

8072

SHERIFF'S RETURN OF SERVICE

vol 1782 page 184

STATE OF OREGON)

) ss.

County of Klamath)

Court Case No. _____

Sheriff's Case No. 81-6625

I hereby certify that I received on _____ December 4, 1981 _____ the within:

- () Summons & Complaint () Summons & Petition () Summons () Complaint () Petition
 () Subpoena () Citation () Order () Motion () Affidavit
 () Small Claim () Restraining Order () Show Cause Order () Notice
 () Writ of Garnishment () Order of Appearance () Waiver of fees

(x) TRUSTEE'S NOTICE OF SALEfor service on the within named: Robert Whisler(x) SERVED Robert Whisler personally and in person.
at 220 Pacific Terrace, Klamath Falls, OR 97601() SUBSTITUTE SERVICE - By leaving a true copy with _____,
a person over the age of fourteen years, who resides at the place of abode of the within named, at said
abode: _____() OFFICE SERVICE - By leaving a true copy with _____,
the person in charge of the office maintained for the conduct of business by

() By leaving a true copy with _____ of said corporation.

() OTHER METHOD _____

() NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find
the within named: _____
within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: December 9, 1981 7:55 p.m.TOM DURYEE, Sheriff
Klamath County, OregonBy Karen L. Herman
Deputyck.
16

10/3/71

1859
81-66259

PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT AND TRUSTEE'S INSTRUCTIONS
RELATIVE THERETO (120-Day Notice)

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale hereto attached:

STATE OF OREGON } ss.
County of Jackson }

DEC 4 11 41 AM '81

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

The person to be served named below is an occupant of the property described in the Notice of Sale attached hereto and is either the grantor in the trust deed described in said Notice of Sale, or the successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, or a lessee.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7 D.(2) and 7 D.(3), upon the following person or persons:

NAME OF PERSON TO BE SERVED

PROPERTY ADDRESS

Robert Whisler

220 Pacific Terrace
Klamath Falls, Oregon 97601

Service must be made at least 120 days before the date fixed for the trustee's sale in the Notice of Sale attached hereto. The last day for service is December 21, 1981.

The undersigned hereby certifies that said person is the only person named in ORS 86.750(1) who now occupies said property.

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 this 3 day of December, 19 81.

Successor Trustee

Notary Public for Oregon

My commission expires 4/18/85

(SEAL)

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

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

(120-Day Notice per ORS 86.750(1))

RE: Trust Deed from
Brian O'Malcin

Grantor

TO
Patrick G. Huycke

Successor Trustee

AFTER RECORDING RETURN TO

Patrick G. Huycke
132 W. Main, Suite 204
Medford, Oregon 97501-2780

SPACE RESERVED
FOR
RECORDER'S USE

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/reel/volume No. on page of as document/fee/file/instrument/microfilm No. .

Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME TITLE Deputy

By

TRUSTEE'S NOTICE OF SALE

On April 20, 1982, at 11:00 o'clock a.m. standard time as established by ORS 187.110, at 407 Main Street, Klamath Falls, Klamath County, Oregon, the undersigned Successor Trustee will sell all of the right, title and interest of Brian O'Maicin in the following described real property:

That portion of Lot 15 in Block 42 of HOT SPRINGS ADDITION to the City of Klamath Falls, Oregon and that portion of Block 1A of WILLIAMS ADDITION to the City of Klamath Falls, Oregon, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is the Southeasterly corner of said Lot 15 in Block 42, HOT SPRINGS ADDITION to the City of Klamath Falls, Oregon, and also the Northeasterly corner of Block 1A of WILLIAMS ADDITION to said City and running thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 66.7 feet to a point which is the Southeasterly corner of said Block 1A; thence North 66° 05' East along the Southwesterly boundary of said Block 1A a distance of 117.0 feet to a point; thence North 41° 20' East a distance of 20.9 feet to a point that is on the boundary line between said Lot 15 and Block 1A mentioned above; thence continuing on the same bearing a distance of 73 feet to a point on the Easterly line of said Lot 15; thence South 20° 55' East along the Southwesterly line of Pacific Terrace, a distance of 59.5 feet to the point of beginning.

SUBJECT TO:

1. Taxes for the fiscal year 1980-81, due and payable.
Amount: \$756.06, plus interest. Account No. 1-3621
Tax Lot 71.
2. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.
Dated: October 21, 1977
Recorded: October 21, 1977
Volume: M77, page 20255, Microfilm Records of Klamath County, Oregon
Amount: \$24,480.00
Grantor: Brian O'Maicin
Trustee: D. L. Hoots
Beneficiary: Security Savings and Loan Association

Request for copy of Notices of Default and Sale, recorded July 29, 1980 in Volume M80, page 13972, Microfilm Records of Klamath County, Oregon.

3. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.
 Dated: July 11, 1980
 Recorded: July 14, 1980
 Volume: M80, page 12989, Microfilm Records of Klamath County, Oregon.
 Amount: \$10,000.00
 Grantor: Brian O'Maicin
 Trustee: William L. Sisemore
 Beneficiary: Town & Country Mortgage & Investment, Co.

The beneficial interest under said Trust Deed was assigned by instrument,
 Dated: July 11, 1980
 Recorded: July 14, 1980
 Volume: M80, page 12992, Microfilm Records of Klamath County, Oregon
 To: Robert B. Kennedy

Both the beneficiary and the successor trustee have elected to sell the above described property to satisfy the obligations owing by the grantor to the beneficiary pursuant to the terms of the trust deed from Brian O'Maicin as Grantor to Mountain Title Company the original trustee for George C. Chandler and Lucille L. Chandler as beneficiary, dated July 25, 1980, recorded on July 28, 1980 as Instrument #87452 of the Mortgage Records of Klamath County, Oregon, by reason of the following described default for which this foreclosure is made:

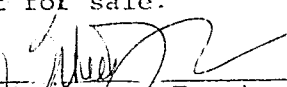
Grantor's failure to pay when due the following sums owing on said obligation which sums are now past due, owing and delinquent:

The principal balance and accrued interest owing on July 18, 1981 pursuant to the terms of the promissory note executed by Grantor. Failure to pay late charges owing in the amount of \$606.00, late charges being due August 2, 1981.

The balance due on the obligation secured by said Trust Deed is:

The sum of Twelve Thousand and No/100 (\$12,000.00) Dollars, plus interest thereon at the rate of twelve (12%) percent per annum from June 18, 1981 until paid, plus the further sum of \$606.00 as late charges, and plus all expenses advanced by the beneficiary pursuant to Trust Deed.

Notice is given that any person named in ORS 86.760 has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due at the time of reinstatement (other than such portion of principal as would not then be due had no default occurred), together with costs and expenses incurred, trustee's and attorney's fees, at any time prior to five (5) days before the date set for sale.


 Successor Trustee

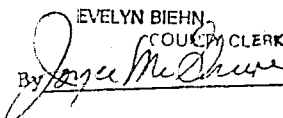
STATE OF OREGON; COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

7 day of January A.D., 1982 at 2:09 o'clock P M., and duly recorded in

Vol M 82 of Mtge on page 184.

Fee \$ 16.00

EVELYN BIEHN,
 COUNTY CLERK
 By  Deputy