

10/3/79

34358

Vol. 1784 Page

3974

PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT AND TRUSTEE'S INSTRUCTIONS
RELATIVE THERETO (120-Day Notice)

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

PROPERTY ADDRESS

Rick F. Marlin

Midland, OR

Maureen G. Marlin

Midland, 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 November 15, 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.

[Signature]
Trustee

Subscribed and sworn to before this 20th day of October, 19 83

[Signature]
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

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 Marion } ss.

I certify that the within instrument was received for record on the 20th day of October, 1983, at 4:25 o'clock P.M., and recorded in book/reel/volume No. 1784 on page 3974 or as fee /file/instrument/microfilm/reception No. 4-25-86, Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME TITLE
By [Signature] Deputy

PROOF OF SERVICE

STATE OF OREGON, County of KLAMATH 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 Rick F. Marlin, by delivering such true copy to him/her, personally and in person,
at Midland, Oregon, on October 24, 1983, at 8:36 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 Maureen G. Marlin, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: Midland, Oregon, who is a person over the
to Rick F. Marlin October 24, 1983, at 8:36 o'clock a.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 _____

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon _____, by
(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.) _____ who is a/the
(a) delivering such true copy, personally and in person, to _____
* _____ 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.

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.

Tom Duryee, Sheriff, Klamath County, Oregon

by _____

Deputy

Subscribed and sworn to before me this 24th day of October, 1983.

NOTARY
(SEAL)

Notary Public for Oregon
My commission expires

11-11-85

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.

TRUSTEE'S NOTICE OF SALE

3976

Reference is made to that certain trust deed made by RICK F. MARLIN and MAUREEN G. MARLIN, husband and wife
NEAL H. BELL of grantor, to
 in favor of PACIFIC WEST MORTGAGE CO., an Oregon corporation, as trustee,
 dated July 16, 1982, recorded July 20, 1982, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M 82 at page 9268, or as
 fee/file/instrument/microfilm/reception No. 13778 (indicate which), covering the following described real
 property situated in said county and state, to-wit:

Lots 15 and 16, Block 9, TOWN OF MIDLAND, 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:

\$179.34 due on August 20, 1983

\$179.34 due on September 20, 1983

\$ 10.62 advanced for fire insurance premium

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:

\$11,990.03, together with interest thereon from August 15, 1983, at the rate of 12% per annum, until paid; plus trustee's fees, attorney's 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 March 28, 1984, at the hour of 4:00 o'clock, P.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 obligation, the performance of which is secured by said trust deed; the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED October 20, 1983

/s/ NEAL H. BELL

State of Oregon, County of Marion

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.

[Signature]
 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:

Rick F. Marlin

Post Office Box 134

Midland, OR 97634

TRUSTEE'S NOTICE OF SALE

3977

Reference is made to that certain trust deed made by RICK F. MARLIN and MAUREEN 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 July 16, 1982, recorded July 20, 1982, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M 82 at page 9268, or as fee/file/instrument/microfilm/reception No. 13778 (indicate which), covering the following described real property situated in said county and state, to-wit:

Lots 15 and 16, Block 9, TOWN OF MIDLAND, 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:

\$179.34 due on August 20, 1983
\$179.34 due on September 20, 1983
\$ 10.62 advanced for fire insurance premium

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: \$11,990.03, together with interest thereon from August 15, 1983, at the rate of 12% per annum, until paid; plus trustee's fees, attorney's 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 March 28, 1984, at the hour of 4:00 o'clock, P.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 obligation, the performance of which is secured by said trust deed; the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED October 20, 1983 /s/ NEAL H. BELL

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.

Maureen G. Marlin
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: Maureen G. Marlin
Post Office Box 134
Midland, OR 97634

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 12th day of March A.D., 1984 at 3:30 o'clock P.M. and duly recorded in Vol M84, of Mortgages on page 3.

EVELYN NIEN, COUNTY CLERK

Fee: \$ 16.00

by: Pam Smith, Deputy