

MITC-12879

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

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33670

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

certify: trustee, being first duly sworn, depose, say and

Reference is made to that certain trust deed executed and delivered by
WILBUR R. APPLEBEE and KAY E. APPLEBEE, husband and wife,
as grantor to TRANSAMERICA TITLE INSURANCE COMPANY
in which PEOPLES MORTGAGE COMPANY, a Washington corporation, ** as trustee,
is beneficiary, recorded on November 29, 1978, in Volume M-79, at page 26845, covering the following described real property situate in said county: Klamath County, Oregon,

See Exhibit A attached hereto and by this reference expressly
made a part hereof.

the beneficial interest under said Deed of Trust was assigned of record to Federal
National Mortgage Association by assignment recorded June 18, 1979, in Volume M-79,
Page 14305,

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
Wilbur R. Applebee
P. O. Box 333
Aurora, OR 97002

NATURE OF INTEREST
Grantor of the Trust Deed and as an owner in
fee simple as a tenant in common.

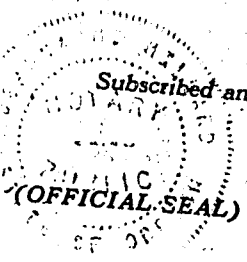
NOTE: Subject to the terms and provisions of that certain Decree of Dissolution of Marriage,
Klamath County Circuit Court File No. 82-1253-2, Kay Enola Applebee, petitioner, and Wilbur
Ryan Applebee, Sr., respondent, filed June 20, 1983, to wit:
"The family residence and lot located at 4211 Homedale Road, Klamath Falls,
Oregon, is hereby ordered to be sold, and the net proceeds from the sale
shall be divided equally between the parties."

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 17th day of October, 1983

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



STATE OF OREGON, County of) ss.

PROOF OF SERVICE

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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.....

RECEIVED
NOTARY PUBLIC
JAN 13 PM '83
DEPUTY

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. 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
Wilbur R. Applebee and
Kay E. Applebee

Grantor

TO

Transamerica 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

PROOF OF SERVICE

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STATE OF Oregon, County of Marion) ss.
 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:

Personal Service Upon Individual(s)
 Upon Wilbur R. Applebee, by delivering such true copy to him/her, personally and in person,
 at 22056 Bentz Road, NE, Aurora, Oregon 97002, on October 19, 1983, at 10:45 o'clock A.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
 to _____, 19____, at _____ o'clock ____M.
 age of 14 years and a member of the household of the person served on _____, by delivering such true copy at his/her dwelling house
 Upon _____, by delivering such true copy at his/her dwelling house
 or usual place of abode, to-wit: _____, who is a person over the
 to _____, 19____, at _____ o'clock ____M.
 age of 14 years and a member of the household of the person served on _____

Office Service Upon Individual(s)
 Upon _____, at the office which he/she maintains for the conduct of
 business at _____, the person who
 by leaving such true copy with _____, 19____, during normal working hours, at to-wit: _____ o'clock, ____M.
 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
 (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)
 (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.
 at _____, on _____, 19____, at _____ o'clock ____M.

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
 at _____, on _____, 19____, at _____ o'clock ____M.

FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon _____
 _____, 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,
 at _____, 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 10 day of November, 1983.
 CHARLES A. FOSTER, Sheriff
 J. McCoy Deputy
 Notary Public for Oregon
 My commission expires 5-21-86

(SEAL)

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.

A tract of land situated in the SE $\frac{1}{2}$ of the SE $\frac{1}{2}$ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the intersection of the North line of N $\frac{1}{2}$ of N $\frac{1}{2}$ of SE $\frac{1}{2}$ of SE $\frac{1}{2}$ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, with the Easterly line of Homedale Road, and running Easterly along said North line a distance of 100 feet; thence Southerly at right angles a distance of 135 feet; thence Westerly parallel with said North line 100 feet to the East line of Homedale Road; thence Northerly along said Easterly line of Homedale Road 135 feet to the point of beginning.

EXCEPT from the above described property a strip of land 20 feet by 100 feet being on the North side and more particularly described in Deed recorded January 11, 1961, in Deed Volume 326 at page 462, Records of Klamath County, Oregon.

A tract of land situated in the SE $\frac{1}{2}$ of the SE $\frac{1}{2}$ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the intersection of the North line of N $\frac{1}{2}$ of N $\frac{1}{2}$ of SE $\frac{1}{2}$ of SE $\frac{1}{2}$ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, with the Easterly line of Homedale Road, and running Easterly along said North line a distance of 100 feet; thence Southerly at right angles a distance of 135 feet; thence Westerly parallel with said North line 100 feet to the East line of Homedale Road; thence Northerly along said Easterly line of Homedale Road 135 feet to the point of beginning.

EXCEPT from the above described property a strip of land 20 feet by 100 feet being on the North side and more particularly described in Deed recorded January 11, 1961, in Deed Volume 326 at page 462, Records of Klamath County, Oregon.

Return to:
William S. Wiley
Atty. at Law
P.O. Box 1147
Eugene, OR 97440

STATE OF OREGON,)
 County of Klamath)
 Filed for record at request of

on this 17th day of Feb. A.D. 19 84
 at 2:29 o'clock P M, and duly
 recorded in Vol. M84 of Mortgages
 Page 2597

EVELYN BIEHN, County Clerk

By Tam Smith, Deputy

Fee 24.00