Re:

Page U.S. National Bank of Oregon v. Eddie and Rosetta Lewis

STATE OF OREGON

County of Jackson

AFFIDAVIT OF SUCCESSOR TRUSTEE

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

Affiant is the successor trustee under that certain 1. deed of trust recorded on 2/5/80 in Book M-80, Page 2306, Official Records, Klamath County, Oregon.

2. Pursuant to the Notice of Default and Election to Sell dated April 23, 1984, and recorded on April 27, 1984, in Book M-84, Page 7045, Mortgage Records, Klamath County, Oregon, I caused a true and exact copy of the Notice of Default and Election to Sell, a copy of which is attached hereto marked as Exhibit "A", to be mailed by certified mail, postage fully prepaid by depositing said Notices in a sealed envelope in the United States Post Office at Medford, Oregon, on April 30, 1984, to the following persons at their last known addresses:

Eddie Lewis	Rosetta Lewis
5463 Brentwood	5464 Brentwood
Klamath Falls, OR 97601	Klamath Falls, OR 97601
James S. Wadsworth	

12254 Purcell Road Manassas, Virginia 22110

١ SS.

)

Shiela B. Wadsworth 12254 Purcell Road Manassas, Virginia 22110

3. Attached hereto as Exhibit "B" is the return of service from the Klamath County Sheriff provided to Affiant attesting that service was made in the manner required by law on the occupants of the property.

Attached hereto as Exhibits "C" and "D" are the 4. returns of service provided to Affiant attesting that service was made in the manner required by law on the lienholders, Sheila Wadsworth and James Wadsworth.

An Affidavit of Publication received from the 5. Herald and News, Klamath County, Oregon, is attached hereto marked Exhibit "E".

Dated this 17th day of September, 1984.

Frank R. Alley, III

subschibed and sworn to before me this 17th day of September, 1984.

Notary Public for Oregon

Commission Expires: 2-9-88

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NOTICE OF DEFAULT AND ELECTION TO SELL (ORS 86.705, et seq) Notice is hereby given that the obligation secured by the trust deed described below is in default, and that the beneficiary has elected to foreclose the 16167 trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed. Information required by ORS 86.735 and ORS 86.745 is as follows: Grantors: James Stephen Wadsworth and Sheila B. Wadsworth Trustee: Transamerica Title Insurance Company Successor Trustee: Frank R. Alley, III, OSB #77011 Beneficiary: United States National Bank of Oregon Property covered by trust deed: Lot 12, Block 12, FIRST ADDITION TO 2) GATEWOOD, in the County of Klamath, State of Oregon. Trust deed was recorded on 2/5/80 in Book M-80, Page 2306, Official 3) Records, Klamath County, Oregon. Default for which foreclosure is made: Failure to pay installments of 4) principal and interest of \$637.00 due on 9/1/83 and on the 1st day of each The sum owing on the obligation secured by the trust deed is: \$50,340.20, 5) plus interest thereon at the rate of 11.5% per annum from 8/1/83 until The beneficiary has and does elect to sell the property to satisfy the 6) The property will be sold in the manner prescribed by law on September 19, 7) 1984, at 10:30 o'clock a.m., Standard Time, as established by ORS 187.110, at the front door of the County Courthouse, Klamath Falls, Klamath County, Interested persons are notified of the right under ORS 86.753 to have this 8) proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date the successor trustee conducts the sale. DATED this 23 day of April, 1984. STATE OF OREGON, County of Jackson, ss: FRANK R. ALLEY, III Frank R. Alley, III, Successor Trustee Personally appeared the above named Frank R. Alley, III, and acknowledged the foregoing instrument to be his voluntary act and deed this 23 day of April, 1984. Commission Expires: 2-9-88 Notary Public for Oregon STATE OF OREGON, County of Jackson, ss: I, the undersigned, certify that I am the attorney for the above trustee and that the foregoing is a true copy of the original Notice of Default. After Recording, Return To: Frank R. Alley, III Attorney for Trustee Attorney at Law P.O. Box 1746 Medford, OR 97501 EXHIBIT "A"

