

04 MAY 4 PM 2:39

Vol M04 Page 27277

State of Oregon, County of Klamath  
Recorded 05/04/2004 2:39 p m  
Vol M04 Pg 27277-85  
Linda Smith, County Clerk  
Fee \$ 61<sup>00</sup> # of Pgs 9

*Aspen 58439*

**RECORDING COVER SHEET  
FOR NOTICE OF SALE PROOF  
OF COMPLIANCE, PER ORS 205.234**

THIS COVER SHEET HAS BEEN PREPARED BY THE  
PERSON PRESENTING THE ATTACHED INSTRUMENT  
FOR RECORDING. ANY ERRORS IN THIS COVER SHEET  
DO NOT AFFECT THE TRANSACTION(S) CONTAINED  
IN THE INSTRUMENT ITSELF.

FIDELITY NATIONAL TITLE INSURANCE COMPANY

**TS# F-33861-OR-AP  
LN# 33027921**

**AFTER RECORDING RETURN TO:**

QUALITY LOAN SERVICE CORP.  
319 ELM STREET, 2<sup>ND</sup> FLOOR  
SAN DIEGO, CA 92101-3006

**AFFIDAVIT OF MAILING NOTICE OF SALE**

**AFFIDAVIT OF PUBLICATION**

**PROOF OF SERVICE**

**ORIGINAL GRANTOR: Phillip R. Cook and Katherine I. Cook**

**BENEFICIARY: Ocwen Federal Bank FSB**

*661.00*

**TRUSTEE'S NOTICE OF SALE**

Loan No: 33027921

T.S. No.: F-33861-OR-AP

Reference is made to that certain deed made by, PHILLIP R. COOK AND KATHERINE I. COOK, AS TENANTS BY THE ENTIRETY as Grantor to FIRST AMERICAN TITLE, in favor of

UNITED PANAM MORTGAGE,  
as Beneficiary,

dated 5/12/1999, recorded 5/24/1999, in official records of Klamath county, Oregon in book/reel/volume No. M99 at page No. 20576, fee/file/instrument/microfile/reception No. \*\*\* (indicated which), covering the following described real property situated in said County and State, to-wit:

LOT 32, BLOCK 1, ORIGINAL PLAT OF KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Tax Assessor's #: 3907-36A-200 / R489938

More commonly known as:	9607 SNOWGOOSE LANE KLAMATH FALLS, OR 97601
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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:

FAILURE TO MAKE THE 9/1/2003 PAYMENT OF PRINCIPAL AND INTEREST AND ALL SUBSEQUENT PAYMENTS, TOGETHER WITH LATE CHARGES, IMPOUNDS, TAXES ADVANCES AND ASSESSMENTS.

Monthly Payment \$633.11

Monthly Late Charge 45.68

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$46,843.44 with interest thereon at the rate of 10.99 percent per annum beginning 8/1/2003; plus late charges of \$45.68 each month beginning 9/1/2003 until paid; plus prior accrued late charges of \$ ; plus advances of \$279.34; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

Whereof, notice hereby is given that, FIDELITY NATIONAL TITLE INSURANCE COMPANY the undersigned trustee will on 5/24/2004 at the hour of 10:00 AM, Standard of Time, as established by section 187,110, Oregon Revised Statutes, at

ON THE FRONT STEPS OF THE CIRCUIT COURT, 316 MAIN STREET, IN THE CITY OF KLAMATH FALLS, COUNTY OF KLAMATH, OR

County of Klamath, 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.

27279

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: 1/14/04

BY: FIDELITY NATIONAL TITLE  
INSURANCE COMPANY, TRUSTEE

Signature By   
FIDELITY NATIONAL TITLE INSURANCE  
COMPANY

TRUSTEE'S NOTICE OF SALE

Loan No: 33027921

T.S. No.: F-38261-CR-AP

# Affidavit of Publication

ELWAN

27280

## 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 # 6533

Notice of Sale/Cook

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: ( 4 )  
Four

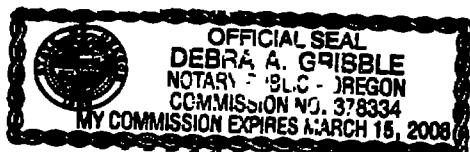
Insertion(s) in the following issues:  
April 2, 9, 16, 23, 2004

Total Cost: \$661.50

*Jeanine P. Day*  
Subscribed and sworn  
before me on: April 23, 2004

*Debra A. Snibbe*  
Notary Public of Oregon

My commission expires March 15, 2008



### TRUSTEE'S NOTICE OF SALE T.S. No.: F-33861- OR-AP Loan No: 33027921

Reference is made to that certain deed made by, Phillip R. Cook and Katherine I. Cook, as Tenants by the Entirety as Grantor to First American Title, in favor of United Pan-am Mortgage, as Beneficiary, dated 5/12/1999, recorded 5/24/1999, in official records of Klamath county, Oregon in book/reel/volume No. M99 at page No. 20576, fee/ file/ instrument/ microfilm/ reception No. \*\*\* (Indicated which), covering the following described real property situated in said County and State, to-wit: Lot 32, Block 1, Original Plat of Klamath River Acres, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. Tax Assessor's #: 3907-36A-200 / R489938. More commonly known as: 9607 Snowgoose Lane, Klamath Falls, OR 97601.

