

12976

## SHERIFF'S RETURN OF SERVICE

STATE OF OREGON )  
 ) ss.  
 County of Klamath )

Court Case No. 7972Sheriff's Case No. 82-561

I hereby certify that I received on February 4, 1982 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

(XX) TRUSTEE'S NOTICE OF SALE

for service on the within named: Raoul C. Gutierrez; Candice I. Gutierrez

(x) SERVED Candice I. Gutierrez personally and in person.  
 at 423 Martin, Klamath Falls, OR 97601

(x) SUBSTITUTE SERVICE - By leaving a true copy with Candice I. Gutierrez for Raoul C. Gutierrez  
 a person over the age of fourteen years, who resides at the place of abode of the within named, at said  
 abode: above

( ) 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: February 8, 1982 1:25 p.m.

TOM DURYEE, Sheriff  
 Klamath County, Oregon

By Karen L. Herman  
 Deputy

Return To:

GEORGE C. REINMILLER  
 ATTORNEY AT LAW  
 1015 OREGON NATIONAL BUILDING  
 810 S.W. ALDER  
 PORTLAND, OREGON 97206

82 JUN 23 PM 12 25

NOTICE OF SUBSTITUTED OR OFFICE SERVICE

7973

TO: RAOUL C. GUTIERREZ  
423 Martin  
Klamath Falls, Oregon 97601

You are hereby notified that you have been served with a ~~Summons and~~ Trustee's Notice of Sale (hereafter called documents), a true copy of which is attached hereto and enclosed herewith. Service was made by delivering a true copy of said documents at your dwelling house or usual place of abode, to-wit: 423 Martin, Klamath Falls, Oregon, 97601, who is a person over the age of fourteen years and a member of your household, on February 8th, 19 82, at 1:25 o'clock P.M.

OR  
Service was made by leaving a true copy of said documents with the person who is apparently in charge of the office which you maintain for the conduct of your business at on \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock \_\_\_\_M.

AFFIDAVIT OF MAILING

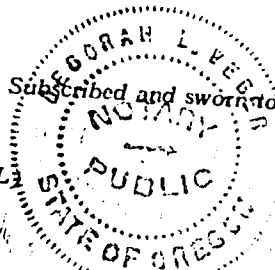
STATE OF OREGON,

County of Multnomah } ss.

I, GEORGE C. REINMILLER

, being first duly sworn, depose, say and certify that:  
I mailed an original Notice of Substituted or Office Service, an exact and complete copy of which appears above, together with a true copy of the documents referred to therein and attached hereto, which documents were certified to be an exact and complete copy of the originals thereof by GEORGE C. REINMILLER attorney for the First Interstate Bank, N.A. aka First National Bank of Oregon to the person and to the address first appearing above. The Notice set forth above, and true copies of the documents were placed in a sealed envelope with first class postage thereon fully prepaid, and deposited by me in the United States Post Office at Portland, Oregon, on February 22nd, 1982, addressed as aforesaid.

George C. Reinmiller - OSB #66100



\* Specify: Complaint, Third Party Complaint, or Petition for Dissolution/ Separation/ Annulment.  
† Specify: Plaintiff, Third Party Plaintiff or Petitioner.

PUBLISHER'S NOTE: A copy of the documents should be attached to the foregoing affidavit.

## TRUSTEE'S NOTICE OF SALE

7974

Reference is made to that certain trust deed made, executed and delivered by STEVEN GARCIA and  
JEANNE L. GARCIA, husband and wife, as grantor, to  
Mountain Title Company, as trustee, to secure certain  
obligations in favor of First Interstate Bank, N.A., First National Bank, as beneficiary,  
dated October 19, 1978, recorded October 23, 1978, in the mortgage records of  
Klamath County, Oregon, in ~~book/fee~~ volume No. M78 at page 23743, or as  
document/fee/file/instrument/microfilm No. \_\_\_\_\_ (indicate which), covering the following described real  
property situated in said county and state, to-wit:

The N 1/2 of the E 1/2 of GOVERNMENT LOT 9, IN SECTION 3, TOWNSHIP  
35 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY,  
OREGON.

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 of principal, interest and loan trust fund in the sum of  
\$547.54 each, commencing with the payment due on June 1, 1981, to and including December 1, 1981  
and thereafter each month until this trust deed is reinstated or goes to Trustees Sale; plus  
an accrued late charge in the amount of \$132.86 as of January 17, 1982, and a further monthly  
late charge of \$21.90 on each delinquent payment after the 17th day of February, 1982, plus an  
accrued Blanket Insurance charge of \$57.90, and a further monthly Blanket Insurance charge of  
\$28.95 commencing February 1, 1982, plus attorneys fees and Trustees fees, and other costs and  
expenses associated with this foreclosure including without limitation, foreclosure title  
report expense, publication costs and plus escrow account deficit balance of \$446.09.

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 \$57,831.95 with interest thereon at the rate of 9.50% per annum from May 1, 1981,  
until paid, plus an accrued Blanket Insurance charge of \$57.90, and a further monthly Blanket  
Insurance charge of \$28.95 commencing February 1, 1982, plus attorneys fees and Trustees fees  
and other costs and expenses associated with this foreclosure including without limitation,  
foreclosure title report expense, publication costs and plus escrow account deficit balance  
of \$446.09.

A notice of default and election to sell and to foreclose was duly recorded January 28, 1982, Volume  
# M 82 at page 1122 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Friday, the  
25th day of June, 1982, at the hour of 2:00 o'clock, P.M., Standard Time,  
as established by Section 187.110, Oregon Revised Statutes, at Front door Klamath 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 pro-  
ceeding 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" in-  
cludes any successor in interest of the beneficiary named in the trust deed.

DATED at Portland, Oregon, February 2, 1982.

GEORGE C. REINMILLER  
610 S.W. Alder Street -1015  
Portland, Oregon 97205  
Tel: (503) 222-1331

GEORGE C. REINMILLER - Successor-Trustee

Trustee

State of Oregon, County of Multnomah, 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 fore-  
going is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof.

DATED at Portland, Oregon, this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

Return To:

GEORGE C. REINMILLER  
ATTORNEY AT LAW  
1015 OREGON NATIONAL BUILDING  
810 S.W. ALDER  
Portland, Oregon 97205  
SANFORD KOWITT  
Attorney for said Trustee

State of OREGON: COUNTY OF KLAMATH: ss.  
I hereby certify that the within instrument was received and filed for record on the

23 day of June A.D., 1982 at 12:25 o'clock P.M., and duly recorded in

Vol M 82 of Mtge on page 7972.

Fee \$ 12.00

EVELYN BIEHN  
COUNTY CLERK

By \_\_\_\_\_ deputy