

MTG 11908

Vol. 483 Page 10519

83-598

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

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, 19 80, in Book 80000000 at page 542 VOLUME 10519
number M80 (Klamath County) 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
5843 Mack Avenue
Klamath Falls, OR 97601

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 prop-
erty was awarded to Gail Rae Benson.

Persons in possession or claiming the right to posses-
sion of the above described real property.

Carter Jones Collection Service
c/o Leonard D. Jones, Reg. Agent
533 South 8th Street
Klamath Falls, OR 97601
Creditor in Judgment against Gail R. Benson entered
entered December 15, 1982, in Docket Book 37, Page
533, Line 2, in the amount of \$200.30, plus interest,
if any.

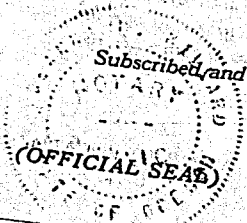
The undersigned hereby certifies that the person or persons just named are the only persons named in subsec-
tion 1 of Section 86.750 of Oregon Revised Statutes who now occupy said real property. The word "trustee" as used
in this affidavit means and includes any successor-trustee to the trustee named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

William S. Wiley Successor Trustee

Subscribed and sworn to before me this

1st day of March, 1983

Deanne M. Millard
Notary Public for Oregon
My commission expires: 8/16/86



10250

STATE OF OREGON, County of _____) ss.

PROOF OF SERVICE

10520

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.

Personally appeared the above named _____, 19____, who subscribed and swore to the foregoing affidavit and acknowledged the foregoing instrument to be his voluntary act and deed.

(OFFICIAL
SEAL)

Before me:

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 R. 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

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

SHERIFF'S RETURN OF SERVICE
SHERIFF'S RETURN OF SERVICE

10521

STATE OF OREGON)

County of Klamath) ss.

Court Case No. _____

Sheriff's Case No. 83-898

I hereby certify that I received on _____

March 2, 1983

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 Garter Jones Collection Service

() SERVED _____ personally and in person.
() 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: _____

(x) OFFICE SERVICE - By leaving a true copy with Mavis Jones, Secretary
the person in charge of the office maintained for the conduct of business by
Leonard Jones, Reg. Agent, 1143 Pine St., Klamath Falls, OR 97601

() 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: March 2, 1983 2:55 p.m.

TOM DURYEE, Sheriff
Klamath County, Oregon

By M Freeze Deputy

SHERIFF'S RETURN OF SERVICE

10522

STATE OF OREGON)
) ss.
 County of Klamath)

Court Case No. _____

Sheriff's Case No. 83-898

I hereby certify that I received on March 2, 1983 the within:

- | | | | | |
|--|--|---|------------------------------------|------------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Summons | <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Citation | <input type="checkbox"/> Order | <input type="checkbox"/> Motion | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Small Claim | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Show Cause Order | <input type="checkbox"/> Notice | |
| <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Order of Appearance | <input type="checkbox"/> Waiver of fees | | |

☒ **TRUSTEE'S NOTICE OF SALE**

for service on the within named: C. William Benson; Tenants in Possession

☐ **SERVED** _____ personally and in person.

☐ **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: C. William Benson or Tentants in Possession, premises unoccupied
 within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: March 2, 1983 2:19 p.m.

TOM DURYEE, Sheriff
 Klamath County, Oregon

By M. Freese Deputy

10523

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 2001~~ volume No. M80 at page 542, 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,

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 1st day of March, 1983.

Return:

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

8788
10253

10524

REGISTERED NOTICE OF SALE

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record .

this 5th day of July A.D. 19 83 at 11:39 o'clock A.M. and

duly recorded in Vol. M83 of Mortgages on a.c. 10519

EVELYN BIEHN, County Clerk

By *[Signature]*

Fee \$24.00

has been duly recorded in the office of the County Clerk of Klamath County, Oregon, and the same is hereby certified to be a true and correct copy of the original as the same appears from the records of said County Clerk.

Witness my hand and the seal of said County at Medford, Oregon, this 5th day of July, 1983.

Notary Public for Oregon
My Commission Expires 12/31/84
I, *[Signature]*, Notary Public for Oregon, do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of said County Clerk.

[Signature]
Notary Public for Oregon
My Commission Expires 12/31/84
I, *[Signature]*, Notary Public for Oregon, do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of said County Clerk.