

04 APR 6 PM 11:22

Aspen 580085

**AMENDED TRUSTEE'S NOTICE OF SALE**

**\*\*THE REASON FOR THE AMENDMENT IS DUE TO A BANKRUPTCY FILING ON 12-19-2003, AS CASE NO. 03-26271, WHICH STAY WAS SUBSEQUENTLY LIFTED BY COURT ORDER FILED 02-03-2004 AND EFFECTIVE 02-03-2003\*\***

Loan No: 2552818/685/SLADEK

T.S. No: ONMC-059535

Reference is made to that certain deed of trust made by Frederick S Sladek and Christine L. Sladek, as tenants by the entirety, as Grantor to Amerititle, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 9/11/2000, recorded 9/21/2000, Book M00, Page 34660, in Official Records of Klamath County, Oregon, securing the following described real property, situated in said County and State to-wit:

See attached Exhibit A

Commonly known as:  
35105 Sprague River Road  
Sprague River, OR 97639

APN: R-3611-02500-00800-000

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and the notice of default 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 pay:

**Delinquent Payments:**

<u>FROM</u>	<u>THRU</u>	<u>NO. PMT.</u>	<u>RATE ( % )</u>	<u>AMOUNT</u>	<u>TOTAL</u>
7/1/2003	2/29/2004	8	7.875	\$1,555.82	\$12,446.56
3/1/2004		2	7.875	\$1,609.70	\$3,219.40
Total Late Charges:					\$560.07
Beneficiary Advances (if any, itemized as follows):					
Corporate Advance					\$705.00
Escrow Advance Balance					\$471.03
Other					\$15.00
Total Due Beneficiary:					\$17,417.06
Total Foreclosure Fee and Costs:					\$2,459.40
<b>TOTAL REQUIRED TO REINSTATE:</b>					<b>\$19,876.46</b>

Plus all accrued real property taxes, interest and/or penalties until paid.

**Defaults other than payment of money:**

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 unpaid principal balance of \$166,703.85 together with interest thereon from 6/1/2003 at the rate of 7.875% until paid; plus all accrued late charges thereon; and, all trustee's fees, foreclosures costs and any sums advanced by the beneficiary and/or trustee pursuant to the terms of said deed of trust.

State of Oregon, County of Klamath  
Recorded 04/06/2004 11:22 a.m.  
Vol M04 Pg 19442-58  
Linda Smith, County Clerk  
Fee \$ 101<sup>00</sup> # of Pgs 17

101.00

Whereof, notice hereby is given that Fidelity National Title Insurance Company, the undersigned trustee by reason of said default will on 4/13/2004 at 11:00 AM, (originally scheduled for 03-25-2004) pursuant to Oregon Revised Statutes Sections 86.705 et. seq., at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, OR, sell at public auction to the highest bidder for cash or certified funds the interest in the said described real property which the grantor had or had power to convey at the time of the execution 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 and/or trustee of the entire amount then due (other than such portion of said principal as would not then been 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, and the singular includes plural, the word "grantor" includes any successors 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.

**FOR TRUSTEE'S SALE INFORMATION, PLEASE CALL (925) 603-7342.**

Dated: 02-24-2004

FIDELITY NATIONAL TITLE INSURANCE COMPANY, as Successor Trustee  
c/o Standard Trustee Service Company Washington  
2600 Stanwell Drive, Suite 200  
Concord, CA 94520  
(925) 603.1000

  
By: Amy Rigsby, Assistant Secretary, as authorized Agent

State of CALIFORNIA  
County of CONTRA COSTA

This instrument was acknowledged before me on 2/24/2004, by Amy Rigsby of Standard Trustee Service Company Washington, authorized agent of Fidelity National Title Insurance Company.

  
Tracina Johnson



## Exhibit A

**PARCEL 1:**

A parcel of land situated in the SW 1/4 of Section 25, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron pin marking the Northeast corner of said SW 1/4; thence South 00° 31' 08" West, along the East line of said SW 1/4, 500.00 feet; thence leaving said East line, West 432.72 feet; thence North 501.40 feet to a point on the North line of said SW 1/4; thence South 89° 48' 51" East along said North line 437.25 feet to the point beginning.

**PARCEL 2:**

A portion of the E 1/2 SW 1/4, Section 25, Township 36 South, Range 11 East of the Willamette Meridian, lying Northeast of Sprague River Highway, Klamath County, Oregon.