16168

SHERIFF'S RETURN OF SERVICE

STATE OF OREGON)) ss.	Court Case No
County of Klamath)	Sheriff's Case No. 84-1531
I hereby certify that I received on May	11, 1984 the within
() Summons & Complaint () Summons & Petition	() Summons () Complaint () Petition
() Subpoena () Citation	() Order () Motion () Affidavit
() Small Claim () Restraining Order	
() Writ of Garnishment () Order of Appearance	
(X) NOTICE OF DEFAULT AND ELECTION TO SELL	
for service on the within named:OCCUPANTS_54	63 Brentwood, Klamath Falls, OR
() SERVED	personally and in person
at	personally and in person.
() SUBSTITUTE SERVICE - By leaving a true copy with _	
a person over the age of fourteen years, who reside	
abode:	
() OFFICE SERVICE - By leaving a true copy with	
the person in charge of the office maintained for the	
() By leaving a true copy with	of said correction
() OTHER METHOD	
(x) NOT FOUND. After due and diligent search and inqu	
the within named:OCCUPANTS, HOUSE VACAN	۰. ۳
within Klamath County.	1
All search and service was made within Klamath Courty, S	State of Oregon
DATE AND TIME OF SERVICE OR NOT FOUND:	
	TOM DURYEE, Sheriff Klamath County, Oregon
	By

3

EXHIBIT "B"

NOTICE OF DEFAULT AND ELECTION TO SELL (ORS 86.705, et seq)

Notice is hereby given that the obligation secured by the trust deed described below is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

- Grantors: James Stephen Wadsworth and Sheila B. Wadsworth Trustee: Transamerica Title Insurance Company Successor Trustee: Frank R. Alley, III, OSB #77011 Beneficiary: United States National Bank of Oregon
- 2) Property covered by trust deed: Lot 12, Block 12, FIRST ADDITION TO GATEWOOD, in the County of Klamath, State of Oregon.
- 3) Trust deed was recorded on 2/5/80 in Book M-80, Page 2306, Official Records, Klamath County, Oregon.
- 4) Default for which foreclosure is made: Failure to pay installments of principal and interest of \$637.00 due on 9/1/83 and on the 1st day of each month thereafter.
- 5) The sum owing on the obligation secured by the trust deed is: \$50,340.20, plus interest thereon at the rate of 11.5% per annum from 8/1/83 until paid.
- 6) The beneficiary has and does elect to sell the property to satisfy the obligation.
- 7) The property will be sold in the manner prescribed by law on September 19, 1984, at 10:30 o'clock a.m., Standard Time, as established by ORS 187.110, at the front door of the County Courthouse, Klamath Falls, Klamath County, Oregon.
- 8) Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date the successor trustee conducts the sale.

DATED this <u>X</u>3 day of April, 1984.

FRANK R. ALLEY, III

Frank R. Alley, III, Successor Trustee STATE OF OREGON, County of Jackson, ss:

Personally appeared the above named Frank R. Alley, III, and acknowledged the foregoing instrument to be his voluntary act and deed this 23 day of April, 1984.

Commission Expires:

JOYCE E. SYLVESTER Notary Public for Oregon

16169

STATE OF OREGON, County of Jackson, ss: I, the undersigned, certify that I am the attorney for the above trustee and that the foregoing is a true copy of the original Notice of Default.

Attorney for Trustee

After Recording, Return To: Frank R. Alley, III Attorney at Law P.O. Box 1746 Medford, OR 97501

RECEIVED SHERIFF'S DEPT. 16170 RETURN OF SERVICE 1994 JUN -4 M 10: 13 PRIMEE WILLIAM COUNTY, VA STATE OF VIRGINIA COUNTY OF PRINCE WILLIAM I. Michael W. Messier, being duly sworn a Deputy Sheriff in and for the County of Prince William, State of Virginia, hereby state that on the 13 day of <u>June</u>, 1989, at 2:00pm. served in person did not find Wadsworth _, Defendant at 12254 Purcel , Prince William County, Virginia. Deputy Sheriff Prince William County, Virginia Personally appearing, <u>Michael W. Messier</u>, Deputy Sheriff, made oath that the above return signed is true. TAKEN, SUBSCRIBED, and sworn to before me this 14^{4h} day of 1984. My Commission expires July 22, 1984. WAS COMMISSIONED Notary Public Prince William County, Virgin · still Thomas .

