

03 DEC 11 AM 11:06

K-59204

Vol M03 Page 90406

State of Oregon, County of Klamath
Recorded 12/11/03 11:06 a m
Vol M03 Pg 90406-417
Linda Smith, County Clerk
Fee \$ 716.00 # of Pgs 12

1035605

WHEN RECORDED MAIL TO:
EXECUTIVE TRUSTEE SERVICES
15455 SAN FERNANDO MISSION BLVD, SUITE 208
MISSION HILLS, CA 91345
(818) 837-2300

T.S. NO.: OR-59887-C LOAN NO.: 3127712 Space above line for Recorder's Use

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF California} SS
COUNTY OF Los Angeles}

I, MARIBEL OREJEL being first duly sworn, depose, say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of CALIFORNIA, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original or copy of notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of sale of the real property described in the attached notice of sale by mailing a copy thereof by registered or certified mail and regular mail to each of the following named person's at their last known address, to-wit:

NAME & ADDRESS

CERTIFIED NO.

SEE ATTACHED

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Karen J. Cooper, for FIRST AMERICAN TITLE INSURANCE COMPANY, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail LOS ANGELES CALIFORNIA, on December 02, 2003. Each of said notices was mailed after the notice of default and election to sell described in said Notice of Sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

STATE California} SS
COUNTY Los Angeles}

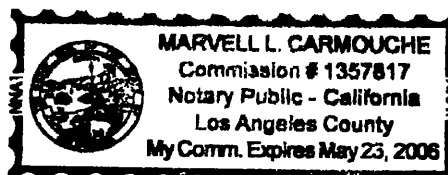

MARIBEL OREJEL

On December 02, 2003 before me, Marvell Carmouche the undersigned, a Notary Public in and for said State, personally appeared MARIBEL OREJEL 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


Marvell Carmouche, Notary Public



76 F

AMENDED TRUSTEE'S NOTICE OF SALE

Loan No: 3127712
T.S. No.: **OR-59887-C**

Reference is made to that certain deed made by, JOHN J. MARICLE AND SONJA L. MARICLE, AS TENANTS BY THE ENTIRETY as Grantor to AMERITITLE, as trustee in favor of

AEGIS MORTGAGE CORPORATION DBA NEW AMERICA FINANCIAL,
as Beneficiary,

dated 4/3/2000, recorded 4/7/2000, in official records of KLAMATH county, Oregon in book/reel/volume No. MOO at page No. 11498, fee/file/instrument/microfile/reception No. (indicated which), covering the following described real property situated in said County and State, to-wit:

APN: 012.R201542.R3407-034DA-02400-000.

The N1/2 of Lot 12 in Block 5 of FIRST ADDITION TO THE CITY OF CHILOQUIN, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Commonly known as:
214 3RD AVENUE
CHILOQUIN, OREGON 97624

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:

UNPAID PRINCIPAL BALANCE OF \$49,519.52; PLUS ACCRUED INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 12/1/2001 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Monthly Payment \$535.95 Monthly Late Charge \$21.02

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust immediately due and payable, said sums being the following, to-wit:

The Notice of Default and original Notice of Sale given pursuant thereto stated that the property would be sold on **8/5/2003**, at the hour of 10:00 AM Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at **AT THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY**

OF KLAMATH, OR, however, subsequent to the recorded of said Notice of default the original sale proceedings were stayed by order of the Court or by proceedings under the National Bankruptcy Act or for other lawful reason, The beneficiary did not participate in obtaining such stay. Said stay was terminated on **11/6/2003**.

Whereof, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY the undersigned trustee will on **12/30/2003** at the hour of **10:00 AM**, Standard of Time, as established by section 187,110, Oregon Revised Statutes, at **AT THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY**

OF KLAMATH, OR, County of KLAMATH, 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 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.

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: December 01, 2003

FIRST AMERICAN TITLE INSURANCE COMPANY
3 First American Way
Santa Ana, CA 92707
(818) 361-6998

Signature By


KAREN J. COOPER
ASSISTANT SECRETARY

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I, the undersigned, certify that I am the Trustee Sale Officer, and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.


MARVELL L. CARMOUCHE
Trustee Sale Officer

TRUSTEE'S NOTICE OF SALE

Loan No: 3127712
T.S. No.: OR-59887-C

Reference is made to that certain deed made by, JOHN J. MARICLE AND SONJA L. MARICLE, AS TENANTS BY THE ENTIRETY as Grantor to AMERITITLE, as trustee, in favor of AEGIS MORTGAGE CORPORATION DBA NEW AMERICA FINANCIAL, as Beneficiary, dated 4/3/2000, recorded 4/7/2000, in official records of KLAMATH County, Oregon in book/reel/volume No. MOO at page No. 11498, fee/file/instrument/microfile/reception No. (indicated which), covering the following described real property situated in said County and State, to-wit:

APN: 012.R201542.R3407-034DA-02400-000.