EXCEPTING a parcel of land situated in the SW 1/4 of Section 25, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron pin marking the Northeast corner of said SW 1/4; thence South 00° 31' 08" West, along the East line of said SW 1/4, 500.00 feet; thence leaving said East line, West 432.72 feet; thence North 501.40 feet to a point on the North line of said SW 1/4; thence South 89° 48' 51" East along said North line 437.25 feet to the point of beginning.

**Fair Debt Collection Practices Act Notification**

Pursuant to and in compliance with the Fair Debt Collection Practices Acts (Federal [15 USC 1692]) the Trustee/Agent hereby provides the following notification(s):

"We are attempting to collect a debt and any information we obtain will be used for that purpose"

"The debt is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification.

If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor."

**IF YOU HAVE FILED A CHAPTER 7 BANKRUPTCY AND RECEIVED A DISCHARGE OF DEBTOR, YOU ARE NO LONGER PERSONALLY OBLIGATED TO MAKE PAYMENTS ON THE LOAN.**

However, the beneficiary still retains a security interest in the property and can exercise its rights to commence foreclosure unless a cure of the default under the security instrument is effected. The following communication is mandatory and should not be read as a requirement that you make payments on your loan. If you, in fact, follow the options specified in the attached communication and make payments, you should only do so if you are interested in preserving your rights to the property.

# AFFIDAVIT OF MAILING

19446

Date: February 23, 2004  
T.S. No.: ONMC-059535  
Loan No.: 2552818/685/SLADEK

STATE OF California }  
COUNTY OF Contra Costa }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Contra Costa County, California at Standard Trustee Service Company Washington, and is not a party to the within action and that on February 23, 2004, (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 Amy Rigaby  
Affiant Amy Rigaby

Frederick S Sladek  
35105 Sprague River Road  
Sprague River, OR 97639

Z71006309264033651624

Frederick S Sladek  
35105 Sprague River Road  
Sprague River, OR 97639

First Class

Christine L. Sladek  
35105 Sprague River Road  
Sprague River, OR 97639

Z71006309264033651631

Christine L. Sladek  
35105 Sprague River Road  
Sprague River, OR 97639

First Class

Frederick S Sladek  
12358 SE 213th Street  
Kent, WA 98031  
Z71006309264033651648

Frederick S Sladek  
12358 SE 213th Street  
Kent, WA 98031  
First Class

# AFFIDAVIT OF MAILING

Date: February 23, 2004  
T.S. No.: ONMC-059535  
Loan No.: 2552818/685/SLADEK

19447

STATE OF California }  
COUNTY OF Contra Costa }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Contra Costa County, California at Standard Trustee Service Company Washington, and is not a party to the within action and that on February 23, 2004, (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 Amy Rigby  
Affiant Amy Rigby

Christine L. Sladek  
12358 SE 213th Street  
Kent, WA 98031  
Z71006309264033651655

Christine L. Sladek  
12358 SE 213th Street  
Kent, WA 98031  
First Class

Occupants of the premises  
35105 Sprague River Road  
Sprague River, OR 97639  
Z71006309264033651662

Occupants of the premises  
35105 Sprague River Road  
Sprague River, OR 97639  
First Class

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA )

COUNTY OF

Contra Costa )

On

4.2.2004

DATE

before me,

TrAcina Johnson

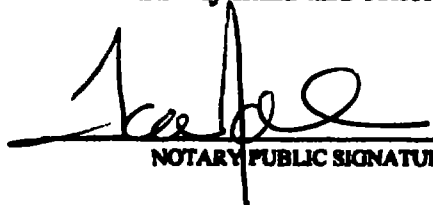
NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared,

Amy Rigby

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.



NOTARY PUBLIC SIGNATURE

(SEAL)



## OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT

TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

DATE OF DOCUMENT \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

SIGNER'S NAME \_\_\_\_\_

SIGNER'S NAME \_\_\_\_\_

RIGHT THUMBPRINT

RIGHT THUMBPRINT

RIGHT THUMBPRINT

RIGHT THUMBPRINT

**TRUSTEE'S NOTICE OF SALE**

Loan No: 2552818/685/SLADEK  
T.S. No: ONMC-059535

Reference is made to that certain deed of trust made by Frederick S Sladek and Christine L. Sladek, as tenants by the entirety, as Grantor to Amerititle, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 9/11/2000, recorded 9/21/2000, as Book M00, Page 34660, in Official Records of Klamath County, Oregon, securing the following described real property, situated in said County and State to-wit:

See attached Exhibit A

Commonly known as:  
35105 Sprague River Road  
Sprague River, OR 97639

APN: R-3611-02500-00800-000

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and the notice of default 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 pay:

**Delinquent Payments:**

FROM	THRU	NO. PMT.	RATE (%)	AMOUNT	TOTAL
7/1/2003		5	7.875	\$1,555.82	\$7,779.10
Total Late Charges:					\$247.84
Beneficiary Advances (if any, itemized as follows):					
OTHER					\$15.00
Total Due Beneficiary:					\$8,041.94
Total Foreclosure Fee and Costs:					\$1,513.45
<b>TOTAL REQUIRED TO REINSTATE:</b>					<b>\$9,555.39</b>

Plus all accrued real property taxes, interest and/or penalties until paid.

Defaults other than payment of money: **PROVIDE PROOF THAT REAL ESTATE TAXES ARE PAID**

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 unpaid principal balance of \$166,703.85 together with interest thereon from 6/1/2003 at the rate of 7.875% until paid; plus all accrued late charges thereon; and, all trustee's fees, foreclosures costs and any sums advanced by the beneficiary and/or trustee pursuant to the terms of said deed of trust.

Whereof, notice hereby is given that Fidelity National Title Insurance Company, the undersigned trustee by reason of said default will on 3/25/2004 at 11:00 AM, pursuant to Oregon Revised Statutes Sections 86.705 et. seq., at ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, KLAMATH FALLS, OR, sell at public auction to the highest bidder for cash or certified funds the interest in the said described real property which the grantor had or had power to convey at the time of the execution 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 and/or trustee of the entire amount then due (other than such portion of said principal as would not then been 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, and the singular includes plural, the word "grantor" includes any successors 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.

**FOR TRUSTEE'S SALE INFORMATION, PLEASE CALL (925) 603-7342.**

Dated: 11-10-03

FIDELITY NATIONAL TITLE INSURANCE COMPANY, as Successor Trustee  
c/o Standard Trustee Service Company Washington  
2600 Stanwell Drive, Suite 200  
Concord, CA 94520  
(925) 603.1000

Peggy Payne  
By: Peggy Payne, Assistant Secretary, as authorized Agent

State of CALIFORNIA  
County of CONTRA COSTA

This instrument was acknowledged before me on 11/10/2003, by Peggy Payne of Standard Trustee Service Company Washington, authorized agent of Fidelity National Title Insurance Company.

A. Rigsby  
A. Rigsby



**Exhibit A****PARCEL 1:**

**A parcel of land situated in the SW 1/4 of Section 25, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:**

**Beginning at a 5/8" Iron pin marking the Northeast corner of said SW 1/4; thence South 00° 31' 08" West, along the East line of said SW 1/4, 500.00 feet; thence leaving said East line, West 432.72 feet; thence North 501.40 feet to a point on the North line of said SW 1/4; thence South 89° 48' 51" East along said North line 437.25 feet to the point beginning.**

**PARCEL 2:**

**A portion of the E 1/2 SW 1/4, Section 25, Township 36 South, Range 11 East of the Willamette Meridian, lying Northeast of Sprague River Highway, Klamath County, Oregon.**

**EXCEPTING a parcel of land situated in the SW 1/4 of Section 25, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:**

**Beginning at a 5/8" Iron pin marking the Northeast corner of said SW 1/4; thence South 00° 31' 08" West, along the East line of said SW 1/4, 500.00 feet; thence leaving said East line, West 432.72 feet; thence North 501.40 feet to a point on the North line of said SW 1/4; thence South 89° 48' 51" East along said North line 437.25 feet to the point of beginning.**

**Standard Trustee Service Company Washington  
2600 Stanwell Drive, Suite 200  
P.O. Box 5070  
Concord, California 94520**

**925-603-1000**

**Date: November 10, 2003**

**T.S. No: ONMC-059535**

**Loan No: 2552818/685/SLADEK**

### **DEBT VALIDATION NOTICE**

1. The enclosed document relates to a debt owed to:  
  
**Mortgage Electronic Registration Systems, Inc.**
2. 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 within thirty (30) days after we receive your written request.
3. As of November 10, 2003, the total delinquency owed was \$7,990.49, but this amount will increase until the delinquency has been fully paid.
4. As of November 10, 2003, the amount required to pay the entire debt in full was the unpaid principal balance of \$166,703.85, plus interest from 6/1/2003, late charges, negative escrow and attorney and/or trustee's fees and costs that may have been incurred. The amount will increase daily until the debt has been paid in full.
5. You may dispute the validity of this debt, or any portion thereof, by contacting our office within thirty (30) days after receiving this notice. In that event, we will obtain and mail to you written verification of the debt. Otherwise, we will assume that the debt is valid.

