

03 OCT 10 PM 2:30

Vol M03 Page 75677

**NOTICE OF DEFAULT  
AND ELECTION TO SELL**

**RE: Trust Deed from MIKE L. REYNOLDS AND  
JENA REYNOLDS-PIKE Grantor**

**To FIDELITY NATIONAL TITLE INSURANCE  
COMPANY Successor Trustee**

After recording return to(name, address, zip):

**Town & Country Title Services  
505 City Parkway West, Suite 200  
Orange, California 92868**

**FIDELITY NATIONAL TITLE - NDS**

**3410318**

**AIC 58084**

SPACE RESERVED  
FOR  
RECORDER'S USE

State of Oregon, County of Klamath  
Recorded 10/10/03 2:30 p m  
Vol M03 Pg 75677-80  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

TS No: T03-13155

Loan No: 0041128729

Reference is made to that certain trust deed made by MIKE L. REYNOLDS AND JENA REYNOLDS-PIKE as grantor, to FIDELITY NATIONAL TITLE INSURANCE COMPANY as successor trustee, in favor of AMERIQUEST MORTGAGE COMPANY, as beneficiary, dated 11/26/2002, recorded 12/20/2002, in the Records of Klamath County, Oregon, in book M02 at page 74513, and/or as fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in the above-mentioned county and state, to wit:

**APN: R-3809-030BA-02200-000**

**PARCEL 1:**

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF FRONT STREET, SAID POINT DESCRIBED AS BEING SITUATE SOUTH 14 DEGREES 27' EAST 496.7 FEET; THENCE SOUTH 58 DEGREES 41' EAST 374.3 FEET; AND THENCE SOUTH 39 DEGREES 31' EAST 147.5 FEET FROM THE SOUTHEASTERLY CORNER OF LOT 92 IN BLOCK 3, FIRST ADDITION TO BUENA VISATA ADDITION TO THE CITY OF KLAMATH COUNTY FALLS, OREGON; THENCE FROM THE POINT OF BEGINNING HEREIN DESCRIBED, SOUTH 38 DEGREES 31' EAST, ALONG THE SOUTHWESTERLY LINE OF FRONT STREET, 152.5 FEET TO A POINT; THENCE SOUTH 52 DEGREES 35' EAST, ALONG THE SOUTHWESTERLY LINE OF FRONT STREET, 50 FEET TO A POINT; THENCE SOUTH 37 DEGREES 25' WEST TO THE SHORE OF UPPER KLAMATH LAKE; THENCE NORTHWESTERLY ALONG SAID SHORE OF UPPER KLAMATH LAKE TO A POINT WHICH BEARS SOUTH 45 DEGREES 41' WEST FROM THE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 41' EAST TO THE POINT OF BEGINNING; BEING A PORTION OF LOT 10, SECTION 30, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN. TAX LOT 1600

**PARCEL 2:**

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF FRONT STREET, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, SAID POINT BEING SITUATE SOUTH 14 DEGREES 27' EAST 496.7 FEET; THENCE SOUTH 58 DEGREES 41' EAST 374.3 FEET; THENCE SOUTH 39 DEGREES 31' EAST 300.00 FEET; AND THENCE SOUTH 52 DEGREES 35' EAST 50.0 FEET FROM THE SOUTHEASTERLY CORNER OF LOT 92 BLOCK 3, FIRST ADDITION TO BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON; THENCE FROM SAID POINT OF BEGINNING HEREIN DESCRIBED, SOUTH 52 DEGREES 35' EAST, ALONG THE SOUTHWESTERLY LINE OF FRONT STREET, 50.0 FEET TO A POINT; THENCE SOUTH 37 DEGREES 25' WEST 50 FEET, MORE OR LESS, TO THE SHORE OF UPPER KLAMATH LAKE; THENCE NORTHWESTERLY ALONG SAID SHORE OF UPPER KLAMATH LAKE TO A POINT WHICH BEARS SOUTH 37 DEGREES 25' WEST FROM THE POINT OF BEGINNING; THENCE NORTH 37 DEGREES 25' EAST 65 FEET, MORE OR LESS TO THE POINT OF BEGINNING, BEING A PORTION OF LOT 10, SECTION 30, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN.

AND

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75678

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF FRONT STREET WHICH IS 399.0 FEET WESTERLY ALONG SAID SOUTHERLY LINE FROM THE WEST LINE OF LOT 27, BLOCK 41, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, EXTENDED SOUTHERLY; SAID BEGINNING POINT ALSO BEING THE NORTHWEST CORNER OF PARCEL DESCRIBED IN THAT CERTAIN EASEMENT DEED FROM KLAMATH FALLS LAND AND TRANSPORTATION CO., J.T. TOTTON AND H.E. HANSBERRY, RECORDED IN VOLUME 21 PAGE 195, DEED RECORDS OF KLAMATH COUNTY, OREGON; THENCE; SOUTHERLY ALONG THE WESTERLY LINE OF LAST MENTIONED PARCEL TO THE SHORELINE OF UPPER KLAMATH LAKE; THENCE WESTERLY ALONG SAID SHORELINE TO THE SOUTHEASTERLY CORNER OF PARCEL CONVEYED TO HUGH B. CURRIN, ET UX BY DEED RECORDED DECEMBER 30, 1958, IN VOLUME 308 PAGE 256, DEED RECORDS OF KLAMATH COUNTY, OREGON; THENCE ALONG THE SOUTHEASTERLY LINE OF LAST MENTIONED PARCEL NORTH 37 DEGREES 25' EAST A DISTANCE OF 50.0 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF FRONT STREET; THENCE SOUTH 52 DEGREES 35' EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 60.0 FEET TO THE POINT OF BEGINNING. TAX LOT 2200

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the records of the county or counties in which the above described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

**Delinquent Payments**

<u>FROM</u>	<u>THRU</u>	<u>NO. PMT</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TOTAL</u>
6/1/2003		5	9.99	\$1,045.63	\$5,228.15
Total Late Charges:					\$250.96
Beneficiary Advances					

**\$5,479.11**

**TOTAL FORECLOSURE COST: \$1,834.16**

**TOTAL REQUIRED TO REINSTATE: \$7,313.27**

75679

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By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to- wit:

INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE On 6/1/2003 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Notice hereby is given that the beneficiary and trustee, by reason of 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.

The Sale will be held at the hour of 10:00 AM, in accord with the standard of time established by ORS 187.110 on 2/18/2004, at the following place: **ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OREGON**

County of Klamath, State of Oregon, which is the hour, date and place last set for sale.

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address

Nature of Right, Lien or Interest

**MIKE L. REYNOLDS AND JENA REYNOLDS-PIKE**


1148 FRONT STREET  
KLAMATH FALLS, OR 97601

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary 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 the sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to this 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 October 08, 2003

FIDELITY NATIONAL TITLE INSURANCE  
COMPANY BY Town & Country Title Services AS  
AGENT TO THE TRUSTEE

  
Martha Anaya, Trustee/Technician

75680

STATE OF California, County of Orange

This instrument was acknowledged before me on October 08, 2003 by GABY OSPINO

  
GABY OSPINO, Notary Public