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: Failure to make the 9/1/2003 payment of principal and interest and all subsequent payments, together with late charges, impounds, taxes advances and assessments. Monthly Payment \$633.11 Monthly Late Charge 45.68.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said deed of trust immediately due and payable, said sums being the following, to-wit: \$46,843.44 with interest thereon at the rate of 10.99 percent per annum beginning 8/1/2003; plus late charges of \$45.68 each month beginning 9/1/2003 until paid; plus prior accrued late charges of \$-; plus advances of \$8279.34; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

Whereof, notice hereby is given that, Fidelity National Title Insurance Company the undersigned trustee will on 5/24/2004 at the hour of 10:00 AM, Standard of Time, as established by section 187,110, Oregon Revised Statutes, at on the steps of the Circuit Court, 316 Main Street, in the City of Klamath Falls, County of Klamath, OR, County of Klamath, 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 the respective successors in interest, if any.

By: Fidelity National Title Insurance Company, Trustee  
Signature By Dale Pitman. Dated: 1/14/04 ASAP575867 4/2, 4/9, 4/16, 4/23. #6533 April 2, 9, 16, 23, 2004.

368510



STATE OF CALIFORNIA  
COUNTY OF \_\_\_\_\_

SAN DIEGO

SS.

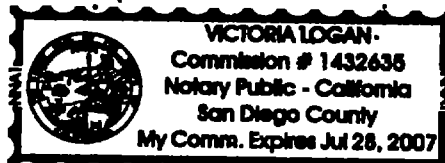
SEAL

On 4/28/2004 before me, VICTORIA LOGAN  
personally appeared Michael Trujillo, 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 Victoria Logan



(This area for official notarial seal)

Title of Document \_\_\_\_\_

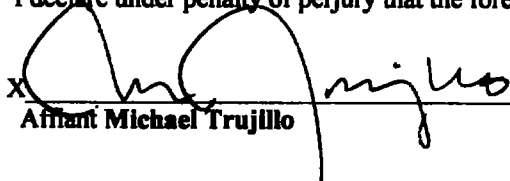
Date of Document \_\_\_\_\_

No. of Pages \_\_\_\_\_

**AFFIDAVIT OF MAILING**Date: **January 15, 2004**T.S. No.: **F-33861-OR-AP**Loan No.: **33027921**STATE OF California }  
COUNTY OF San Diego }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in San Diego County at QUALITY LOAN SERVICE CORPORATION, and is not a party to the within action and that on **January 15, 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   
Affiant **Michael Trujillo**

PHILLIP R. COOK  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97801  
Z71006309264019121387

PHILLIP R. COOK  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97801  
First Class

KATHERINE I. COOK  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97801  
Z71006309264019121394

KATHERINE I. COOK  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97801  
First Class


OCCUPANT  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97801  
Z71006309264019121400

OCCUPANT  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97801  
First Class

**AFFIDAVIT OF MAILING**Date: **January 15, 2004**T.S. No.: **F-33861-OR-AP**Loan No.: **33027921**STATE OF California }  
COUNTY OF San Diego }

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I declare under penalty of perjury that the foregoing is true and correct.

X   
Affiant **Michael Trujillo**

PHILLIP R. COOK  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97601  
Z71006309264019121417

PHILLIP R. COOK  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97601  
First Class

KATHERINE I. COOK  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97601  
Z71006309264019121424

KATHERINE I. COOK  
9607 SNOWGOOSE LANE  
KLAMATH FALLS, OR 97601  
First Class

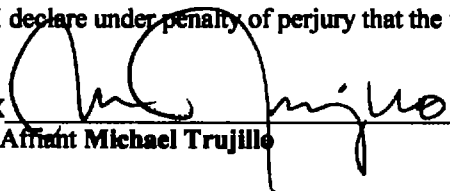
PHILLIP COOK  
P.O. BOX 874  
RENO, OR 97627  
Z71006309264019121431

PHILLIP COOK  
P.O. BOX 874  
RENO, OR 97627  
First Class

**AFFIDAVIT OF MAILING**Date: **January 15, 2004**T.S. No.: **F-33861-OR-AP**Loan No.: **33027921**STATE OF California }  
COUNTY OF San Diego }

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in San Diego County at QUALITY LOAN SERVICE CORPORATION, and is not a party to the within action and that on **January 15, 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   
Affiant **Michael Trujillo**

KATHERINE COOK  
P.O. BOX 874  
RENO, OR 97627  
Z71006309264019121448

KATHERINE COOK  
P.O. BOX 874  
RENO, OR 97627  
First Class

VICKY THOMPSON  
9607 SNOWGOOSE LN  
KLAMATH FALLS, OR 97601  
Z71006309264019121455

VICKY THOMPSON  
9607 SNOWGOOSE LN  
KLAMATH FALLS, OR 97601  
First Class



F33861ORAP/COOK

27285

## PROOF OF SERVICE

STATE OF OREGON )  
 ) ss.  
County of Klamath )

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original Trustee's Notice of Sale attached hereto, not the successor of either, nor an officer, director, employee of or attorney for the beneficiary, trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, upon an OCCUPANT at the following address:

**9607 SNOWGOOSE LANE, KLAMATH FALLS, OREGON 97601**, as follows:

Personal service upon Vicky Thompson, by delivering said true copy, personally and in person, at the above address on January 21, 2004 at 8:36 a.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2004 at \_\_\_\_\_:\_\_\_\_\_.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2004 at \_\_\_\_\_:\_\_\_\_\_.m.

Personal service upon \_\_\_\_\_, by delivering said true copy, personally and in person, at the above address on \_\_\_\_\_, 2004 at \_\_\_\_\_:\_\_\_\_\_.m.

I declare under the penalty of perjury that the above statement is true and correct.

Ed Foreman  
Ed Foreman

281115

SUBSCRIBED AND SWORN to before me this 22nd day of January, 2004 by Ed Foreman



Margaret A. Nielsen  
Notary Public for Oregon