<p><b>WE ARE ATTEMPTING TO COLLECT A DEBT, AND ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE.</b></p>
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# AFFIDAVIT OF MAILING

19453

Date: November 14, 2003

T.S. No.: ONMC-059535

Loan No.: 2552818/685/SLADEK

STATE OF California }  
COUNTY OF Contra Costa }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Contra Costa County, California at Standard Trustee Service Company Washington, and is not a party to the within action and that on November 14, 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 Peggy Payne  
Affiant Peggy Payne

Frederick S Sladek  
35105 Sprague River Road  
Sprague River, OR 97639

Z71006309264019001740

Frederick S Sladek  
35105 Sprague River Road  
Sprague River, OR 97639

First Class

Christine L. Sladek  
35105 Sprague River Road  
Sprague River, OR 97639

Z71006309264019001757

Christine L. Sladek  
35105 Sprague River Road  
Sprague River, OR 97639

First Class

Frederick S Sladek  
12358 SE 213th Street  
Kent, WA 98031  
Z71006309264019001764

Frederick S Sladek  
12358 SE 213th Street  
Kent, WA 98031  
First Class

## AFFIDAVIT OF MAILING

Date: November 14, 2003  
T.S. No.: ONMC-059535  
Loan No.: 2552818/685/SLADEK

STATE OF California }  
COUNTY OF Contra Costa }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Contra Costa County, California at Standard Trustee Service Company Washington, and is not a party to the within action and that on November 14, 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 Peggy Payne  
Affiant Peggy Payne

Christine L. Sladek  
12358 SE 213th Street  
Kent, WA 98031  
Z71006309264019001771

Christine L. Sladek  
12358 SE 213th Street  
Kent, WA 98031  
First Class

Occupants of the premises  
35105 Sprague River Road  
Sprague River, OR 97639  
Z71006309264019001788

Occupants of the premises  
35105 Sprague River Road  
Sprague River, OR 97639  
First Class

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA )

COUNTY OF Contra Costa )

On 4.2.2004 before me, ~~Depp~~ A. Rigby  
 DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared, Eggy Payne

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.

ARigby (SEAL)  
 NOTARY PUBLIC SIGNATURE



## OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT

TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

DATE OF DOCUMENT \_\_\_\_\_ NUMBER OF PAGES \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

SIGNER'S NAME \_\_\_\_\_ SIGNER'S NAME \_\_\_\_\_

RIGHT THUMBPRINT

RIGHT THUMBPRINT

# Affidavit of Publication

19456

FILED  
34/03/11  
**STATE OF OREGON,  
COUNTY OF KLAMATH**

I, Jeanine P. Day, 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 I know from my personal knowledge that the

Legal # 6441

Notice of Sale/Sladek

ONMCO59535

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:  
March 1, 8, 15, 22, 2004

