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Klamath

Vol M04 Page 40674

First American Title Insurance Company

State of Oregon, County of Klamath
Recorded 06/23/2004 3:05 P m
Vol M04 Pg 40674-82
Linda Smith, County Clerk
Fee \$ 76⁰⁰ # of Pgs 9

2147049/337214
**RECORDING COVER SHEET FOR
NOTICE OF SALE PROOF OF COMPLIANCE
Per ORS 205.234**

**AFTER RECORDING RETURN TO:
STACY HAUGHAWOUT3355
First American Title Insurance Company
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065**

**TS No.: 04 -02203
Doc ID #00010473002005N**

1. AFFIDAVIT OF MAILING NOTICE OF SALE
- / 2. AFFIDAVIT OF PUBLICATION NOTICE OF SALE
- / 3. AFFIDAVIT OF SERVICE
- / 4. COPY OF NOTICE OF SALE

Original Grantor on Trust Deed: DIRK W ALTLAND and SHERI L ALTLAND

Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

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

61
x15 F

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, along with the Notice Under the Federal Fair Debt Collection Practices Act, upon an **OCCUPANT** at the following address:

1287 FORT JACKPINE ROAD, GILCHRIST, OREGON 97737, as follows:

Personal service upon **Bill White**, by delivering said true copy, personally and in person, at the above address on March 17th, 2004 at 6:23 p.m.

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


Darren Frank 283256
Klamath County Sheriff's Office

SUBSCRIBED AND SWORN to before me this 5th day of April, 2004 by Darren Frank.

Affidavit of Publication

40676

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 # 6526

Notice of Sale/Altland

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

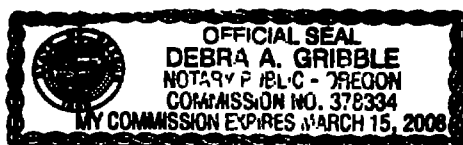
Insertion(s) in the following issues:
April 1, 8, 15, 22, 2004

Total Cost: \$850.50

Jeanine P. Day
Subscribed and sworn
before me on: April 22, 2004

Debra A. Gribble
Notary Public of Oregon

My commission expires March 15, 2008



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Dirk W. Altland & Sheri L. Altland, husband and wife, as grantor(s), to Lenders Advantage-Nec, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 05/23/2002, recorded 06/27/2002, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M02 at Page No. 37031 as Recorder's fee/file/instrument/microfilm/reception Number , covering the following described real property situated in said county and state, to wit:

EXHIBIT "L"

The land referred to in this policy is situated in the State of Oregon, County of Klamath, and described as follows:

Lot three (3), Block three (3), Jack Pine Village, Klamath County, Oregon, according to the official plat thereof on file with the County Clerk of Klamath County and subject to the building and use restrictions appurtenant thereto, and on file in Volume M-69, Page 3870 Deed Records.

Being all of that certain property conveyed to Dirk W. Altland and Sheri L. Altland from John E. Burns and Margaret A. Burns, by deed dated 09/15/70 and recorded 09/28/78 in Deed Book M78, Page 21636 in the Klamath County Records.

PROPERTY ADDRESS: 1287 Fort Jackpine RD, Gilchrist, OR 97737.

Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obligations secured by the Trust Deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly Payments of \$818.28 beginning 10/01/2003; plus late charges of \$32.18 each month beginning with the 10/01/2003 payment plus prior accrued late charges of \$128.72; plus late charges of \$32.18 each month beginning with the 10/01/2003 payment plus prior accrued late charges of \$128.72; plus advances of \$12.50; together with title expense, costs, trustee's fees and attorney's 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.

By reason of said default the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due being the following to wit: \$82,733.80 with interest thereon at the rate of 8.5 percent per annum beginning 09/01/03 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's 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 interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned Trustee will on Friday, July 02, 2004 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 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 ten-

dering the performance required under the obligation or Trust Deed, and in addition to paying said 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 the trustee's and attorney's fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, the singular includes the plural, the word "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 said Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated: February 20, 2004. First American Title Insurance Company. For further information, please contact: First American Title Insurance Company, c/o CTC Real Estate Services, 5898 Condor Drive, MP-88, Moorpark, CA 93021. (800) 281-8219. TS No. 04-02203. Doc ID #00010473002005N. #6526 April 1, 8, 15, 22, 2004.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF CALIFORNIA, COUNTY OF VENTURA) ss:

I, the undersigned, being first duly sworn, depose and 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 the beneficiary's successor in interest named in the attached original 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 both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known address, to-wit:

See attached Exhibit A for all the mailing address(es).

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by 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 post office at VENTURA, CALIFORNIA, on 2/27/2004. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. 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.

