

Prepared by and after recording return to:  
 Kleinsmith & Associates, P.C.  
 6035 Erin Park Dr., Ste. 203  
 Colorado Springs, CO 80918  
 1-800-842-8417

State of Oregon, County of Klamath  
 Recorded 04/08/2004 12:10 PM  
 Vol M04 Pg 20097-00  
 Linda Smith, County Clerk  
 Fee \$ 41.00 # of Pgs 4

This space is for recording data

Foreclosure

Notices Of:     ~(1) Defaults;  
                   (2) Right To Cure;  
                   ~(3) Election To Sell;  
                   (4) Sale; and  
                   (5) Government Claims

You are notified that:

All words and phrases herein which have the first letters thereof capitalized are defined on the attached Identifying Data of Mortgage or Deed of Trust, consisting of one page.

(1) Defaults. Certain Defaults Causing Foreclosure have occurred on the Mortgage, Deed of Trust or Trust Indenture Being Foreclosed.

(2) Rights. The only purposes hereof are to sell the Real Estate and to extinguish all claims thereto. This is not a demand that any person make a payment. It does inform any person claiming an interest in the Real Estate, (and the described mobile or manufactured home, if any) that he may have a Cure Right, a Redemption Right and a Judge Supervised Foreclosure Right. These rights are briefly described on the attachment hereto (Said attachment is not attached to the copies hereof which may be published). The exercise of either the Cure Right and/or the Owner's Redemption Right will nullify this sale. Any other redemption will make the person who last redeems the owner of the Real Estate.

YOU MAY LOSE YOUR PROPERTY IF YOU DO NOT TAKE IMMEDIATE ACTION.


(3) Election to Sell. Because of the Defaults Causing Foreclosure, the Present Mortgagee has elected and intends to sell or cause to be sold the Real Estate (and the described Mobile or Manufactured House, if any). The effect of such a sale will be to deprive all persons who claim an interest in the Real Estate (and the described Mobile or Manufactured House, if any) of any right thereto, except as otherwise provided by law.

(4) Sale. The Real Estate (and the described Mobile or Manufactured Home; if any) will be sold for cash or certified funds of the United States of America at public auction without warranties or guarantees at:

Date of Sale: August 26, 2004  
Time of Sale: 10:00 a.m.

Place of Sale: 2nd Floor Lobby of the  
 Klamath County Courthouse  
 316 Main Street, Klamath Falls, OR

(5) Government Claims. To the copies of these Notices, except those that are published, there are attached copies of the written recorded claim of any governmental agency against the Real Estate (and the described Mobile or Manufactured Home; if any). These notices have been given in a timely and legally correct manner and are the notices which the law requires to be mailed to any such government agency to terminate their rights to same, subject to the Cure Rights, Redemption Rights and Judicially Supervised Foreclosure Right stated on the attachment hereto.

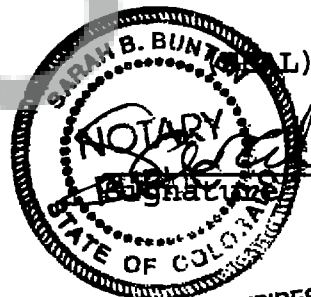
  
 Philip M. Kleinsmith  
 OR Attorney #89399

Attorney for Present Mortgagee(s)  
 and/or Substitute Trustee  
 6035 Erin Park Dr., #203  
 Colorado Springs, CO 80918  
 1-800-842-8417

State of Colorado)  
 County of El Paso)

On April 5, 2004, before me, personally appeared Philip M. Kleinsmith, as said attorney and/or Substitute Trustee, personally known to me and/or proven to be said person whose name is subscribed to this Foreclosure Notices of: (1) Defaults; (2) Rights; (3) Election to Sell; (4) Sale, and; (5) Government Claims consisting of five or more pages in total: two pages of Notices of: (1) Defaults; (2) Rights; (3) Election to Sell; (4) Sale, and; (5) Government Claims, one page of Identifying Data of Mortgage or Deed of Trust; one page of List of Addressee(s); one page of Cure Rights, Redemption Rights and Judicially Supervised Foreclosure Right, and; any Governmental Claims. That person acknowledged to me that said person executed the same in said person's authorized capacity and that by said person's signature on said instrument, the person or entity on behalf of which the person acted, executed said instrument. Witness my hand and official seal. My Commission Expires: 12/27/07

