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Aspen 56809

Vol M03 Page 53233

State of Oregon, County of Klamath
Recorded 07/28/2003 2:50 p m
Vol M03 Pg 53233-41
Linda Smith, County Clerk
Fee \$ 7.00 # of Pgs 9

**RECORDING COVER SHEET
FOR NOTICE OF SALE PROOF
OF COMPLIANCE, PER ORS 205.234**

THIS COVER SHEET HAS BEEN PREPARED BY THE
PERSON PRESENTING THE ATTACHED INSTRUMENT
FOR RECORDING. ANY ERRORS IN THIS COVER SHEET
DO NOT AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.

3410039
TS# F-30383-OR-AP
LN# 47139945

FIDELITY NATIONAL TITLE - NDS

AFTER RECORDING RETURN TO:
QUALITY LOAN SERVICE CORP.
319 ELM STREET, 2ND FLOOR
SAN DIEGO, CA 92101-3006

FIDELITY NATIONAL TITLE - NDS

- ✓ **AFFIDAVIT OF MAILING NOTICE OF SALE**
- ✓ **AFFIDAVIT OF PUBLICATION**
- ✓ **PROOF OF SERVICE**

ORIGINAL GRANTOR: TED C. KIDNER

**BENEFICIARY: MIDFIRST BANK, A FEDERALLY CHARTERED
SAVINGS ASSOCIATION**

61
x10 X



STATE OF CALIFORNIA
COUNTY OF

SAN DIEGO

ss.

On 7/24/2003, before me, MICHELLE A. HA
personally appeared JESSICA VERNON

_____, 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.

Signature

[Signature]



(This area for official notarial seal)

Title of Document _____

Date of Document _____ No. of Pages _____

Other signatures not acknowledged _____

AFFIDAVIT OF MAILINGDate: **April 11, 2003**T.S. No.: **F-30383-OR-AP**Loan No.: **47139945**STATE OF California }
COUNTY OF San Diego }

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in San Diego County at **FIDELITY NATIONAL INSURANCE TITLE COMPANY**, and is not a party to the within action and that on **April 11, 2003**, (s)he personally served the Notice, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice in a sealed envelope, certified or registered mail and first class, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

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

X


Affiant **Jessica Vernon**

TED C. KIDNER
2355 HOPE STREET
KLAMMATH FALLS, OR 97603
Z71006309264016720194

TED C. KIDNER
2355 HOPE STREET
KLAMMATH FALLS, OR 97603
First Class

WASHINGTON MUTUAL FINANCE
535 STEVENS STREET, SUITE B
MEDFORD, OREGON 97504
Z71006309264016720200

WASHINGTON MUTUAL FINANCE
535 STEVENS STREET, SUITE B
MEDFORD, OREGON 97504
First Class

TRUSTEE'S NOTICE OF SALE

Loan No: 47139945

T.S. No.: F-30383-OR-AP

Reference is made to that certain deed made by, TED C. KIDNER, AN UNMARRIED MAN as Grantor to MOUNTAIN TITLE COMPANY OF KLAMMOTH COUNTY, in favor of NORTH AMERICAN MORTGAGE COMPANY, as Beneficiary,

dated 6/8/1995, recorded 6/15/1995, in official records of Klamath county, Oregon in book/reel/volume No. M95 at page No. 15804, fee/file/instrument/microfile/reception No. ** (indicated which), covering the following described real property situated in said County and State, to-wit:

THE NORTH 60 FEET OF THE SOUTH 295 FEET OF LOT 6, GIENGER HOME TRACTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Tax Assessor's #: 3909-2CA-1700

More commonly known as:	2355 HOPE STREET KLAMATH FALLS, OR 97603
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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 MAKE THE 10/1/2002 PAYMENT OF PRINCIPAL AND INTEREST AND ALL SUBSEQUENT PAYMENTS, TOGETHER WITH LATE CHARGES, IMPOUNDS, TAXES ADVANCES AND ASSESSMENTS.

Monthly Payment \$493.81

Monthly Late Charge \$24.69

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: \$34,447.64 with interest thereon at the rate of 8.25% percent per annum beginning 9/1/2002; plus late charges of \$24.69 each month beginning 10/1/2002 until paid; plus prior accrued late charges of \$; plus advances of \$7.75; 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.

Whereof, notice hereby is given that, FIDELITY NATIONAL INSURANCE TITLE COMPANY the undersigned trustee will on 7/31/2003 at the hour of 10:00 AM, Standard of Time, as established by section 187,110, Oregon Revised Statutes, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR

County of Klamath, 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 further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

For Sale Information (916) 387-7728


For additional information relating to this sale, please go to the following web site: www.midlandmortgageco.com/foreclosure.

53237

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 4/9/03

BY: FIDELITY NATIONAL TITLE
INSURANCE COMPANY, TRUSTEE

Signature By 
FIDELITY NATIONAL TITLE INSURANCE
COMPANY

Dale Pittman

TRUSTEE'S NOTICE OF SALE

Loan No: 47139945

T.S. No.: F-30383-OR-AP

Affidavit of Publication

53238

532707

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 # 5895

Notice of Sale/Kidner

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:

April 21, 28, May 5, 12, 2003

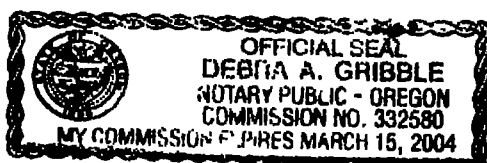
Total Cost: \$702.00

Subscribed and sworn

before me on: May 12, 2003

Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S NOTICE OF SALE T.S. No.: F-30383- OR-AP Loan No: 47139945

Reference is made to that certain deed made by, Ted C. Kidner, an unmarried man as Grantor to Mountain Title Company of Klamath County, in favor of North American Mortgage Company, as Beneficiary, dated 6/8/1995, recorded 6/15/1995, in official records of Klamath county, Oregon in book/reel/ volume No. M95 at page No. 15804, fee/ file/ Instrument/ microfilm/ reception No. ** (Indicated which), covering the following described real property situated in said County and State, to-wit: The North 60 feet of the South 295 feet of Lot 6, Glenger Home Tracts, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. Tax Assessor's #: 3909-2CA-1700 More commonly known as: 2355 Hope Street Klamath Falls, OR 97603.

