

OE

18342

## TRUSTEE'S NOTICE OF SALE

Vol. M82 page 17703

Reference is made to that certain trust deed made, executed and delivered by Gloria A. Grow, as grantor, to Mountain Title Company, as trustee, to secure certain obligations in favor of Eva Beierle, as beneficiary, dated June 15, 1977, recorded June 15, 1977, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. 77 at page 10498, or as document/fee/file/instrument/microfilm No. n/a (indicate which), covering the following described real property situated in said county and state, to-wit:

LOT 2 MODOC POINT, according to the official plat thereof on file in the office of the County Clerk of 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: \$3,196.20 principal; \$433.79 interest to August 13, 1981; and taxes for the fiscal years as follows: 1981-1982, Account No. 139-3607-1531, Tax Lot 300 in the sum of \$39.42, plus interest, Account No. 70-3607-1531, Tax Lot 300 in the sum of \$62.75, plus interest; 1980-1981, Account No. 70-3607-1531, Tax Lot 300, in the sum of \$85.65, plus interest; and 1979-1980, Account No. 70-3607-1531, Tax Lot 300 in the sum of \$67.21, plus interest.

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: \$7,339.84 with interest at the rate of 8.75 percent per annum from August 13, 1981; and interest in the sum of \$433.79 to August 13, 1981; and taxes for the fiscal years as follows: 1981-1982, Account No. 139-3607-1531, Tax Lot 300 in the sum of \$39.42, plus interest, Account No. 70-3607-1531, Tax Lot 300 in the sum of \$62.75, plus interest; 1980-1981, Account No. 70-3607-1531, Tax Lot 300 in the sum of \$85.65, plus interest; and 1979-1980, Account No. 70-3607-1531, Tax Lot 300 in the sum of \$67.21, plus interest.

A notice of default and election to sell and to foreclose was duly recorded September 28, 1982, in book M82 at page 12913 of said mortgage records, reference thereto hereby being expressly made. WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Monday, the 28th day of February, 1983, at the hour of 9:30 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at 601 Main Street, Suite 215, 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 Klamath Falls, Oregon, October 19, 1982.

BETH ARONOFF

Trustee

State of Oregon, County of Klamath, 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\_\_\_\_.

AFTER RECORDING RETURN TO:  
Beth Aronoff, Atty. at Law  
601 Main, Suite 215  
Klamath Falls, OR 97601

Attorney for said Trustee

# Affidavit of Publication

17704

STATE OF OREGON,  
COUNTY OF KLAMATH

I, Sarah L. Parsons, Office Manager

being first duly sworn, depose and say that

I am the principal clerk of the publisher of

the Herald and 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

#230 Trustee's Notice of Sale-Grow

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

~~consecutive~~ consecutive week s ~~days~~

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

October 29, 1982

November 5, 1982

November 12, 1982

November 19, 1982

Total Cost: \$202.80

Sarah L. Parsons

Subscribed and sworn to before me this 19th  
day of November 19 82

Beth Aronoff  
Notary Public of Oregon

My commission expires Nov 15 19 86

AFTER RECORDING RETURN TO:  
Beth Aronoff, Atty. at Law  
601 Main, Suite 215  
Klamath Falls, OR 97601

(COPY OF)

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain  
trust deed, made, executed and  
delivered by Charles H. Grow as  
grantor, to Mountain Title Com-  
pany, as trustee, to secure certain  
obligations in favor of Eva Belerle,  
as beneficiary, dated June 15, 1977,  
recorded June 15, 1977, in the  
mortgage records of Klamath  
County, Oregon, in book No. M-77,  
at Page 10499, covering the follow-  
ing described real property situat-  
ed in said county and state, to-wit:  
Lot 2 MODOC POINT, according  
to the official plat thereof on file in  
the office of the County Clerk of  
Klamath County, Oregon.

Both the beneficiary and the  
trustee have elected to sell the said  
real property to satisfy the obliga-  
tions secured by said trust deed,  
and to foreclose said deed, by  
advertisement and sale, the de-  
fault 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: \$3,196.20 principal;  
\$433.79 interest to August 13, 1981,  
and taxes for the fiscal years as  
follows: 1981-82, Account No. 139-  
3607-1531, Tax Lot 300 in the sum of  
\$39.42, plus interest; Account No.  
70-3607-1531, Tax Lot 300 in the sum  
of \$62.75, plus interest; 1980-81,  
Account No. 70-3607-1531, Tax Lot  
300, in the sum of \$85.65, plus  
interest; and 1979-1980, Account  
No. 70-3607-1531, Tax Lot 300 in the  
sum of \$67.21, plus interest.

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 pay-  
able, said sums being the follow-  
ing, to-wit: \$7,339.84 with interest  
at the rate of 8.75 percent per  
annum from August 13, 1981, and  
interest in the sum of \$433.79 to  
August 13, 1981, and taxes for the  
fiscal years as follows: 1981-1982,  
Account 139-3607-1531, Tax Lot 300  
in the sum of \$39.42, plus interest;  
Account No. 70-3607-1531, Tax Lot  
300 in the sum of \$62.75, plus  
interest; 1980-1981, Account No.  
70-3607-1531, Tax Lot 300 in the sum  
of \$85.65, plus interest; and 1979-  
1980, Account No. 70-3607-1531, Tax  
Lot 300 in the sum of \$67.21 plus  
interest.

