

10/3/79

31518

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)

Vol. 183 Page 2124

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

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 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

John Doe, party in possession

5822 Denver Avenue  
Klamath Falls, OR

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 September 10, 1983.  
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.

*Neal H. Bell*  
Trustee  
*Darlene M. Lawrence*  
Notary Public for Oregon  
My commission expires: 4-25-86

NOTARY  
(SEAL)  
PUBLIC

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  
VERA L. HESS and  
JANICE HESS MILLER  
Grantor

TO  
NEAL H. BELL

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 1983, 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 TITLE  
By Deputy



# PROOF OF SERVICE

STATE OF \_\_\_\_\_

County of \_\_\_\_\_

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:

Upon \_\_\_\_\_, by delivering such true copy to him/her, personally and in person, at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

Upon \_\_\_\_\_, by delivering such true copy to him/her, personally and in person, at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

Substituted Service Upon Individual(s)  
Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: \_\_\_\_\_, 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: \_\_\_\_\_, 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 (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.

Service Upon State of Oregon  
Upon the State of Oregon by leaving such true copy with \_\_\_\_\_, a deputy/clerk (delete word inapplicable) at the office of the Attorney General on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

Service Upon Public Bodies  
Upon \_\_\_\_\_, by (a) serving such true copy, personally and in person on \_\_\_\_\_, who is 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 director, managing agent, clerk, secretary.

FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

who is the district attorney for the county, by (a) delivering such true copy, personally and in person, to said district attorney, OR (b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the district attorney's office, 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.

Service cannot be made upon \_\_\_\_\_, after reasonable efforts to do so have been made; I attempted to make service by \_\_\_\_\_.

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.

# SHERIFF'S RETURN OF SERVICE

21242

STATE OF OREGON )  
 ) ss.  
 County of Klamath )

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

Sheriff's Case No. 83-3066

I hereby certify that I received on July 28, 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: John Doe, pary 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 \_\_\_\_\_

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

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

DATE AND TIME OF SERVICE OR NOT FOUND: July 28, 1983 1:32 p.m.

TOM DURYEE, Sheriff

Klamath County, Oregon

By Tom Dardson Deputy



21243

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by VERA L. HESS and JANICE HESS MILLER, as grantor, to  
aka JANICE L. MILLER as trustee,  
NEAL H. BELL as beneficiary,  
 in favor of PACIFIC WEST MORTGAGE CO., an Oregon corporation  
 dated December 8, 1981, recorded December 15, 1981, in the mortgage records of  
Klamath County, Oregon, in book/reel/volume No. M 81 at page 21393, or as  
 fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

Lot 37, GRACE PARK, in the County of Klamath, State of 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 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:

\$271.63 due on May 14, 1983  
 \$271.63 due on June 14, 1983

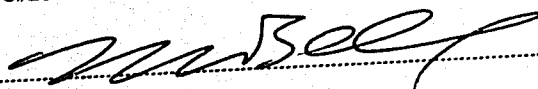
By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and  
 payable, said sums being the following, to-wit: \$13,574.84, together with interest  
 thereon from March 15, 1983 to June 3, 1983, at the rate of 19.5%  
 per annum, together with interest thereon from June 3, 1983, at  
 the rate of 24.5% per annum, until paid; plus trustee's fees;  
 attorneys' fees; foreclosure costs; and any sums advanced 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 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes,  
 at front steps of Klamath County Courthouse

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.

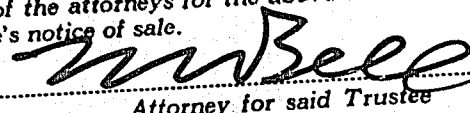
DATED July 15, 1983



Trustee

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.



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:

John Doe, party in possession  
5822 Denver Avenue  
Klamath Falls, OR



## TRUSTEE'S NOTICE OF SALE

21244

Reference is made to that certain trust deed made by VERA L. HESS and JANICE HESS MILLER,  
aka JANICE L. MILLER  
NEAL H. BELL, as grantor, to  
PACIFIC WEST MORTGAGE CO., an Oregon corporation, as trustee,  
dated December 8, 1981, recorded December 15, 1981, in the mortgage records of  
Klamath County, Oregon, in book/reel/volume No. M 81 at page 21393, or as  
fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real  
property situated in said county and state, to-wit:

Lot 37, GRACE PARK, in the County of Klamath, State of 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 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:

\$271.63 due on May 14, 1983  
\$271.63 due on June 14, 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: \$13,574.84, together with interest  
thereon from March 15, 1983 to June 3, 1983, at the rate of 19.5%  
per annum, together with interest thereon from June 3, 1983, at  
the rate of 24.5% per annum, until paid; plus trustee's fees;  
attorneys; fees; foreclosure costs; and any sums advanced 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 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes,  
at front steps of Klamath County Courthouse  
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 July 15, 1983

*NEAL H. BELL*

State of Oregon, County of Marion, ss:

Trustee

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*

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: John Doe, party in possession  
5822 Denver Avenue  
Klamath Falls, OR

STATE OF OREGON: COUNTY OF KLAMATH: ss  
I hereby certify that the within instrument was received and filed for  
record on the 13th day of December A.D., 1983 at 10:39 o'clock A M,  
and duly recorded in Vol M03, of Mortgages on page 21241.

EVELYN BIEHN, COUNTY CLERK

by *Ann Smith* deputy

Fee \$ 16.00