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 make the 10/1/2002 payment of principal and interest and all subsequent payments, together with late charges, impounds, taxes advances and assessments. Month-

ly Payment \$493.81-
Monthly Late
Charge \$24.69.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said deed of trust immediately due and payable, said sums being the following, to-wit: \$34,447.64 with interest thereon at the rate of 8.25% percent per annum beginning 9/1/2002; plus late charges of \$24.69 each month beginning 10/1/2002 until paid; plus prior accrued late charges of \$ --; plus advances of \$7.75; 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.

Whereof, notice hereby is given that, Fidelity National Insurance Title Company the undersigned trustee will on 7/31/2003 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at on the front steps of the Circuit Court, 316 Main Street, in the City of Klamath Falls, County of Klamath, OR, County of Klamath, 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 further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

For Sale Information (916) 387-7728. For additional information relating to this sale, please go to the following web site: www.midland-mortgageco.com/foreclosure. In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligations, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include the respective successors in interest, if any.

By: Fidelity National Insurance Title Company, Trustee
Signature By Dale Pittman, Fidelity National Title Insurance Company.
Dated: 4/9/03
ASAP532707 4/21,
4/28, 5/5, 5/12,
#5695 April 21, 28,
May 5, 12, 2003.

53239

F303830RAP
DUAN
(KIDNER)

**PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS**

STATE OF: OREGON
COUNTY OF: KLAMATH

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows: TRUSTEE'S NOTICE OF SALE

FOR THE WITHIN NAMED: OCCUPANTS OF 2355 HOPE STREET KLAMATH FALLS, OREGON

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to Rebecca Kidner at the address below.

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Rebecca Kidner, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Ted Kidner and all other occupants

☐ **OTHER METHOD:** By leaving an Original or True Copy with _____

☐ **NON OCCUPANCY:** I certify that I received the within document(s) for service on _____ and after personal inspection, I found the above described real property to be unoccupied.

☒ **SUBSTITUTE SERVICE MAILER:** That on the 16th day of April, 2003 I mailed a copy of the Trustee's Notice of Sale addresses to Ted kidner and all Occupants at the address stated in the Trustee's Notice of Sale with a statement of the date, time, and place at which substitute service was made.

Signed

Jenny Johnson

2355 Hope Street Klamath Falls, Oregon 97603

ADDRESS OF SERVICE

I further certify that I am a competent person 18 years of age or older and a resident of the state of service of the State of Oregon and that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

April 15, 2003

11:29 a.m.

DATE OF SERVICE

TIME OF SERVICE

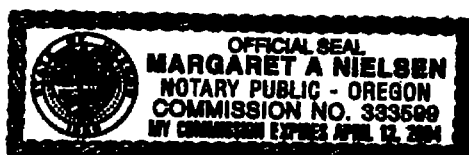
☐ or non occupancy

By:

Rob Girard

Dated this 16th day of April, 2003.

Subscribed and sworn to before me by Rob Girard



Margaret A. Nielsen
Notary Public for Oregon

53240

TRUSTEE'S NOTICE OF SALE

Loan No: 47139945

T.S. No.: F-30383-OR-AP

Reference is made to that certain deed made by, TED C. KIDNER, AN UNMARRIED MAN as Grantor to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, in favor of NORTH AMERICAN MORTGAGE COMPANY, as Beneficiary,

dated 6/8/1995, recorded 6/15/1995, in official records of Klamath county, Oregon in book/reel/volume No. M95 at page No. 15804, fee/file/instrument/microfile/reception No. ** (indicated which), covering the following described real property situated in said County and State, to-wit:

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Tax Assessor's #: 3909-2CA-1700

More commonly known as:	2355 HOPE STREET KLAMATH FALLS, OR 97603
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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 MAKE THE 10/1/2002 PAYMENT OF PRINCIPAL AND INTEREST AND ALL SUBSEQUENT PAYMENTS, TOGETHER WITH LATE CHARGES, IMPOUNDS, TAXES ADVANCES AND ASSESSMENTS.

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Monthly Late Charge \$24.69

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: \$34,447.64 with interest thereon at the rate of 8.25% percent per annum beginning 9/1/2002; plus late charges of \$24.69 each month beginning 10/1/2002 until paid; plus prior accrued late charges of \$; plus advances of \$57.75; 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.

Whereof, notice hereby is given that, FIDELITY NATIONAL INSURANCE TITLE COMPANY the undersigned trustee will on 7/31/2003 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR

County of Klamath, 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 further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

For Sale Information (916) 387-7728

For additional information relating to this sale, please go to the following web site: www.midlandmortgage.com/foreclosure.

53241

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: 4/9/03

BY: FIDELITY NATIONAL TITLE
INSURANCE COMPANY, TRUSTEESignature By 
FIDELITY NATIONAL TITLE INSURANCE
COMPANY

DALE PITTMAN

TRUSTEE'S NOTICE OF SALE

Loan No: 47139945

T.S. No.: F-30383-OR-AP