

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

STATE OF OREGON )  
County of Jackson ) ss. AFFIDAVIT OF SUCCESSOR TRUSTEE

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 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  
5463 Brentwood  
Klamath Falls, OR 97601

Rosetta Lewis  
5464 Brentwood  
Klamath Falls, OR 97601

James S. Wadsworth  
12254 Purcell Road  
Manassas, Virginia 22110

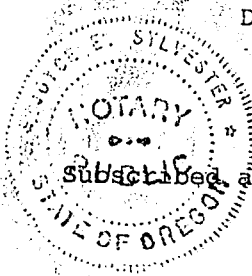
Shiela B. Wadsworth  
12254 Purcell Road  
Manassas, Virginia 22110

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.

4. Attached hereto as Exhibits "C" and "D" are the 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.

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

Dated this 17th day of September, 1984.



*Frank R. Alley, III*  
Frank R. Alley, III

*Joyce E. Sylvester*  
Notary Public for Oregon  
Commission Expires: 2-9-88

OK  
36.00

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

16167

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:

- 1) Grantors: James Stephen Wadsworth and Sheila B. Wadsworth  
Trustee: Transamerica Title Insurance Company  
Successor Trustee: Frank R. Alley, III, OSB #77011
- 2) 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.
- 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 23 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:

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.

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

[Signature]  
Attorney for Trustee

EXHIBIT "A"

## SHERIFF'S RETURN OF SERVICE

STATE OF OREGON )

) ss.

County of Klamath )

Court Case No. \_\_\_\_\_

Sheriff's Case No. 84-1531I 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    ☐ Show Cause Order    ☐ Notice  
☐ Writ of Garnishment    ☐ Order of Appearance    ☐ Waiver of fees

(x) NOTICE OF DEFAULT AND ELECTION TO SELLfor service on the within named: OCCUPANTS 5463 Brentwood, Klamath Falls, OR( ) SERVED \_\_\_\_\_ personally and in person.  
at \_\_\_\_\_( ) SUBSTITUTE SERVICE - By leaving a true copy with \_\_\_\_\_,  
a person over the age of fourteen years, who resides at the place of abode of the within named, at said  
abode: \_\_\_\_\_( ) OFFICE SERVICE - By leaving a true copy with \_\_\_\_\_,  
the person in charge of the office maintained for the conduct of business by  
\_\_\_\_\_

( ) By leaving a true copy with \_\_\_\_\_ of said corporation.

( ) OTHER METHOD \_\_\_\_\_

(x) NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find  
the within named: OCCUPANTS, HOUSE VACANT  
within Klamath County.

All search and service was made within Klamath County, State of Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: May 11, 1984 2:50 p.m.TOM DURYEE, Sheriff  
Klamath County, Oregon

By \_\_\_\_\_

Deputy

EXHIBIT "B"

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:

- 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.
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- 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 23 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:

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.

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

[Signature]  
Attorney for Trustee

RETURN OF SERVICE

16170

RECEIVED  
SHERIFF'S DEPT.  
1984 JUN -4 AM 10:13  
PRINCE 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 June, 1984, at 2:00pm.

☒ served in person

☐ did not find

Sheila Wadsworth, Defendant at 12254 Parcel Rd,  
Manassas, Prince William County, Virginia.

Michael W. Messier

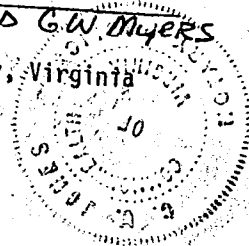
Deputy Sheriff  
Prince William County, Virginia

Personally appearing, Michael W. Messier, Deputy Sheriff, made oath that the above return signed is true.

TAKEN, SUBSCRIBED, and sworn to before me this 14<sup>th</sup> day of June, 1984.

My Commission expires July 22, 1984.

G.W. Myers  
I WAS COMMISSIONED G.W. Myers  
Notary Public  
Prince William County, Virginia



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:

- 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.
- 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 23 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:

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.

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

Frank R. Alley  
Attorney for Trustee

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

16172

## RETURN OF SERVICE

RECEIVED  
SHERIFF'S DEPT.

1984 JUN -4 AM 10:13

PRINCE 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 11 day of June, 1984, at 7:30 pm.

☒ served in person

☐ did not find

James W. Schwartz, Defendant at 12254 Parcell Rd.  
man., Prince William County, Virginia.

Michael W. Messier

Deputy Sheriff  
Prince William County, Virginia

Personally appearing, Michael W. Messier Deputy Sheriff, made  
oath that the above return signed is true.

TAKEN, SUBSCRIBED, and sworn to before me this 12<sup>th</sup> day of June,  
1984.

My Commission expires July 22, 1984.

W. Jones

I was commissioned G. W. Myers  
Notary Public  
Prince William County, Virginia

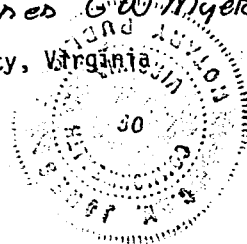


EXHIBIT "D"

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

16173

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:

- 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.
- 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.
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- 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, 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:

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.

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

Frank R. Alley  
Attorney for Trustee

Serve: Sheila B. Wadsworth  
12254 Purcell Road  
Manassas, Virginia 22110



# Affidavit of Publication

16174

STATE OF OREGON,  
COUNTY OF KLAMATH

ss.

(COPY OF NOTICE TO BE PASTED HERE)

I, Sarah L. Parsons, Office Manager  
being first duly sworn, depose and say that  
I am the principal clerk of the publisher of  
the Herald and News

a newspaper of general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the aforesaid  
county and state; that the

#115-Notice of Default and  
Election to Sell - Lewis

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for four

~~successive and consecutive work days~~  
(4 insertion s) in the following issue s: —

August 9, 1984

August 16, 1984

August 23, 1984

August 30, 1984

Total Cost: \$199.52

Sarah L. Parsons

Subscribed and sworn to before me this 30  
day of August 19 84

[Signature]  
Notary Public for Oregon

My commission expires Jan 15 19 85

## NOTICE OF DEFAULT AND ELECTION TO SELL (ORS 86.750, 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:

1) Grantors: James Stephen Wadsworth and  
Sheila B. Wadsworth  
Trustee: Transamerica Title Insurance Com-  
pany  
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 23 day of April, 1984.

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.

Joyce E. Sylvester

Notary Public for Oregon

Commission Expires:

2-9-85

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.

Frank R. Alley, III

Attorney for Trustee

#115-Aug. 9.16.23.30, 1984

STATE OF OREGON,  
County of Klamath )

Filed for record at request of

on this 19 day of Sept. A.D. 19 84  
at 10:22 o'clock A M, and duly  
recorded in Vol. M84 of Mortgages  
Page 16166

EVELYN BIEHN, County Clerk

By [Signature] Deputy

Fee 36.00