Address of Notary:  
 6035 Erin Park Dr., #203  
 Colorado Springs, CO 80918  
 Typed Name: Sarah B. Bunten



MY COMMISSION EXPIRES  
 12/27/2007

Identifying Data of Mortgage  
or Deed of Trust\*

Defaults Causing Foreclosure: Non-payment of periodic payments  
since:11/15/2003

<u>Estimated Total Amount Owed On</u>	<u>Principal:</u> . . . . .	\$12,404.49
<u>Deed of Trust or Mortgage*</u>	<u>Estimated Interest:</u> \$	540.36
<u>Being Foreclosed on the</u>	<u>Estimated Costs:</u> .	\$ 1,800.00
<u>Estimated Date of Foreclosure</u>	<u>Estimated Total:</u> .	\$14,744.85
<u>Sale</u>		

Real Estate\*\* to be Sold:

Common Description:. . . . . :340 Pinney Street  
Crescent, OR 97733

Assessor's Tax Parcel No.. . . . . :24-08-36DD-1500

Legal Description. . . . . . :Lot two, Block two, Pinney's  
Acres, situated in a portion of the S.E.1/4, Section 36, Township  
24 South, Range 8 East, Willamette Meridian, Klamath County,  
Oregon. Also included is a 1969 Marle MT Mobile/Manufactured home,  
Title No. 9210892004.

Identifying Data of Deed of Trust or  
Mortgage\* Being Foreclosed Per Real  
Estate Records of County Stated  
in Legal Description:

Dated:08/03/1995

Recorded:08/16/1996

Recording Data:Volume M89, Page 15158

Original Principal Balance:\$26,735.00

Original Trustee:Mountain Title Co.

Original Mortgagee(s)\*\*\*Name(s):David L. & Debra J.  
VanSickle

Address(es):Not Available

Present Mortgagee(s)\*\*\*Name(s):Associates First Capital  
Mortgage Corporation

Address(es):c/o Grand Bank for Savings  
14 Plaza Drive  
Hattiesburg, MS 39403

Original Mortgagor(s)\*\*\*\*Name(s):Gerry Acord  
Wanda Acord

Address(es):340 Pinney Street  
Crescent, OR 97733

Present Owner(s) Name(s):Gerry Acord  
Wanda Acord

Address(es):340 Pinney Street  
Crescent, OR 97733

\* Sometimes named "Trust Indenture"

\*\* Sometimes named "Mortgaged Property" or "Trust Property" or  
"Property"

\*\*\* Sometimes named "Beneficiary"

\*\*\*\* Sometimes named "Grantor" or "Trustor"

### 1. Oregon's Cure Rights

Any Defaults Causing Foreclosure may be cured before the foreclosure sale by anyone claiming an interest in the Real Estate, i.e. performing any acts or paying whatever monies are necessary to negate said defaults, other than principal which would not be due had no default occurred, plus attorneys fees and costs (Law of Equity and/or the following statutes: OR ST 860-745 and 753).

### 2. Oregon's Redemption Rights

#### (A) Redemption

Redemption is the right to pay-off the debt before said sale and, sometimes, the right to pay the successful foreclosure bid for a specified time after sale.

#### (B) Owner's Redemption Period

Owners and liable parties may redeem only before sale (OR ST 86.770).

#### (C) Inferior Lienholder's Redemption Period

Inferior lienholders may only redeem before sale (ibid.).

#### (D) State's Redemption Period

The State's redemption right is the same as any other inferior lienholder's (See (C)).

#### (E) IRS Redemption Period

The IRS may redeem during the 120 days after sale (26 USC 7425).

### 3. Oregon's Judicially Supervised Foreclosure Right

Statutorily, this state does not grant such a right, although access to the courts is a constitutional right.