A notice of default and election to  
sell and to foreclose was duly  
recorded September 28, 1982, in  
book M82 at page 12913 of said  
mortgage records, reference  
thereto hereby being expressly  
made.

WHEREFORE NOTICE  
HEREBY IS GIVEN That the  
undersigned trustee will on Mon-  
day, the 28th day of February,  
1983, at the hour of 9:30 o'clock,  
A.M., Standard Time, as  
established by Section 147.110,  
Oregon Revised Statutes, at 601  
Main Street, Suite 215 in the City  
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, had or had power to convey  
at the time of the execution of  
the said trust deed, to satisfy  
the foregoing obligations thereby  
secured and the costs and ex-  
penses of sale, including a reason-  
able charge of the trustee. Notice  
is further given that any person  
named in Section 86.780 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" in-  
cludes 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 suc-  
cessor in interest of the  
beneficiary named in the trust  
deed.

DATED at Klamath Falls, Oregon,  
October 19, 1982.  
BETH ARONOFF, Trustee  
#230 Oct. 29, Nov. 5, 12, 19, 1982

17705

10/3/79

PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT AND TRUSTEE'S INSTRUCTIONS  
RELATIVE THEREOF (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 Klamath

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

Neal and Joanne Kelly

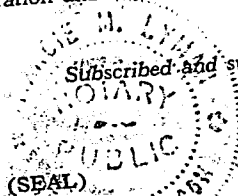
PROPERTY ADDRESS

Box 51 A  
Williamson River Road  
Modoc Point  
Klamath Falls, OR

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 October 30, 1982.

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 19 day of October, 1982.

*[Signature]*  
Trustee

*Maurice M. Lyman*  
Notary Public for Oregon  
My commission expires 11-20-83

(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  
Gloria A. Grow

Grantor

TO  
Mountain Title Company

Trustee

AFTER RECORDING RETURN TO

Beth Aronoff, Atty at Law  
601 Main St., Suite 215  
Klamath Falls, OR 97601

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, } ss.  
County of \_\_\_\_\_

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 \_\_\_\_\_ or as document/tee/file/instrument/microfilm No. \_\_\_\_\_ Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
By \_\_\_\_\_ Deputy

PROOF OF SERVICE

17706

STATE OF Oregon, County of Klamath ss.

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, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or 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, as follows:

Personal Service Upon Individual(s)

Upon Neal Kelly, by delivering such true copy to him/her, personally and in person,  
at BOX 51 A, MEDOC POINT, Williamson River RA, on 10-21, 1982, at 11 o'clock A.M.  
Upon Joanna Kelly, by delivering such true copy to him/her, personally and in person,  
at BOX 51, Williamson RA, MEDOC POINT, ORE, on 10-21, 1982, at 11 o'clock A.M.

Substituted Service Upon Individual(s)

Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
or usual place of abode, to-wit: \_\_\_\_\_,  
to \_\_\_\_\_, who is a person over the  
age of 14 years and a member of the household of the person served on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.  
Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
or usual place of abode, to-wit: \_\_\_\_\_,  
to \_\_\_\_\_, who is a person over the  
age of 14 years and a member of the household of the person served on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

Office Service Upon Individual(s)

Upon \_\_\_\_\_, at the office which he/she maintains for the conduct of  
business at \_\_\_\_\_,  
by leaving such true copy with \_\_\_\_\_, the person who  
is apparently in charge, on \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock, \_\_\_\_M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon \_\_\_\_\_, by  
(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(a) delivering such true copy, personally and in person, to \_\_\_\_\_ who is a/the  
\* \_\_\_\_\_ thereof; OR

(b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the  
office of \_\_\_\_\_, who is a/the \* \_\_\_\_\_ thereof;

\* Specify registered agent, officer (by title), director, general partner, managing agent.

at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

*Stephen Jenkins*

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

Notary Public for Oregon  
My commission expires \_\_\_\_\_

PUBLISHER'S NOTE: ORS 86.740(2) requires that the Notice of Sale be served in the manner in which a summons is served pursuant to Oregon Rules of Civil Procedure 7 D. (2) and 7 D. (3). The Proof of Service above contains most, but not all, of the methods of service. For example, this form does not include proof of service upon a minor or incapacitated person. See ORCP 7 D. (2) and 7 D. (3) for complete service methods on particular parties.



17767

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

STATE OF OREGON, County of Klamath, ss:

I, Beth Aronoff, Attorney at Law, 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
Gloria A. Grow	629 Jefferson 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.....  
Beth Aronoff....., 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 Klamath Falls....., Oregon, on October 19....., 19 82.. 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.

BETH ARONOFF

Subscribed and sworn to before me this 19 day of October, 19 82.

(SEAL)

Maureen M. Lyman  
Notary Public for Oregon. My commission expires 11-20-83

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

Gloria A. Grow

Grantor

TO  
Mountain Title Company

Trustee

AFTER RECORDING RETURN TO

Beth Aronoff, Atty at Law  
601 Main, Suite 215  
Klamath Falls, OR 97601

(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 instru-  
ment was received for record on the  
14 day of Dec., 19 82,  
at 10:49 o'clock A. M., and recorded  
in book/reel/volume No. M82 on  
page 17703 or as document/fee/file/  
instrument/microfilm No. 18342.  
Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

Evelyn Biehn County Clerk  
NAME TITLE

By Joyce McQuinn Deputy  
Fee \$20.00