Subscribed and sworn to before me on 2/27, 2004 by Chantal Mekhedian

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

DIRK W ALTLAND and SHERI L ALTLAND

Notary Public for California

Residing at

My commission expires: 2-23-07

First American Title Insurance Company

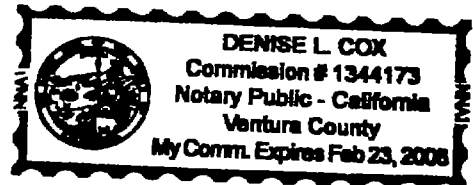
Trustee TS No. 04-02203

After Recording return to:

400 COUNTRYWIDE WAY SV-35

First American Title Insurance Company

SIMI VALLEY, CA 93065





40679

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
"EXHIBIT A"**

TS No. 04-02203

**DIRK W ALTLAND
1287 FT JACKPINE DR
GILCHRIST, OR 97737
7187 7930 3131 0354 4462**

**DIRK W ALTLAND
1287 FORT JACKPINE RD
GILCHRIST, OR 97737
7187 7930 3131 0354 4479**

**DIRK W ALTLAND
HC 32 BOX 172
GILCHRIST, OR 97737
7187 7930 3131 0354 4486**

**SHERI L ALTLAND
1287 FT JACKPINE DR
GILCHRIST, OR 97737
7187 7930 3131 0354 4493**

**SHERI L ALTLAND
1287 FORT JACKPINE RD
GILCHRIST, OR 97737
7187 7930 3131 0354 4509**

**SHERI L ALTLAND
HC 32 BOX 172
GILCHRIST, OR 97737
7187 7930 3131 0354 4523**

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by Dirk W Altland Sheri L Altland, Husband And Wife, as grantor(s), to Lenders Advantage - Nec, as Trustee, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, dated 05/23/2002, recorded 06/27/2002, in the mortgage records of Klamath County, Oregon, in Book/Reel/Volume No. M02 at Page No. 37031 as Recorder's fee/file/instrument/microfilm/reception Number -, covering the following described real property situated in said county and state, to wit:

SEE ATTACHED LEGAL

PROPERTY ADDRESS: 1287 FORT JACKPINE RD
GILCHRIST, OR 97737

Both the Beneficiary and the Trustee have elected to sell the real property to satisfy the obligations secured by the Trust Deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$818.28 beginning 10/01/2003; plus late charges of \$32.18 each month beginning with the 10/01/2003 payment plus prior accrued late charges of \$128.72; plus advances of \$12.50; together with title expense, costs, trustee's fees and attorney's 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.

By reason of said default the Beneficiary has declared all sums owing on the obligation secured by the Trust Deed immediately due and payable, said sums being the following to wit: \$82,733.80 with interest thereon at the rate of 8.5 percent per annum beginning 09/01/2003 until paid, plus all accrued late charges thereon together with title expense, costs, trustee's fees and attorney's 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 interests therein.

WHEREFORE, notice hereby is given that, FIRST AMERICAN TITLE INSURANCE COMPANY, the undersigned Trustee will on Friday, July 02, 2004 at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110, at the following place: inside the 1st floor lobby of the Klamath County Courthouse, 316 Main Street, in the city of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the Trust Deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the 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 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 said 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 the Trustee's and attorney's fees not exceeding the amounts provided by OSRS 86.753.

In construing this notice, the singular includes the plural, the word "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 said Trust Deed, and the words "Trustee" and "Beneficiary" include their respective successors in interest, if any.

Dated 7/20, 2004


FIRST AMERICAN TITLE INSURANCE COMPANY

For further information, please contact:

FIRST AMERICAN TITLE INSURANCE COMPANY
 C/O CTC REAL ESTATE SERVICES
 5898 CONDOR DRIVE, MP-88
 MOORPARK, CA 93021
 (800)-281-8219
 TS No. 04 -02203
 Doc ID #00010473002005N

STATE OF CA)
 COUNTY OF Orange) ss.

On 2/20/04, before me, MARISA HERRERA, personally appeared PAUL LIRIO, ASSIST. SEC., 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]
 Notary Public for _____

My commission expires: _____



THIS IS AN ATTEMPT TO COLLECT A DEBT AND INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER IF YOU HAVE OR ARE IN THE PROCESS OF OBTAINING DISCHARGE OF THE DEBT FROM A BANKRUPTCY COURT, THIS DOCUMENT IS NOT AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF LIEN RIGHTS AGAINST THE PROPERTY.

EXHIBIT "L"

THE LAND REFERRED TO IN THIS POLICY IS SITUATED IN THE STATE OF OREGON, COUNTY OF KLAMATH, AND DESCRIBED AS FOLLOWS:

LOT THREE (3), BLOCK THREE (3), JACK PINE VILLAGE, KLAMATH COUNTY, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE WITH THE COUNTY CLERK OF KLAMATH COUNTY AND SUBJECT TO THE BUILDING AND USE RESTRICTIONS APPURTINANT THERETO, AND ON FILE IN VOLUME H-69, PAGE 3870 DEED RECORDS.

BEING ALL OF THAT CERTAIN PROPERTY CONVEYED TO DIK W. ALTLAND AND SHERI L. ALTLAND FROM JOHN E. BURNS AND MARGARET A. BURNS, BY DEED DATED 09/15/78 AND RECORDED 09/28/78 IN DEED BOOK N78, PAGE 21636 IN THE KLAMATH COUNTY RECORDS.