The N1/2 of Lot 12 in Block 5 of FIRST ADDITION TO THE CITY OF CHILOQUIN, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Commonly known as:
214 3RD AVENUE
CHILOQUIN, OREGON 97624

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:

UNPAID PRINCIPAL BALANCE OF \$49,519.52; PLUS ACCRUED INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 12/1/2001 PLUS LATE CHARGES, AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST, BALLOON PAYMENTS, PLUS IMPOUNDS AND/OR ADVANCES AND LATE CHARGES THAT BECOME PAYABLE.

Monthly Payment \$535.95

Monthly Late Charge \$21.02

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust immediately due and payable, said sums being the following, to-wit: The sum of \$49,519.52 together with interest thereon at the rate of 9.50 % per annum from 11/1/2001 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned trustee will on 8/5/2003 at the hour of 10:00 AM, Standard of Time, as established by section 187.110, Oregon Revised Statutes, at AT THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY

OF KLAMATH, OR County of KLAMATH, 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 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.

Loan No: 3127712
T.S. No: OR-59887-C

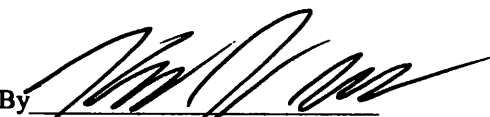
TRUSTEE'S NOTICE OF SALE

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: March 25, 2003

FIRST AMERICAN TITLE INSURANCE COMPANY
3 First American Way
Santa Ana, CA 92707
(818) 361-6998

Signature By


Karen J. Cooper
Assistant Secretary

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I, the undersigned, certify that I am the Trustee Sale Officer, and that the foregoing is a complete and exact copy of the original Trustee's Notice of Sale.


MARVELL L. CARMOUCHE
Trustee Sale Officer

**EXECUTIVE TRUSTEE SERVICES, INC.
15455 SAN FERNANDO MISSION BLVD
SUITE #208
MISSION HILLS, CA 91345**

(818) 837-2300

Date: March 25, 2003

T.S. Number: OR-59887-C

Loan Number: 3127712

DEBT VALIDATION NOTICE

- 1. The enclosed document relates to a debt owed to the current creditor:**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC.
BY: GMAC MORTGAGE CORPORATION, IT'S ATTORNEY IN FACT**

You may send us a written request for the name and address of the original creditor, if different from the current creditor, and we will obtain and mail the information to you.

- 2. As of 3/25/2003 the total delinquency owed was \$12,683.92, but this amount will increase until the delinquency has been fully cured.**
- 3. As of March 25, 2003, the amount required to pay the entire debt in full was \$60,227.40, but this amount will increase daily until the debt has been fully paid.**
- 4. You may dispute the validity of this debt, or any portion thereof, within thirty (30) days after receiving this notice. Otherwise, we will assume that the debt is valid.**
- 5. If you notify us in writing that you dispute all or any portion of this debt within thirty (30) days after receiving this notice, we will obtain and mail to you verification of the debt, or a copy of any judgement against you.**

**WE ARE ATTEMPTING TO COLLECT A DEBT, AND ANY INFORMATION
WE OBTAIN WILL BE USED FOR THAT PURPOSE**

AFFIDAVIT OF MAILINGDate: **December 02, 2003**T.S. No.: **OR-59887-C**Loan No.: **3127712**STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Los Angeles County at **Executive Trustee Service Inc.**, and is not a party to the within action and that on **December 02, 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 **MARIBEL OREJEL**

SONJA L. MARICLE
214 3RD AVENUE
CHILOQUIN, OREGON 97624
P71006309264019098047

SONJA L. MARICLE
214 3RD AVENUE
CHILOQUIN, OREGON 97624
First Class

JOHN J. MARICLE
PO BOX 1173
CHILOQUIN, OR 97624
P71006309264019098054

JOHN J. MARICLE
PO BOX 1173
CHILOQUIN, OR 97624
First Class


SONJA L. MARICLE
PO BOX 1173
CHILOQUIN, OR 97624
P71006309264019098061

SONJA L. MARICLE
PO BOX 1173
CHILOQUIN, OR 97624
First Class

AFFIDAVIT OF MAILINGDate: **December 02, 2003**T.S. No.: **OR-59887-C**Loan No.: **3127712**STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Los Angeles County at **Executive Trustee Service Inc.**, and is not a party to the within action and that on **December 02, 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 **MARIBEL OREJEL**

