

15673

TRUSTEE'S NOTICE OF SALE

Volume 12499

Reference is made to that certain trust deed made by WILLIAM H. SMITH and BETTY J. SMITH, Husband & Wife, and MONTE D. BECKMAN and NOLA J. BECKMAN, Husband & Wife, TRANSAMERICA TITLE INSURANCE COMPANY, as grantor, to in favor of LOU KELLISON and AUDREY KELLISON, as trustee, dated April 16, 1979, recorded April 18, 1979, as beneficiary, Klamath County, Oregon, in book/reel/volume No M79, 1979, in the mortgage records of fee/file/instrument/microfilm/reception No. _____ at page 8592-93 (indicate which), covering the following described real property situated in said county and state, to-wit:

The North 1/2 of Lot 10, Block 9, in PLEASANT VIEW TRACTS, in the County of Klamath, State of 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 a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly payments of \$310.00 per month, due December 16, 1981, January 16, 1982, February 16, 1982, March 16, 1982, and April 16, 1982.

By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$32,918.62 plus interest thereon at the annual rate of 9-1/2% per annum from November 18, 1981 until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 8, 1982 at the hour of 3:00 o'clock, P.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the North steps of the 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 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 costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

In construing this notice, 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; the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED May 28, 1982

Trustee

State of Oregon, County of Washington, ss: I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740(2) or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE:

82 SEP 20 PM 3 03

ch 16

SHERIFF'S RETURN OF SERVICE

Court Case No. _____

STATE OF OREGON)
) ss.
 County of Klamath)

Sheriff's Case No. 82-2556

I hereby certify that I received on June 1, 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

(x) TRUSTEE'S NOTICE OF SALE

for service on the within named: Sheala Nalton

(x) SERVED Sheala Nalton personally and in person.
 at 1435 Esplanade, 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 _____

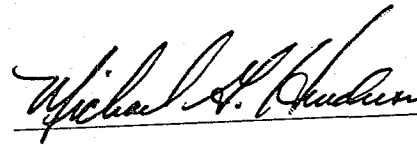
() NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find
 the within named: _____
 within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: June 7, 1982 8:43 a.m.

TOM DURYEE, Sheriff
 Klamath County, Oregon

By



Deputy

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH

\$\$.

1, Sarah L. Parsons, Office
Manager

being first duly sworn, depose and say that

I am the principal clerk of the publisher of
the Herald & News

a newspaper of general circulation, as defined by Chapter 193 ORS. printed and published at Klamath Falls in the aforesaid county and state; that the _____

#989-Trustee's Notice of Sale-

Smith

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for four

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

(4 insertion s) in the following issue s: —

August 11, 1982

August 18, 1982

August 25, 1982

September 1, 1982

Total Cost: \$156.00

Gerard L. Parsons

Subscribed and sworn to before me this 1
day of September 1982

Notary Public of Oregon
My commission expires Jan 15 19

(COPY OF NOTICE TO BE PASTED HERE)

**TRUSTEE'S NOTICE
OF SALE**

Reference is made to that certain trust deed made by WILLIAM H. SMITH and BETTY J. SMITH, Husband and Wife, and MONTE D. BECKMAN and NOLA J. BECKMAN, Husband and Wife, as grantor, to TRANSAMERICA TITLE INSURANCE COMPANY, as trustee, in favor of LOUISE KELLISON, as beneficiary, dated April 18, 1979, recorded April 18, 1979, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M79 at page 8392-93, covering the following described real property situated in said county and state, to-wit:

The north 1/2 of section 10, block 9, in the VIEW TRACTS, in the County of Klamath, State of 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 a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments of \$300 per month, due December 1981, January 16, 1982, February 16, 1982, March 16, 1982, and April 16, 1982.

By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to-wit:

\$32,918.62 plus interest thereon at the annual rate of 9-1/2% per annum from November 18, 1981 until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 8, 1982, at the hour of 3:00 o'clock, P.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the North steps of the 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 the said auction began, 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 proceedings dismissed and the trust deed rescinded and payment to the beneficiary 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 and trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

In construing this notice, 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; the words "trustee" and "beneficiary" include their respective successors in interest, if

DATED May 28, 1982
Robert P. Bell, Trustee
1981-Aug. 11, 1982; Sept. 1, 1982



12502

AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE

STATE OF OREGON, County of Washington, ss:

I, ROBERT P. BELL, 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 eighteen years and not the beneficiary or his 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 the sale of the real property described in the attached notice of sale by mailing a copy thereof by registered or certified mail to each of the following named persons at their respective last known addresses, to-wit:

NAME	ADDRESS
William H. Smith	1702 Lakeview St., Klamath Falls, OR 97601
" "	818 30th St., Richmond, CA 94804
Betty J. Smith	1702 Lakeview St., Klamath Falls, OR 97601
" "	818 30th St., Richmond, CA 94804
Monte D. Beckman	1702 Lakeview St., Klamath Falls, OR 97601
Nola J. Beckman	1702 Lakeview St., Klamath Falls, OR 97601

Said persons include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any person requesting notice as provided in ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Robert P. Bell, attorney for 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 Beaverton, Oregon, on May 28, 1982. 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 this 17 day of September, 1982.

(SEAL)

Sophia Harrison
Notary Public for Oregon. My commission expires 8/27/83.

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

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF
SALE TO GRANTOR, SUCCESSOR IN INTEREST TO
GRANTOR, AND PERSON REQUESTING NOTICE

RE: Trust Deed from William H. Smith
& Betty J. Smith, Husband & Wife,
and Monte D. Beckman & Nola J.
Beckman, Husband & Wife, Grantor

Transamerica Title Insurance
Company _____ Trustee

AFTER RECORDING RETURN TO

Myatt, Bell & Alexander
12720 S.W. 2nd St.
Beaverton, OR 97005

(DON'T USE THIS
SPACE: RESERVED
FOR RECORDING
LABEL IN COUN-
TIES WHERE
USED.)

STATE OF OREGON,
County of Klamath } ss.

I certify that the within instrument was received for record on the 20 day of Sept, 1982, at 3:03 o'clock P.M., and recorded in book/reel/volume No. MB2 on page 12499 or as fee/file/instrument/microfilm/reception No. 15673. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn County Clerk

By [Signature] Deputy
Fee \$16.00