

38559

AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICEVol. ^m 84 Page 11507

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

Richard G. Arsenault and
Mallie K. Arsenault

P.O. Box 301
Klamath Falls OR 97601

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 February 21, 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. BENECAS
NOTARY PUBLIC - OREGON

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

PUBLISHER'S Note: My commission expires
An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

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

AFTER RECORDING RETURN TO

WILLIAM M. GANONG
ATTORNEY AT LAW
1151 PINE STREET
KLAMATH FALLS, OR 97601

(DON'T USE THIS
SPACE: RESERVED
FOR RECORDING
LABEL IN COUN-
TIES WHERE
USED.)

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/file/instru-
ment/microfilm/reception No. _____,
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

NAME

TITLE

By _____ Deputy

10/3/79

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11508

**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

Richard G. Arsenault and
Mallie K. Arsenault

422 Mt. Whitney
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 March 9, 19 84.

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, William M. Ganong

Subscribed and sworn to before this 21st day of February, 19 84

Notary Public for Oregon

My commission expires

(SEAL)

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

Grantor

TO

Trustee

AFTER RECORDING RETURN TO

**WILLIAM M. GANONG
ATTORNEY AT LAW
1151 PINE STREET
KLAMATH FALLS, OR 97601**

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of KLAMATH } ss.

I certify that the within instrument was received for record on the 21st day of February, 19 84, at 4:00 o'clock P.M., and recorded in book/reel/volume No. 11508 on page 1 or as fee/title/instrument/microfilm/reception No. 11508, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By William M. Ganong Deputy

STATE OF OREGON

PROOF OF SERVICE

11509

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 Richard G. Arsenault, by delivering such true copy to him/her, personally and in person,
at 1345 Wilford St., Klamath Falls, Ore., on March 10, 1984, at 10:59 o'clock A.M.
Upon Jan Arsenault, by delivering such true copy to him/her, personally and in person,
at 422 Mt. Whitney, Klamath Falls, Ore., on March 10, 1984, at 10:54 o'clock A.M.

Substituted Service Upon Individual(s)

Upon _____, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____,
to _____, 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.
Upon _____, by delivering such true copy at his/her dwelling house
or usual place of abode, to-wit: _____,
to _____, 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 _____, at the office which he/she maintains for the conduct of
business at _____, the person who
by leaving such true copy with _____, during normal working hours, at to-wit: _____ o'clock, _____ M.
is apparently in charge, on _____, 19____, at _____ 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 *
* 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.

TED L. LINDOR

Subscribed and sworn to before me this 11 day of March, 1984

(SEAL)

WM. M. GANONG

NOTARY PUBLIC - OREGON

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

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 C 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.

11510

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TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by RICHARD G. ARSENAULT and MALLIE K. ARSENAULT, as grantor, to WILLIAM L. SISEMORE, as trustee, in favor of CERTIFIED MORTGAGE COMPANY, as beneficiary, dated January 21, 1982, recorded January 22, 1982, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M-82 at page 914, fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real property situated in said county and state, to-wit:

All of Lot 3 and the Southwesterly 12 feet of Lot 2, adjoining said Lot 3, all in Block 12, FIRST ADDITION TO KLAMATH FALLS, in the City of Klamath Falls, 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:

Monthly installment payments in the sum of \$245.98 each which were due and payable on November 21, and December 21, 1983, and January 21 and February 21, 1984; together with late charges in the amount of \$39.36.

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:

The principal sum of \$15,137.50 together with interest thereon at the rate of 19.5% per annum from October 21, 1983, until paid; together with late payment charges in the amount of \$39.36.

WHEREFORE, notice hereby is given that the undersigned trustee will on July 9, 1984, at the hour of 10:30 o'clock A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Frontsteps 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 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 February 21, 1984

Successor

Trustee, William M. Ganong

State of Oregon, County of _____, 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.

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: _____

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 9th day of July A.D., 1984 at 9:59 o'clock A.M., and duly recorded in Vol M84, of Mortgages on page 11507.

EVELYN BIEHN, COUNTY CLERK

Fee: \$ 16.00

by: Bernetha J. Deloch, Deputy