JOHN J. MARICLE
214 3RD AVENUE
CHILOQUIN, OREGON 97624
P71006309264019098078

JOHN J. MARICLE
214 3RD AVENUE
CHILOQUIN, OREGON 97624
First Class

SONIA L. MARICLE
214 3RD AVENUE
CHILOQUIN, OREGON 97624
P71006309264019098085

SONIA L. MARICLE
214 3RD AVENUE
CHILOQUIN, OREGON 97624
First Class

SONIA L. MARICLE
P.O. BOX 1173
CHILOQUIN, OREGON 97264
P71006309264019098092

SONIA L. MARICLE
P.O. BOX 1173
CHILOQUIN, OREGON 97264
First Class

90414

OR59887C
EXEC
(Maricle)

JEFFERSON STATE ADJUSTERS
RECOVERY IS OUR BUSINESS

1135 Pine Street
Klamath Falls, Oregon 97601
Phone: (541) 882-8036 Fax: (541) 883-2129

AFFIDAVIT OF NON-OCCUPANCY

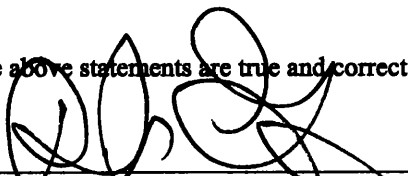
STATE OF OREGON
COUNTY OF KLAMATH

I, Rob Girard, being first duly sworn, depose and say: That I am and have been at all material times hereto, a competent person over the age of eighteen years and a resident of the county of Klamath, State of Oregon. I am not a party to, an attorney for, or interested in any suit or action involving the property described below.

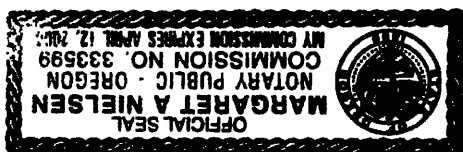
That on the 2nd day of April 2003, after personal inspection, I found the following described real property to be unoccupied.


Commonly described as (Street address) 214 3rd Avenue
Chiloquin, Oregon 97624

I declare under the penalty of perjury that the above statements are true and correct.


(Signed and Dated) 4-3-03

Subscribed and Sworn to before me this 3 day of April, 2003




NOTARY PUBLIC OF OREGON
MY COMMISSION EXPIRES: 4-12-04

Affidavit of Publication

90415

530521

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 # 5825

Notice of Sale/Maricle

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 27, June 3, 10, 17, 2003

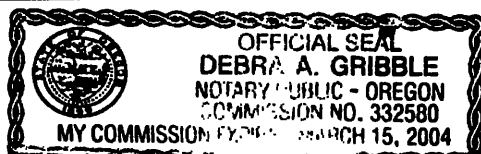
Total Cost:

Subscribed and sworn

before me on: June 17, 2003

Notary Public of Oregon

My commission expires March 15, 2004



TRUSTEE'S
NOTICE OF SALE
T.S. No.: OR-57887-C
Loan No: 3127712

Reference is made to that certain deed made by, John J. Maricle and Sonja L. Maricle, as Tenants by the Entirety as Grantor to Ameri-Title, as trustee, in favor of Aegis Mortgage Corporation dba New America Financial, as Beneficiary, dated 4/3/2000, recorded 4/7/2000, in official records of Klamath County, Oregon in book/reel/volume No. MOO at page No. 11498, fee/ file/ instrument/ micro- file/ reception No. -- (Indicated which), covering the following described real property situated in said County and State, to-wit: APN: 012.R201542.R3407-034DA-02400-000. The N1/2 of Lot 12 in Block 5 of FIRST ADDITION TO THE CITY OF CHILOQUIN, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Commonly known as: 214 3rd Avenue, Chiloquin, Oregon 97624.

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: Unpaid principal balance of \$49,519.52; plus accrued interest plus impounds and/or advances which became due

on 12/1/2001 plus late charges, and all subsequent installments of principal, interest, balloon payments, plus impounds and/or advances and late charges that become payable. Monthly Payment \$535.95 Monthly Late Charge \$21.02.

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust immediately due and payable, said sums being the following, to-wit: The sum of \$49,519.52 together with interest thereon at the rate of 9.50% per annum from 11/1/2001 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that First American Title Insurance Company, the undersigned trustee will on 8/5/2003 at the hour of 10:00 AM Standard of Time, as established by section 187.110, Oregon Revised Statutes, at the front steps of the Circuit Court, 316 Main Street, in the City of Klamath Falls, County of Klamath, OR County of Klamath, 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 in-

terest 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.

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.

Date: March 25, 2003 First American Title Insurance

90416

any, 3 81
lean Way C
U.S. CA 90
AT-900-8100
By Karen J.
GM w. Assistant
Sales
A. 5/27,
4-000-8100
Smith's 100 June
360 8100-8100
W 81 D

90417

Company, 3 First
American Way San-
ta Ana, CA 92707,
(818) 361-6998. Signa-
ture By Karen J.
Cooper, Assistant
Secretary.
ASAP530521 5/27,
6/3, 6/10, 6/17.
#5825 May 27, June
3, 10, 17, 2003.
