

Aspen 08389

## NOTICE OF DEFAULT

Reference is made to that certain Trust Deed made by GERALD JOSEPH NELSON AND TERRY J NELSON, HUSBAND AND WIFE AS TENANTS BY THE ENTIRETY, as grantor(s), to PAUL S COSGROVE, Trustee in favor of AAMES FUNDING CORPORATION, A CALIFORNIA CORPORATION, DBA AAMES HOME LOAN, as Beneficiary, dated June 13, 2000, recorded June 26, 2000 in the Records of KLAMATH County, Oregon, in Book/Reel/Volume/No. M00 at Page 23032, and/or as Fee/File/Instrument/Microfilm/Reception No. ----, covering the following described real property situated in the above-mentioned county and state, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Parcel Number: 3809-19CD-1100

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:

**805 WOCUS STREET  
KLAMATH FALLS, OR 97601**

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointment 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 default of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

1. Monthly payments in the amount of \$443.23 due beginning October 1, 2003 and monthly late charges in the amount of \$44.32.

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:

1. Principal of \$49,582.62 and accruing interest as of September 1, 2003 at the rate of 10% per annum from September 1, 2003 until paid.
2. \$132.96 in late charges plus future charges.
3. Together with title expenses, costs, trustee's fees, attorney fees, and any other cost advances made by beneficiary to protect its interest in the said property and any other applicable penalties.

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

**NOTICE OF DEFAULT**Trustee Sale Number: **62085-F**Loan Number: **432143014**TSG Number: **3410413****FIDELITY NATIONAL TITLE - NDS**

Recording Requested by

And when recorded mail to:

**FIDELITY NATIONAL TITLE INSURANCE COMPANY**

c/o Attorneys Equity National Corporation

23721 Birtcher Drive

Lake Forest, CA 92630

(949) 707-5543

State of Oregon, County of Klamath

Recorded 12/29/03 2:18 P mVol M03 Pg 93627-93629

Linda Smith, County Clerk

Fee \$ 31.00 # of Pgs 3

31A

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 May 10, 2004, at the following place: AT THE MAIN ENTRANCE TO THE COUNTY COURTHOUSE 316 MAIN ST. KLAMATH FALLS, OR., State of Oregon, which is the hour, date and place last set for the sale.

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 work "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.

December 26, 2003

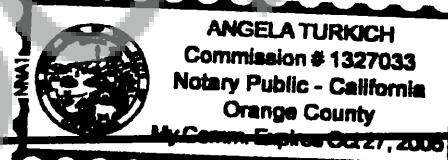
FIDELITY NATIONAL TITLE INSURANCE  
COMPANY

  
By: Attorneys Equity National Corporation, as Agent  
Charles Alderman, III, Vice President

State of California  
County of Orange  
On this 26 day of Dec. 03, before me, Angela Turkich, Notary Public in and for said county and state, personally appeared Charles Alderman III, 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.

  
Notary public in and for said County and State



**NOTICE OF DEFAULT**

Trustee Sale Number: 62085-F  
Loan Number: 432143014  
TSG Number: 3410413

my Comm. Exp. 10/27/05

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And when recorded mail to:  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
c/o Attorneys Equity National Corporation  
23721 Birtcher Drive  
Lake Forest, CA 92630  
(949) 707-5543

## EXHIBIT "A"

## LEGAL DESCRIPTION

A PORTION OF LOTS 10 AND 11, BLOCK 5, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, IN THE COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF LOT 10 IN BLOCK 5 OF BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, RUNNING THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF CRATER STREET TO THE MOST NORtherLY CORNER OF LOT 11 OF SAID BLOCK 5; THENCE SOUTHWESTERLY ALONG THE LINE BETWEEN LOTS 11 AND 12 OF SAID BLOCK 5, A DISTANCE OF 75 FEET; THENCE SOUTHEASTERLY PARALLEL TO CRATER STREET, TO THE NORtherLY LINE OF WOCUS STREET; THENCE NORtheASTERLY ALONG THE SAID LINE OF WOCUS STREET, 75 FEET TO THE POINT OF BEGINNING.

Unofficial  
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