

31514

TA-26361

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE. 97204

Vol. M13 Page 212289

JUL 28 11 38 AM '83

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale hereto attached:  
STATE OF OREGON  
County of Marion } ss.

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  
Rick F. Marlin  
Maureen G. Marlin

PROPERTY ADDRESS

720 North Ninth  
Klamath Falls, OR

720 North Ninth  
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 August 10, 1983.  
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 27th day of July, 1983  
Trustee

Notary Public for Oregon  
My commission expires 4-25-86

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  
RICK F. MARLIN and  
MAUREEN G. MARLIN

TO Grantor

Trustee

AFTER RECORDING RETURN TO

Neal H. Bell  
BELL & BELL  
Post Office Box 497  
Stayton, OR 97383

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/reel/volume No. \_\_\_\_\_ or as fee/file/instrument/page \_\_\_\_\_ on microfilm/reception No. \_\_\_\_\_ of Mortgages of said County.  
Witness my hand and seal of County affixed.

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

# SHERIFF'S RETURN OF SERVICE

21229

STATE OF OREGON )  
County of Klamath ) ss.

Court Case No. \_\_\_\_\_

Sheriff's Case No. 83-3065

I hereby certify that I received on \_\_\_\_\_

July 28, 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: \_\_\_\_\_

☒ SERVED \_\_\_\_\_ personally and in person.  
\_\_\_\_\_ Maureen G. Marlin

☒ 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: \_\_\_\_\_ Midland, OR 97634

☐ 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: \_\_\_\_\_ August 1, 1983 10:01 a.m.

TOM DURYEE, Sheriff  
Klamath County, Oregon

By

  
Deputy

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by G. MARLIN, husband and wife, as grantor, to  
NEAL H. BELL, as trustee,  
in favor of PACIFIC WEST MORTGAGE CO., an Oregon corporation, as beneficiary,  
dated March 2, 1983, recorded March 7, 1983, in the mortgage records of  
Klamath County, Oregon, in book/reel/volume No. M83, at page 3448, or as  
fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real  
property situated in said county and state, to-wit:

(see attached Exhibit A)

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:

- \$136.33 due on May 7, 1983
- \$136.33 due on June 7, 1983
- \$136.33 due on July 7, 1983

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: \$9,500.00, together with interest thereon  
from April 19, 1983 at the rate of 12% per annum, until paid; plus  
trustee's fees, attorney's fees, foreclosure costs and any sums ad-  
vanced by the beneficiary pursuant to the terms of said trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 15, 1983,  
at the hour of 10:15 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes,  
at Klamath County Courthouse, front steps, 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 July 15, 1983.

State of Oregon, County of Marion, 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.

Neal H. Bell  
Trustee

Rick F. Marlin  
Attorney for said Trustee

SERVE: Rick F. Marlin  
720 North Ninth  
Klamath Falls, OR

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.

21231

EXHIBIT A

A portion of Lot 1, Block 65, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows: Beginning at a point on the Southerly line of 9th Street 104 feet Northwesterly from the Southeasterly (or most Easterly) corner of Lot 1, Block 65, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS; thence Southwesterly and parallel with Grant (formerly Franklin) Street 86 feet; thence Northwesterly and parallel with 9th Street 50 feet; thence Northeasterly parallel with said Grant Street 86 feet; thence Southeasterly along Southerly line of 9th Street 50 feet to the place of beginning.

TRUSTEE'S NOTICE OF SALE

21232

Reference is made to that certain trust deed made by G. MARLIN, husband and wife, as grantor, to  
NEAL H. BELL, as trustee,  
in favor of PACIFIC WEST MORTGAGE CO., an Oregon corporation, as beneficiary,  
dated March 2, 1983, recorded March 7, 1983, in the mortgage records of  
Klamath County, Oregon, in book/reel/volume No. M83, at page 3448, or as  
fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real  
property situated in said county and state, to-wit:  
(see attached Exhibit A)

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:

\$136.33 due on May 7, 1983  
\$136.33 due on June 7, 1983  
\$136.33 due on July 7, 1983

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:  
from April 19, 1983 at the rate of 12% per annum, until paid; plus  
trustee's fees, attorney's fees, foreclosure costs and any sums ad-  
vanced by the beneficiary pursuant to the terms of said trust deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 15, 1983,  
at the hour of 10:15 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes,  
at Klamath County Courthouse, front steps, County of Klamath, State of Oregon, sell at public  
in the City of Klamath Falls, 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 July 15, 1983.

State of Oregon, County of Marion

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.

Neal H. Bell  
Trustee

Maureen G. Marlin  
Attorney for said Trustee  
720 North Ninth  
Klamath Falls, OR

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:

21233

## EXHIBIT A

A portion of Lot 1, Block 65, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows: Beginning at a point on the Southerly line of 9th Street 104 feet Northwesterly from the Southeasterly (or most Easterly) corner of Lot 1, Block 65, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS; thence Southwesterly and parallel with Grant (formerly Franklin) Street 86 feet; thence Northwesterly and parallel with 9th Street 50 feet; thence Northeasterly parallel with said Grant Street 86 feet; thence Southeasterly along Southerly line of 9th Street 50 feet to the place of beginning.

STATE OF OREGON, )  
County of Klamath )

Filed for record at request of

on this 13th day of Dec. A.D. 19 83  
at 10:39 o'clock A M, and duly  
recorded in Vol. M83 of Mortgages  
Page 21228

EVELYN BIEHN, County Clerk

By [Signature] Deputy

Fee 28.00