18, 2003.
2. To the best of my knowledge, the above referenced trustor(s) is (are) known to be the present record owner(s) of the property referenced by the above Trustee's Sale Number.
3. To the best of my knowledge, the above referenced trustor(s) is (are) not in the military service so as to be entitled to the benefits of the Soldier's and Sailor's Civil Relief Act of 1940, as amended.

In construing this certificate the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

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

Sandra Munoz

State of California

County of San Diego

On this 24 day of October, before me, Rowena Redlin, a Notary Public in and for said county and state, personally appeared Sandra Munoz, 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.

Rowena Redlin
Notary public in and for said County and State

