

K-35243

FORM No. 8908-1—Oregon Trust Deed Series—AFFIDAVIT RE 90-DAY SERVICE PER ORS 86.740(2)

STEVENS-NESS LAW FIRM, CO., PORTLAND, OREGON

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10/5/79

19353

PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE UPON PERSON HAVING A LIEN OR INTEREST
SUBSEQUENT TO THE TRUSTEE AND TRUSTEE'S INSTRUCTIONS RELATIVE THERETO (90-Day Notice)

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

STATE OF OREGON,

County of Multnomah

ss.

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

The person to be served named below is any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the interest of the trustee in the trust deed described in said Notice of Sale, if such lien or interest appears of record or the trustee or the beneficiary has actual notice of such lien or interest.

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

ADDRESS

Judy Ann McFall

Route 5, Box 1142
Klamath Falls, Oregon 97601

Service must be made at least 90 days before the date fixed for the trustee's sale in the Notice of Sale attached hereto. The last day for service is October 13, 1982.
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

30th

day of

August

19 82

Notary Public for Oregon

My commission expires: 3-11-85

(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 OF TRUSTEE'S NOTICE OF SALE
(90-Day Notice per ORS 86.740(2))

RE: Trust Deed from
Lawrence A. McFall, Jr.

Grantor

TO

Mountain Title Company

Trustee

AFTER RECORDING RETURN TO

Douglas M. Thompson, PC
1200 Standard Plaza
1100 SW 6th Avenue
Portland, Oregon 97204

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 or as fee/file instrument/microfilm reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

By

Deputy

TRUSTEE'S NOTICE OF SALE

82-4005
702

Reference is made to that certain trust deed made by Lawrence A. McFall, Jr.

Mountain Title Company, as grantor, to
in favor of United States National Bank of Oregon, as trustee,
dated November 17, 1977, recorded November 18, 1977, in the mortgage record at
Klamath County, Oregon, in ~~book 228~~ volume No. M77 at page 22551
~~by the beneficiary, to the extent of the~~ (indicate which), covering the following described real
property situated in said county and state, to-wit:

Lot 3 in Block 63 of Buena Vista Addition to the City of Klamath Falls,
Oregon, according to the official plat thereof on file in the office of
the County Clerk of Klamath County, Oregon.

HAVING THE PROPERTY ADDRESS OF: 2220 Oregon Avenue
Klamath Falls, Oregon 97601

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 installments of \$202.00 each, including escrow deposit for
real property taxes, FHA insurance premiums and hazard insurance premiums,
beginning with the installment due October 1, 1981, and continuing
through the installment due August 1, 1982, plus late charges in the amount
of \$5.00 each on each installment not paid within 15 days following the due
date thereof.

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:
\$18,778.59, together with interest thereon from September 1, 1981 at the
rate of 8.5% per annum, until paid, plus trustee's fees, attorney's fees,
foreclosure costs and any sums advanced by the beneficiary pursuant to the
terms of said trust deed, including an advance in the amount of \$135.00 for
a foreclosure title report.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 19, 1982,
at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes,
at 110 N. 6th Street
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 obli-
gation, the performance of which is secured by said trust deed; the words "trustee" and "beneficiary" include their
respective successors in interest, if any.

DATED August 30, 1982

Lawrence A. McFall, Jr.
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 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:

SHERIFF'S RETURN OF SERVICE

703

STATE OF OREGON)
) ss.
 County of Klamath)

Court Case No. _____

Sheriff's Case No. 82-4005

I hereby certify that I received on September 2, 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: Judy Ann McFall

() SERVED _____ personally and in person.
 at _____

() 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 _____

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

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

DATE AND TIME OF SERVICE OR NOT FOUND: September 29, 1982 2:00 p.m.

TOM DURYEE, Sheriff
 Klamath County, Oregon

By Stan Schuster 4424

STATE OF OREGON: COUNTY OF KLAMATH :ss

I hereby certify that the within instrument was received and filed for
 record on the -12 day of Jan A.D., 1983 at 3:39 o'clock P M,
 and duly recorded in Vol M83, of Mtge on page 701.

EVELYN BIEHN COUNTY CLERK

Fee \$ 12.00

by Alice McFall Deputy