FORM Die. 8908 Oregon Trust Deed Seri MTC-128-TB IESS LAW PUBLISHING CO. ORTLAND. PROOF OF PERSONAL SERVICE OF NOTICE OF TRUSTEE'S SALE AND TRUSTEE'S INSTRUCTIONS RELATIVE THERETO 'age TRUSTEE'S INSTRUCTIONS to the person who serves the trustee's notice of sale hereto attached: 33670 STATE OF OREGON, County of Lane I, the undersigned WILLIAM S. WILEY Su successor say and in which _____ PEOPLES MORTGAGE COMPANY, a Washington corporation,** in which ______ Football for the second on ______ November 29 _____, 19⁷⁸ , # 500 * xxxxx at page 26845 * volume ______ the number M-79 X(MARCAN WHER) of the mortgage records of Klamath County, Oregon, covering the following described real property situate in said county: 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 Wilbur R. Applebee Grantor of the Trust Deed and as an owner in P. O. Box 333 Aurora, OR 97002 fee simple as a tenant in common. Subject to the terms and provisions of that certain Decree of Dissolution of Marriage, NOTE: Klamath County Circuit Court File No. 82-1253-2, Kay Enola Applebee, petitioner, and Wilbur "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 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 of the trustee parted in the trust deed first menubred above. day of 10% 2. (OFFICIAL SEAL) Notary Public for Oregon 25

PROOF OF SERVICE - 2598 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 successortrustee 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..... an Bro each of them (if an individual) personally and in person. If any of the persons so served is a corporation, said service was made /Ер 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 STATE OF OREGON, County of) ss., 19...... Personally appeared the above named and swore to the foregoing affidavit and acknowledged the foregoing instrument to be his voluntary act and deed. (OFFICIAL SEAL) Notary Public for Oregon My commission expires TRUSTEE'S INSTRUCTIONS AND PROOF OF SERVICE OF NOTICE STATE OF OREGON OF TRUSTEE'S SALE (FORM No. 8908) County of SS. RE: Trust Deed from I certify that the within instru-Wilbur R. Applebee and ment was received for record on the Kay E. Applebeeday of, 19....., SPACE RESERVED Grantor FOR το in bookon page RECORDER'S USE Transamerica Title Insurance. or as file/reel number, .Company..... Record of Mortgages of said County. 33834 Trustee Witness my hand and seal of AFTER RECORDING RETURN TO County affixed. William S. Wiley Attorney at Law Steel a com

P. O. Box 1147 Eugene, OR 97440

ByDeputy

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Exhibit A

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

Commencing at the intersection of the North line of $N\frac{1}{2}$ of $N\frac{1}{2}$ of SE¹/₂ of SE¹/₂ 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

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.

: 2600

FORM No. BUS--Oregon Trust Deed Serie

MIC-DET TRUSTEE'S NOTICE OF SALE Reference is made to that certain trust deed made, executed and delivered by WILBUR R. APPLEBEE and KAY E. APPLEBEE, husband and wife, : 2601 property situated in said county and state, to-wit: See Exhibit A attached hereto and by this reference expressly **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, 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 Monthly principal and interest payments in the amount of \$344.24 for the month of December, 1982, and \$361.00 each for the months of January through October, 1983, plus late charges of \$13.77 for the month of December, 1982, and \$14.44 each for the months of 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, Principal amount of \$36,732.80, together with interest thereon at the rate of 9.50% per A notice of default and election to sell and to foreclose was duly recorded October 13 M-83 WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Wednesday of said mortgage records, reference thereto hereby being expressly made. 7th , 1983 XWX 8888 ceeding 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 leminine and the neuter, the singlar includes the plural, the word "grantor" includes any successor in interest to the frantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, Reantor as well as any other person owing an obligation, the performance of which is secured by said trust of and their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" in. , Oregon, IAN State of Oregon, County of VILLIAM S. WILEY 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 copy of trustee's notice of sale with the original thereof and that the foregoing copy of the second secon Roing is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof. , Oregon, the William S. Wiley Attorney for said Trustee P. O. Box 1147, Eugene, OR 97440

ns established by Section 187.110. Oregon Revised Statutes, at main door of the Klamath County Cths. in the City of auction to the highest bidder for cash the interest in the said described real property which the grant had or had power to convey at the time of the execution by him of the said trust deed, together with any inte-st 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 thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee, induce is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure pro-

Exhibit A

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 $N_2^{\frac{1}{2}}$ of $N_2^{\frac{1}{2}}$ of SE¹/₂ of SE¹/₂ 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.

Riturn : William S. Wiley Atty. at Law P. D. Boy 1147 Euglice, DL 97440

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at____2:29 ____ o'clock _P____ M, and duly recorded in Vol. <u>M84</u> of <u>Mortgages</u> Page____ 2597 EVELYN BIEHN, County Clerk By Tom Anith Deputy Fee 24.00