Total Cost: \$999.00

*Jeanine P. Day*

Subscribed and sworn  
before me on: March 22, 2004

*Debra A. Gribble*  
Notary Public of Oregon

My commission expires March 15, 2008 dg

## AMENDED TRUSTEE'S NOTICE OF SALE

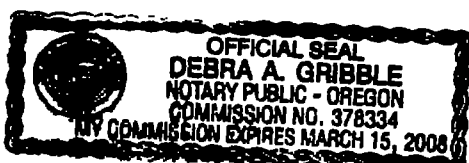
The reason for the amendment is due to a bankruptcy filing on 12/19/2003, as Case No. 03-26271, which stay was subsequently lifted by court order filed 02/03/2004 and effective 02/03/2003\*\* Loan No: 2552818/685/Sladek T.S. No: ONMC-059535 Reference is made to that certain deed of trust made by Frederick S. Sladek and Christine L. Sladek, as tenants by the entirety, as grantor to Amerititle, as trustee in favor of Mortgage Electronic Registration Systems, Inc., as beneficiary, dated 9/11/2000, recorded 9/21/2000, as Bk M00, Pg 34660 in official records of Klamath County, Oregon, securing the following described real property, situated in said County and State to-wit: Parcel 1: A parcel of land situated in the SW 1/4 of Section 25, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a 5/8" iron pin marking the Northeast corner of said SW 1/4; thence South 00° 31' 08" West, along the East line of said SW 1/4, 500.00 feet; thence leaving said East line, West 432.72 feet; thence North 501.40 feet to a point on the North line of said SW 1/4; thence South 89° 48' 51" East along said North line 437.25 feet to the point beginning. Parcel 2: A portion of the E 1/2 SW 1/4 Section 25, Township 36 South, Range 11 East of the Willamette Meridian, lying Northeast of Sprague River Highway, Klamath County, Oregon. Excepting a parcel of land situated in the SW 1/4 of Section 25, Township 36 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a 5/8" iron pin marking the Northeast corner of said SW 1/4; thence South 00° 31' 08" West, along the East line of said SW 1/4, 500.00 feet; thence leaving said East line, West 432.72 feet; thence North 501.40 feet to a point on the North line of said SW 1/4; thence South 89° 48' 51" East along said North line 437.25 feet to the point of beginning. Commonly known as: 35105 Sprague River Road, Sprague River, OR 97639 APN: R-3611-02500-00800-000.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and the Notice of Default has been recorded pursuant to Section 86.735(3) of O.R.S. The default for which the foreclosure is made is the grantor's failure to pay: Delinquent Payments From 7/1/2003 Thru 2/29/2004. No. Pmts: 8, Rate: 7.875% Amount: \$1,555.82 Total: \$12,446.56 From 3/1/2004 No. Pmts: 2 Rate: 7.875% Amount: \$1,609.70 Total: \$3,219.40 Total Late Charges: \$560.07 Corporate Advances \$705.00 Escrow Advance Balance \$471.03. Other \$15.00 Total Due Beneficiary: \$17,417.06 Total

Foreclosure Fee and Costs: \$2,459.40 Total required to restate: \$19,876.46, plus all accrued real property taxes, interest and/or penalties until paid.

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 unpaid balance of \$166,703.85 together with interest due thereon from 6/1/2003 at the rate of 7.875% until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advanced by the beneficiary and/or trustee pursuant to the terms of said deed of trust.

Whereof, notice is hereby given that Fidelity National Title Insurance Company, the undersigned trustee by reason of said default will on 04/13/2004 at 11:00 A.M. (originally scheduled for 03/25/2004) pursuant to O.R.S. Sections 86.705, et seq, at On the front steps of the Circuit Court, 316 Main Street, Klamath Falls, OR sell at public auction to the highest bidder for cash or certified funds the interest in the said described real property which the grantor had or had power to convey at the time of the execution 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 O.R.S. has the right to have the foreclosure proceedings dismissed and the trust deed reinstated by payment to the beneficiary and/or trustee 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 the plural, the word "grantor" includes any successors 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.

For Trustee's Sale Information please call (925)603-7342. Dated 02/24/2004. Fidelity National Title Insurance Company, as Successor Trustee, c/o Standard Trustee Service Company, Washington, 2600, Stanwell Dr., Ste. 200, Concord, CA 94520 (925)603-1000. By: Amy Rigsby, Assistant Secretary, as Authorized Agent.

We are attempting to collect a debt and any information we obtain will be used for that purpose. If you have filed a Chapter 7 bankruptcy and received a Discharge of Debtor, you are no longer personally obligated to make payments on the loan. However, the beneficiary still retains a security interest in the property and can exercise its rights to commence foreclosure unless a cure of the default under the security instrument is effected. The following communication is mandatory and should not be read as a requirement that you make payments on your loan. If you, in fact, follow the options specified in the attached communication and make payments, you should only do so if you are interested in preserving rights to the property. (RSVP# 53264. 03/01/04, 03/08/04, 03/15/04, 03/22/04). #6441 March 1, 8, 15, 22, 2004.

RSVP

APR - 2 REC'D



State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 03-03362

Received for Service 11/14/03

I hereby certify that I received for service  
the within:

TRUSTEE'S NOTICE OF SALE


Further I certify that on 11/17/03, after personal inspection, I  
found the following described real property to be unoccupied:

35105 SPRAGUE RIVER RD  
SPRAGUE RIVER , Oregon.

All search and service was made within Klamath County, State of  
Oregon.

Timothy M. Evinger, Sheriff  
Klamath County, Oregon

By

  
BRYANT, JOSH

Copy to:

TRANSERV LEGAL PROCESS  
310 SW 4TH AVE #200  
PORTLAND

POB 4  
OR 97204