

Re: U.S. Creditcorp v. Dwight G. Spillane and Virginia Spillane

AFFIDAVIT OF SERVICE

STATE OF OREGON)
) ss.
County of Jackson)

I, Frank R. Alley, III, being first duly sworn on oath, depose and say as follows:

1. Affiant is the successor trustee under that certain deed of trust recorded September 16, 1981, at Volume M81, Page 16455, Mortgage Records of Klamath County, Oregon.

2. Pursuant to the Notice of Default and Election to Sell, recorded February 14, 1984, in Volume M84, Page 2296, Microfilm Records, Klamath County, Oregon, I caused a true and exact copy of the Trustee's Notice of Sale to be mailed by certified mail by depositing said notices in a sealed envelope with postage fully prepaid in the United States post office at Medford, Oregon, on February 16, 1984, to the following persons at their last known addresses:

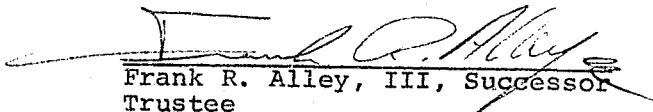
Dwight G. Spillane
Route 1, Box 127
Bonanza, OR 97623

Virginia Spillane
Route 1, Box 127
Bonanza, OR 97623

3. Attached hereto as Exhibit "A" is the return of service provided to Affiant attesting that service was made in the manner required by law on the occupants of the property known as Box 171, McCully Road, Malin, Oregon. The original of said Trustee's Notice is attached hereto as Exhibit "B".

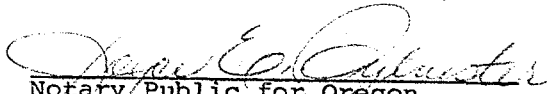
4. An Affidavit of Publication received from the Herald & News, Klamath Falls, Oregon, is attached hereto marked Exhibit "C".

Dated this 20th day of June, 1984.


Frank R. Alley, III, Successor
Trustee

Subscribed and sworn to before me this 20th day of June, 1984.




Notary Public for Oregon
Commission Expires: 2-9-88

After Recording Return To:

Frank R. Alley, III
P.O. Box 1746
Medford, OR 97501

cle
\$0.00

84 JUN 26 AM 9 55

Nº 4593

10652

IN THE _____ COURT OF THE STATE OF OREGON
COUNTY OF _____ : COURT CASE NO. _____

The Bank of Milwauki, Trustee
vs

AFFIDAVIT/PROOF OF SERVICE

Dewight and Virginia Spillshe
Grantor

NOTICE OF TRUSTEE SALE

STATE OF OREGON)
) SS.

County of KIAMATH

I hereby certify that on the 20 day of Feb., 19 84, at the hour of 5:13pm,
I served Willie and Carol Reid by:
Both _____

- xxxx Personal Service (Personally and in Person)
_____ Substitute Service (By serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
_____ Office Service (By serving the person apparently in charge)
_____ By posting (Said residence)
- A certified/true copy of:
_____ Summons _____ Writ of Garnishment _____ Small Claims
_____ Motion _____ Order _____ Affidavit
_____ Complaint _____ Citation _____ Subpoena
_____ Petition _____ Notice _____ Decree
xxx Other: Notice of Trustee Sale

Together with a copy of _____

To Willie and Carol Reid, occupants ^{Box} At 171 McCully Road, Malin, Oregon

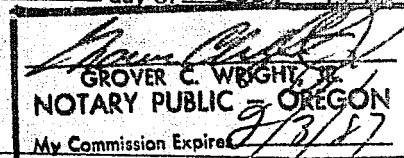
NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 19 _____, and after due and diligent search and inquiry, I have been unable to locate _____ within the county of _____. Dated this _____ day of _____, 19 _____.

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF Klamath

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this
22 day of Feb., 19 84

Rick Minto
Cleveland Investigation Company



Papers Received From Reffernan, Fowler,
Alley and McNair
Attorneys at Law
705 W. 10th St.
Medford, Oregon 97501

Statement Date: 22 Feb. 84
Amount Received _____ Amount Charged 15.00
Check No. _____ Cash _____ Refund Due _____
Receipt No. _____ Balance Due 15.00
File No. 84-014-H
Sub/Office service mailing must be made _____
Mailing has been completed _____

EXHIBIT "A"

TRUSTEE'S NOTICE OF SALE

10653

Reference is made to that certain trust deed made by
 DWIGHT G. SPILLANE and VIRGINIA SPILLANE
 The Bank of Milwaukie
 in favor of U.S. Creditcorp, an Oregon corporation, as grantor, to
 dated September 16, 1981, recorded September 16, 1981, as trustee,
 Klamath County, Oregon, in book/reel/volume No. M81, in the mortgage records of
 fee/file/instrument/microfilm/reception No. _____ at page 16455
 property situated in said county and state, to-wit: _____ (indicate which), covering the following described real

Attached hereto as Exhibit "A" and by this
 reference made a part hereof.

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:

\$8.20 due on April 21, 1983, plus \$997.70 due on May 21, 1983, and on the
 21st day of each month thereafter, plus beneficiary's collection costs.

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:

\$47,686.51, plus interest thereon at the rate of 19.50% per annum from
 February 17, 1983, plus beneficiary's costs of foreclosure.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 26, 1984,
 at the hour of 1:00 o'clock, P.M., Daylight Savings Time, as established by Section 187.110, Oregon Revised Statutes,
 at the front steps of the 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 January 31, 1984

FRANK R. ALLEY, III
 Successor Trustee

State of Oregon, County of Jackson

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

SERVE:

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.

EXHIBIT "B"

10654

DESCRIPTION

That part of Farm Unit B, according to the Farm Unit Plat, also described as Lots 13 and 14, Section 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, lying South and West of the Great Northern Railroad right of way through said lots.

EXCEPTING THEREFROM THE FOLLOWING:

A parcel of land situate in Section 16, Township 41 South, Range 12 East of the Willamette Meridian, being more particularly described as follows: Beginning at a brass cap monument on the South line of Section 16, Township 41 South, Range 12 East of the Willamette Meridian, which marks the Section corner common to Sections 20 and 21; thence North $89^{\circ} 24' 52''$ West 67.3 feet, more or less to the Southwest corner of said Section 16; thence Northerly along the West line of Section 16, 693.0 feet to a point; thence South $89^{\circ} 24' 52''$ East 1631 feet, more or less to a point on the Southwesterly right of way line of the Burlington Northern Railroad, as the same is presently located and constructed, thence Southeasterly along said right of way line 938 feet, more or less to its intersection with the South line of Section 16; thence North $89^{\circ} 24' 52''$ West, 2192.8 feet, more or less, to the point of beginning.

EXHIBIT "A"

10655

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Feb 20.00 Deputy