

88601

PROOF OF PERSONAL SERVICE OF NOTICE OF TRUSTEE'S SALE
AND TRUSTEE'S INSTRUCTIONS RELATIVE THERETO

TRUSTEE'S INSTRUCTIONS TO the person who serves the trustee's notice of sale hereto attached:

STATE OF OREGON, County of Multnomah) ss.

I, the undersigned Successor - trustee, being first duly sworn, depose, say and certify:

Reference is made to that certain trust deed executed and delivered by JACKIE G. LYON and
LENETTA J. LYON, husband and wife
as grantor to TITLE INSURANCE COMPANY, an Oregon corporation as trustee,
in which THE LOMAS AND NETTLETON COMPANY, a corporation
is beneficiary, recorded on February 6, 19 73, in book M-73 at page 1258 or as filing
fee number (indicate which) of the mortgage records of Klamath County, Oregon,
covering the following described real property situate in said county:

Tract 62, CLOVERDALE, Klamath County, Oregon.

ALSO: Drop-in range, vent fan and carpeting.

A notice of default and election to sell and to foreclose said trust deed by advertisement and sale has been duly
recorded in the mortgage records of said county. You hereby are directed to serve the trustee's notice of sale in said
foreclosure proceedings upon the following person or persons whose interest in said described real property is stated
below:

NAME OF PERSON TO BE SERVED

NATURE OF INTEREST

Jackie G. Lyon
5747 Delaware
Klamath Falls, Oregon 97601

Grantor in possession

Lenetta J. Lyon
5747 Delaware
Klamath Falls, Oregon 97601

Grantor in possession

The undersigned hereby certifies that the person or persons just named are the only persons named in subsection 1 of Section 86.750 of Oregon Revised Statutes who now occupy said real property. The word "trustee" as used in this affidavit means and includes any successor-trustee to the trustee named in the trust deed first mentioned above.

Denton B. Bullock Jr.

Successor - Trustee

Subscribed and sworn to before me this 29th day of April, 19 74

(OFFICIAL SEAL)

Harold G. Robinson
Notary Public for Oregon
My commission expires: 4/8/77

5671

PROOF OF SERVICE

STATE OF OREGON, County of KLAMATH, ss:I, CHARLES J. LARKIN, being first duly sworn, depose, say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of twenty-one years and not the beneficiary or his successor in interest or the trustee or successor-trustee or the attorney for any of them, or a party to the foreclosure proceeding described in the attached original notice of sale given under the terms of that certain trust deed described in said notice;

I personally served the attached notice of sale within the County of KLAMATH, Oregon, on MAY 3rd, 1974, by personally delivering a true copy of said notice of sale, certified to be such by the attorney for the trustee named in said notice, to LYNETTA J. LYON and to each of them (if an individual) personally and in person. If any of the persons so served is a corporation, said service was made by the delivery of such true copy of said notice so certified, to

The said service of said notice of sale was fully completed more than 120 days prior to the day fixed in said notice by said trustee for the trustee's sale. Each of the persons so served by me is the identical person named in the trustee's certificate immediately preceding this affidavit.

Charles J. Larkin
KLAMATH COUNTY DEPUTY SHERIFF

TRUSTEE'S INSTRUCTIONS AND
PROOF OF SERVICE OF NOTICE
OF TRUSTEE'S SALE

FORM No. 8908

STEVENESS LAW PUB. CO. PORTLAND ORE

RE: Trust Deed from

Jackie G. Lyon, et ux

Grantor

TO

Denton G. Burdick, Jr.

Trustee

STATE OF OREGON

County of

ss.

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book on page or as filing fee number Rec- ord of Mortgage's of said County.

Witness my hand and seal of County affixed.

Title

By

Deputy

AFTER RECORDING RETURN TO

STATE OF OREGON, County of _____, ss:

, 19

Personally appeared the above named _____, who subscribed and swore to the foregoing affidavit and acknowledged the foregoing instrument to be his voluntary act and deed.
Before me:

(OFFICIAL
SEAL)

Notary Public for Oregon
My commission expires

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing proof.

SK

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by JACKIE G. LYON and LENETTA J. LYON, husband and wife, as grantor, to TITLE INSURANCE COMPANY, an Oregon corporation, as trustee, to secure certain obligations in favor of THE LOMAS AND NETTLETON COMPANY, a corporation, as beneficiary, dated January 31, 1973, recorded February 6, 1973, in book M-73 at page 1258 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Tract 62, CLOVERDALE, Klamath County, Oregon.

ALSO: Drop-in range, vent fan and carpeting.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

Monthly payments in the sum of \$263 each for the months of December 1973 and January through April 1974, and late charges of \$52.60.

By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit:

The sum of \$27,413.67 with interest thereon at the rate of 7 percent per annum from November 1, 1973 minus the sum of \$45.01 on account of balance in the reserve account as of the date of recording the notice of sale.

A notice of default and election to sell and to foreclose was duly recorded April 26, 1974, in book M-74 at page 5248 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Tuesday, the 17th day of September, 1974, at the hour of 10 o'clock, A. M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Inside Front Door of County Courthouse 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 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 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had no default occurred) together with costs, trustee's and attorney's fees at any time prior to five days before the date set for said sale.

In construing this notice and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter, 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 their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.

DATED at Portland, Oregon, April 29, 1974.

David B. Smith
Successor - Trustee

State of Oregon, County of _____, ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee; that I have carefully compared the foregoing copy of trustee's notice of sale with the original thereof and that the foregoing is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof.

DATED at _____, Oregon, this _____ day of _____, 19 _____.

Attorney for said Trustee

GUIDE PRINTING, INC.

RETURN -- SUBSTITUTE SERVICE

STATE OF OREGON, } ss.
County of Klamath, }

OFFICE OF THE SHERIFF

I HEREBY CERTIFY that I received the within summons within said County and State on the 1st day of MAY, 1974, and that after due and diligent search and inquiry I have been unable to find the within named defendant JACKIE G. LYON within said County and State.

NOTICE OF TRUSTEE'S SALE

NOTICE OF TRUSTEE'S SALE

I FURTHER CERTIFY that I served the within ~~XXXXXX~~ within said County and State on the 3rd day of MAY, 1974, at ~~xxxs~~, on the within named defendant JACKIE G. LYON.

Dated _____
Delivered a copy thereof prepared and

day of MAY, 1974, ~~1974~~, on the within named defendant by delivering a copy thereof prepared and certified to by DENTON G. BURDICK, Jr. Plaintiff's Attorney, ~~XXXXXX XXXX~~

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
A copy of the complaint prepared and certified by
XXXXXXXXXXXX, to LYNETTA J. LYON, a person over
WIFE of the said defendant

the age of fourteen years, a person of the family, namely **JACKIE G. LYON** **WIFE** of the said defendant at the dwelling house and usual place of

abode of said defendant **JACKIE G. LYON** in the State of Oregon.

J. M. BRITTON,
Sheriff of Klamath County, Oregon.

By Charles J. Larkin Deputy

Rev. Hutchinson Schenck
1200 One Wall St. N.Y.
610-2 W. Cedar
Baltimore Md

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of HITCHINSON, SCHWAR ET AL
this 7th day of May A. D., 1974 at 11:45 o'clock P. M., and duly recorded in
Vol. M 74 of MORTGAGES on Page 5670
WM. D. MILNE, County Clerk

Fee \$18.00

WM. D. MILNE, County Clerk

By Harold Drazin Deputy