

36899

Vol. 1184 Page 8439

AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE

STATE OF OREGON, County of KLAMATH, ss:

I, William M. Ganong

, 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 eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by registered or certified mail to each of the following named persons at their respective last known addresses, to-wit:

NAME

ADDRESS

Bret A. Specht

806½ 52nd Place
Everett WA 98203

W. Leanne Specht

806½ 52nd Place
Everett WA 98203

Said persons include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any person requesting notice as provided in ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by William M. Ganong, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on January 17, 1984. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

William M. Ganong
William M. Ganong, Successor Trustee

Subscribed and sworn to before me this 9th day of May, 1984

(SEAL)

Barbara P. Benekas
Notary Public for Oregon. My commission expires 8-22-87

BARBARA P. BENEKAS
NOTARY PUBLIC - OREGON

PUBLISHER'S NOTE: An original copy of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.
My Commission Expires

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE TO GRANTOR, SUCCESSOR IN INTEREST TO GRANTOR, AND PERSON REQUESTING NOTICE

RE: Trust Deed from

Grantor

TO

Trustee

(DON'T USE THIS SPACE! RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

AFTER RECORDING RETURN TO
WILLIAM M. GANONG
ATTORNEY AT LAW
1151 PINE STREET
KLAMATH FALLS, OR 97601

STATE OF OREGON,
County of KLAMATH } ss.

I certify that the within instrument was received for record on the 9th day of May, 1984, at 8 o'clock AM, and recorded in book/reel/volume No. 1184 on page 8439 or as fee/title/instrument/microfilm/reception No. 1184 Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME

TITLE

By Barbara P. Benekas Deputy

ch
20.00
890A

10/3/79 OL

8440



**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 Klamath

} 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

Bret A. and W. Leanne Specht

303 Washington
Klamath Falls, OR 97601

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 January 20, 1984.

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.

Successor

Trustee

Subscribed and sworn to before this

9th

day of

May

19

84

Notary Public for Oregon

My commission expires

8-22-87

(SEAL)

BARBARA P. BENEKAS

NOTARY PUBLIC FOR OREGON

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

Bret A. and W. Leanne Specht

Grantor

TO

William M. Ganong

Successor

Trustee

AFTER RECORDING RETURN TO

WILLIAM M. GANONG
ATTORNEY AT LAW
1111 PINE STREET
KLAMATH FALLS, OR 97601

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. _____ on page _____ or as fee/tile/instrument/microfilm/reception No. _____, Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME

TITLE

By

Deputy

STATE OF OREGON

PROOF OF SERVICE

8441

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 certified to be such by the attorney for the trustee or successor trustee, as follows: below, by delivering true copies of said Notice of Sale upon the individuals and other legal entities to be served, named

Personal Service Upon Individual(s)
Upon CRYSTAL HOOD, by delivering such true copy to him/her, personally and in person, at 303 Washington St., Apt. #1 Klamath Falls, Or., on January 12, 1984, at 3:10 o'clock P.M.
Upon SHELLEY COLLINS, by delivering such true copy to him/her, personally and in person, at 303 Washington St., Apt. #4, Klamath Falls, Ore., on January 16, 1984, at 4:15 o'clock P.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.

Office 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.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name
Upon _____, during normal working hours, at to-wit: _____, the person who (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.) _____, 19____, at _____ o'clock _____M.
(a) delivering such true copy, personally and in person, to _____, by _____, who is a/the _____, the person who is apparently in charge of the _____, 19____, at _____ o'clock _____M.
(b) leaving such true copy with _____ thereof; OR
* 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 _____, on _____, 19____, at _____ o'clock _____M.
clerk (delete word inapplicable) at the office of the Attorney General on _____, 19____, at _____ o'clock _____M.
Service Upon Public Bodies
Upon _____, a deputy/ _____, 19____, at _____ o'clock _____M.
(a) serving such true copy, personally and in person on _____, by _____, who is the _____, who is the _____, 19____, at _____ o'clock _____M.
(b) leaving such true copy with _____ thereof, OR
* Specify director, managing agent, clerk, secretary _____, who is a/the _____, the person who is apparently in charge of the _____, 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 _____, on _____, 19____, at _____ o'clock _____M.
_____, who is the district attorney for the county, by _____, 19____, at _____ o'clock _____M.
(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, _____, 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 17 day of January, 1984.

Notary Public for Oregon
My commission expires 11-2-86

(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. This form 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

8442

Reference is made to that certain trust deed made by BRET A. SPRECHT and W. LEANNE SPECHT,
husband and wife as grantor, to
WILLIAM L. SISEMORE as trustee,
in favor of Paul H. Chitwood and Ruth O. Chitwood, as beneficiary,
dated January 30, 1981, recorded February 3, 1981, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M-81 at page 1565
fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real
property situated in said county and state, to-wit:

"See attached Description"

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:
Monthly installments in the amount of \$150.00 each, which were due and payable on Dec 1, 1981,
Jan 1, Feb 1, Mar 1, Apr 1, May 1, Jun 1, July 1, Aug 1, Sep 1, Oct 1, Nov 1, Dec 1, 1982,
Jan 1, Feb 1, Mar 1, Apr 1, May 1, Jun 1, July 1, Aug 1, Sep 1, Oct 1, Nov 1, Dec 1, 1983, and
Jan 1, 1984; together with late charges of \$150.00. Also lates taxes for 1981-82 in the amount
of \$674.22, 1982-83 for \$681.50, and 1983-84 for \$696.76.

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:

Principal sum in the amount of \$10,000.00 together with interest thereon at the rate of
18.0% per annum from December 1, 1982, until paid. Also, late charges in the amount
of \$150.00.

WHEREFORE, notice hereby is given that the undersigned trustee will on May 22, 1984,
at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes,
at the frontsteps of the Klamath County Court house
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 January 6, 1984 151 William M. Ganong
William M. Ganong
Successor Trustee

State of Oregon, County of Klamath, 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.

William M. Ganong
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: _____

DESCRIPTION

A portion of Block 8, EWAUNA HEIGHTS ADDITION and a portion of Lot 6, Block 48 FIRST ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the most Southerly corner of Block 8, EWAUNA HEIGHTS ADDITION TO THE CITY OF KLAMATH FALLS, being in the Northwesterly corner of the intersection of Third and Washington Streets; thence running Northwesterly along the Easterly line of Third Street a distance of 55 feet; thence at right angles running in a Northerly direction a distance of 52.8 feet; thence at right angles and running in a Southeasterly direction and parallel with Third Street, a distance of 55 feet to the most Northerly line of Washington Street; thence at right angles and running in a Southwesterly direction and parallel with and along the most Northerly line of Washington Street, a distance of 52.8 feet to the point of beginning, said tract being a plot of land located at the Northerly corner of Third and Washington Streets, 55 feet in length and 52.8 feet in width.

STATE OF OREGON,)

County of Klamath)

Filed for record at request of

on this 22 day of May A.D. 19 84
at 11:13 o'clock A M, and duly
recorded in Vol. M84 of Mortgages
Page 8439

EVELYN BIEHN, County Clerk

By *Sam Smith* Deputy

Fees 20.00