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EXHIBIT "C"

NOTICE OF DEFAULT AND ELECTION TO SELL (ORS 86.705, et seq)

Notice is hereby given that the obligation secured by the trust deed?described below is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to provend+.... -4 ¹¹ 10 13 recover any part of the debt secured by the trust deed. "" HOLLIAN COUNT : VI

Information required by ORS 86.735 and ORS 86.745 is as follows:

- 1) Grantors: James Stephen Wadsworth and Sheila B. Wadsworth Trustee: Transamerica Title Insurance Company Successor Trustee: Frank R. Alley, III, OSB #77011 Beneficiary: United States National Bank of Oregon
- 2) Property covered by trust deed: Lot 12, Block 12, FIRST ADDITION TO GATEWOOD, in the County of Klamath, State of Oregon.
- 3) Trust deed was recorded on 2/5/80 in Book M-80, Page 2306, Official Records, Klamath County, Oregon.
- Default for which foreclosure is made: Failure to pay installments of 4) principal and interest of \$637.00 due on 9/1/83 and on the 1st day of each month thereafter.
- 5) The sum owing on the obligation secured by the trust deed is: \$50,340.20, plus interest thereon at the rate of 11.5% per annum from 8/1/83 until paid.
- The beneficiary has and does elect to sell the property to satisfy the 6) obligation.
- 7) The property will be sold in the manner prescribed by law on September 19, 1984, at 10:30 o'clock a.m., Standard Time, as established by ORS 187.110, at the front door of the County Courthouse, Klamath Falls, Klamath County, Oregon.
- 8) Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date the successor trustee conducts the sale.

DATED this 23 day of April, 1984.

FRANK R. ALLEY, IN

Frank R. Alley, III, Successor Trustee

STATE OF OREGON, County of Jackson, ss: Personally appeared the above named Frank R. Alley, III, and acknowledged the foregoing instrument to be his voluntary act and deed this 23 day of April, 1984.

Commission Expires: 2-9-88

JOYCE E. SYLVESTER Notary Public for Oregon

STATE OF OREGON, County of Jackson, ss:

I, the undersigned, certify that I am the attorney for the above trustee and that the foregoing is a true copy of the original Notice of Default.

Attorney for Trustee

SERVE: James B. Wadsworth 12254 Purcell Road Manassas, Virginia 22110

After Recording, Return To: Frank R. Alley, III Attorney at Law P.O. Box 1746 Medford, OR 97501

16172

RECEIVED SHERIFF'S DEP1. RETURN OF SERVICE 1984 JUN -4 M 10: 13 ELEMOT WILLIAM COUNTY, YA STATE OF VIRGINIA COUNTY OF PRINCE WILLIAM I, Minhael W. Mossies, being duly sworn a Deputy Sheriff in and for the County of Prince William, State of Virginia, hereby state that on the _____ day of ______, 198% at ______pm. served in person did not find -Washing, Defendant at 12254 Parcelled. , Prince William County, Virginia. man. Deputy Sheriff Prince William County, Virginia W. Messier Deputy Sheriff, made Personally appearing, $\underline{Michael}$ U oath that the above return signed is true. TAKEN, SUBSCRIBED, and sworn to before me this 12th day of June 1984. My commission expires _ Tuly 22, 1984. GUIM E WAS COMMISSION ED Notary Public Prince William County, Virginia \$ 11 15-16 * Pana

EXHIBIT "D"

NOTICE OF DEFAILT AND THE
NOTICE OF DEFAULT AND ELECTION TO SELL (ORS 86.705, et seq)
trust deed purguant, and that the beneficiary has by the trust deed described
Information required by ORS 86.735 and ORS 86 745 to the second state of the second st
 recover any part of the debt secured by the trust deed. Information required by ORS 86.705 to 86.745 is as follows: 13/2 If antors: James Stephen Wadsworth and Sheila B. Wadsworth Trustee: Transamerica Title Insurance Company Beneficiary: United States National Bank of Oregon. Property covered by trust deed: Lot 12, Block 12, FIRST ADDITION TO GATEWOOD, in the County of Klamath, State of Oregon. Default for which foreclosure is made: Failure to pay installments of month thereafter. The sum owing on the obligation secured by the trust deed is: \$50,340.20, paid. The beneficiary has and does elect to sell the property to satisfy the obligation. The property will be sold in the manner prescribed by law on September 19, at the front door of the County Courthouse, Klamath Falls, Klamath County. Interested persons are notified of the right under ORS 86.753 to have this amount then due, other thrust deed reinstated by payment of the bent of the county Courthouse, Klamath Falls, Klamath County. Interested persons are notified of the right under ORS 86.753 to have this amount then due, other thrust deed reinstated by payment of the entire default occurred, together with costs, trustee's and attorney's fees, and to five days before the date the successor trustee conducts the sale.
FRANK R. ALLEY, III
STATE OF OREGON, County of Jackson, ss: Personally appeared the above named Frank R. Alley, III, Successor Trustee the foregoing instrument to be his voluntary act and deed this 23 day of Commission F.
Commission Expires:
$\frac{2-9-98}{\text{Notary Public for Oregon}}$
STATE OF OREGON, County of Jackson, ss: I, the undersigned, certify that I am the attorney for the above trustee and that the foregoing is a true copy of the original Notice of Default.
After Recording, Return To: Frank R. Alley, III Attorney at Law P.O. Box 1746 Medford, OR 97501 After Recording, Return To: Frank R. Alley, III Attorney for Trustee Serve: Sheila B. Wadsworth 12254 Purcell Road Manassas, Virginia 22110

