

MTC 11908

5343

Vol. 1153 Page 10510

PROOF OF PERSONAL SERVICE OF NOTICE OF TRUSTEE'S SALE
AND TRUSTEE'S INSTRUCTIONS RELATIVE THERETO

TRUSTEE'S INSTRUCTIONS to the person who serves the trustee's notice of sale hereto attached:
STATE OF OREGON, County of Lane) ss.

I, the undersigned William S. Wiley successor trustee, being first duly sworn, depose, say and certify:

Reference is made to that certain trust deed executed and delivered by C. WILLIAM BENSON and GAIL R. BENSON, husband and wife, as grantor to PIONEER NATIONAL TITLE INSURANCE COMPANY in which PEOPLES MORTGAGE COMPANY, a Washington corporation, is beneficiary, recorded on January 10, 1980, ~~in book~~ at page 542 volume 800000000000 ~~of the mortgage records of~~ Klamath County, Oregon, covering the following described real property situate in said county:

Lot 4, POOLE HOME SITES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

A notice of default and election to sell and to foreclose said trust deed by advertisement and sale has been duly recorded in the mortgage records of said county. You hereby are directed to serve the trustee's notice of sale in said foreclosure proceedings upon the following person or persons whose interest in said described real property is stated below:

NAME OF PERSON TO BE SERVED
C. William Benson
1540 Lorena Street
Sparks, NV 89431

NATURE OF INTEREST
Grantor in the Deed of Trust
Decree of Dissolution of Marriage, Klamath County Circuit Court File No. 80-1341, Gail Rae Benson, Petitioner, vs. Charles William Benson, Respondent, filed February 21, 1981, the herein described property was awarded to Gail Rae Benson.

VED. DEPT. DIVISION
83 MAR 11 P2:18
WA. COV. REG. CLERK

The undersigned hereby certifies that the person or persons just named are the only persons named in subsection 1 of Section 86.750 of Oregon Revised Statutes who now occupy said real property. The word "trustee" as used in this affidavit means and includes any successor-trustee to the trustee named in the trust deed first mentioned above.



William S. Wiley Successor Trustee

Subscribed and sworn to before me this 17th day of March, 1983

Deanna M. McLeod
Notary Public for Oregon
My commission expires: 8/16/86

PROOF OF SERVICE

STATE OF OREGON, County of _____) ss.

I, _____, 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 twenty-one years and not the beneficiary or his successor in interest or the trustee or successor-trustee or the attorney for any of them, or a party to the foreclosure proceeding described in the attached original notice of sale given under the terms of that certain trust deed described in said notice;

I personally served the attached notice of sale within the County of _____, Oregon, on _____, 19_____, by personally delivering a true copy of said notice of sale, certified to be such by the attorney for the trustee named in said notice, to _____

_____ and to each of them (if an individual) personally and in person. If any of the persons so served is a corporation, said service was made by the delivery of such true copy of said notice so certified, to _____

The said service of said notice of sale was fully completed more than 120 days prior to the day fixed in said notice by said trustee for the trustee's sale. Each of the persons so served by me is the identical person named in the trustee's certificate immediately preceding this affidavit.

STATE OF OREGON, County of _____) ss. _____, 19_____

Personally appeared the above named _____, who subscribed and swore to the foregoing affidavit and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

(OFFICIAL
SEAL)

Notary Public for Oregon

My commission expires _____

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

(FORM No. 8908)

RE: Trust Deed from
C. William Benson and
Gail Rae Benson

Grantor

TO Pioneer National Title
Insurance Company

Trustee

AFTER RECORDING RETURN TO

William S. Wiley
Attorney at Law
P. O. Box 1147
Eugene, OR 97440

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 _____ on page _____ or as file/reel number _____ Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By _____ Title
Deputy

500010210

10511A

STATE OF NEVADA)
COUNTY OF WASHOE) SS.

JANICE S. BLUE being duly sworn, deposes and says:
That he is, and was at the time of the service of the within TRUSTEES NOTICE OF SALE

a citizen of the United States, over the age of eighteen years and not a party to the within
entitled action: That on the 24 day of MARCH A.D., 19 83, in the
County of Washoe, State of Nevada, he personally served the same upon C. WILLIAM BENSON

Address: 1540 LORENA ST. SPARKS, NEVADA
Time: 5:37 PM by then and there personally delivering to and leaving
with said C. WILLIAM BENSON
above named, personally a copy of the within documents above so described in said
within entitled action.

VINCENT G. SWINNEY
Sheriff of Washoe County

By: Janice S. Blue

Subscribed and sworn to
before me this 28
day of MARCH,
A.D., 19 83

[Signature]
Notary

S-116A (Rev. 1/83)



LAVONNE G. PERALTA
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES DEC. 9, 1985

81201

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by C. WILLIAM BENSON and GAIL R. BENSON, husband and wife, as grantor, to PIONEER NATIONAL TITLE INSURANCE COMPANY, as trustee, to secure certain obligations in favor of PEOPLES MORTGAGE COMPANY, a Washington corporation, as beneficiary, dated December 18, 1979, recorded January 10, 1980, in the mortgage records of Klamath County, Oregon, in ~~book 1001~~ volume No. M80 at page 542, ~~XXXX~~ covering the following described real property situated in said county and state, to-wit:

Lot 4, POOLE HOME SITES, 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:

Monthly principal and interest payments in the amount of \$342.00 each for the months of July through December, 1982, and \$365.00 each for the months of January and February, 1983, plus late charges of \$13.68 each for the months of July through December, 1982, and \$14.60 each for the months of January and February, 1983.

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:

Principal amount of \$27,683.85, together with interest thereon at the rate of 11.5% per annum from June 1, 1982, plus accumulated late charges of \$38.80 and reserve overdraft of \$382.45.

A notice of default and election to sell and to foreclose was duly recorded February 22, 1983, volume M83 at page 2652 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Wednesday, the 20th day of July, 1983, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at main door of the Klamath County Cths., in the City of Klamath Falls, County of Oregon, 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 Eugene

, Oregon,

March 17, 1983
William S. Wiley

WILLIAM S. WILEY

Successor Trustee

P. O. Box 1147, Eugene, OR 97440

State of Oregon, County of Lane

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 Eugene

, Oregon, this

17th day of

March

1983

Return:

William S. Wiley Attorney for said Trustee
P. O. Box 1147, Eugene, OR 97440

NOTICE OF SALE

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

this 5th day of July A. D. 1983 at 11:30 o'clock A.M.

duly recorded in Vol. M83, of Mortgages on a c 10510

EVELYN BIEHN, County Clerk

By *[Signature]*

\$20.00

By payment of the principal and interest on the mortgage secured by said

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.

the sum of \$20.00 each for the month of February, 1983.