Affidavit of Publication

,

STATE OF OREGON,	
	(COPY OF NOTICE TO BE PASTED HERE)
COUNTY OF KLAMATH 55.	
	NOTICE OF DEFAULT AND
, Sarah L. Parsons, Office Manager	ELECTION (O SELL (ORS 86,750, et seq)
	(OR\$6,730, et seq) Notice. Is hereby given that the obligation secured by the trust deed described below is in default, and that the beneficiary has elected to default, and that the beneficiary has elected to
being first duly sworn, depose and say that	becault, and that trust deed pursuant to ORS 86.705
I am the principal clerk of the publisher of	to 66.755. No action is now periodic and the second any part of the debt secured by the trust deed. any part of the debt secured by ORS 86.735, and ORS Information required by ORS 86.735, and ORS
I am the principal clerk of the post	11 Grantors: James Stephen Wadsworth and
the Herald and News	Shella B. wadsworth Trustee: Transamerica Title Insurance Com-
	Successor Trustee: Frank R. Alley, III, USB
	877011 Beneficiary: United States National Bank of
a newspaper of general circulation, as	Oregon 2) Property covered by trust deed: Lot 12, 2) Property covered by trust deed: Lot 12, Block 12, FIRST ADDITION TO GATEWOOD, Block 12, FIRST ADDITION TO GATEWOOD,
defined by Chapter 193 ORS, printed and	in the county of Klantant, and an 2/5/80 in Book
defined by Chupton the	County, Gregon,
published at Klamath Falls in the aforesaid	County, Oregon. 4) Default for which foreclosure is made: Failure to pay installments of principal and Failure to fay installments of and on the 1st interest of \$637,00 due on \$/1/83 and on the 1st
county and state; that the	day of each month thereafter.
country und state, and Dofernit and	the trust deed is. of 11.5% per annum from
#115-Notice of Default and	8/)/83 until paid.
Election to Sell - Lewis	property to satisfy the congeneration of the manner
	prescribed by taw on Standard Time, as
	the County Courthouse, Klamath Fails,
	8) Interested persons and this proceeding
	dismissed and the troat then due other
a printed copy of which is hereto annexed,	than such portion of the together with costs,
was published in the entire issue of said	trustee's and anothing and of in this Notice,
0	the successor if using April 1984
newspaper for <u>rour</u>	Frank R. Alley, III, Successor in thekson, SS:
SHORE BENER AND A REMARKING AND AN	Personally appeared and the faranning
(_14_insertion s) in the following issue s:	Instrument Annell 1984
	Joyce E.Sylvester
August 9, 1984	Commission Expires.
August 16, 1984	
	foregoing is a true copy of the original notice a
August 23, 1984	Fight State Test 100
August 302 1984	Atomey to 10340 115 Aug. 9.16.23.30, 1984
	STATE OF OREGON,
Total Cost: \$199.52	County of Klaman /
Dinni & Hansons	Filed for record at request of
(Daran I). Journa	19 84
	on this 19 day of Sept. A.D. 19 84
Subscribed and sworn to before me this _30_	10:22 Nontgages
AUBUSU	excorded in Vol. MO4 or
day of	Page 16166
Jer Valler	By France Smith Deputy
Notary Public of Oregon	By THOM AMENTY
1 then 15 R	Fee 36.00
My commission expires	
and the second se	