

ATC-28047

Loan No. P-63885

PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE
UPON OCCUPANT AND TRUSTEE'S INSTRUCTIONS
RELATIVE THERETO (120-Day Notice)

Vol. 1485 Page 4621

RECEIVED
Nov 19 11 45 AM '84
Klamath County Sheriff
BY

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale hereto attached:

STATE OF OREGON,

ss.

County of Marion

I, the undersigned trustee, being first duly sworn, depose and say:
The person to be served 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:

Phyllis A. Lueb
OR, if the above-named
persons are not occupying
the property, then any person
that is occupying the property.

703 Front Street
Klamath Falls, OR 97801

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 December 5, 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.

Douglas A. Port

Successor Trustee
Douglas A. Port
Attorney at Law OSB No. 61068

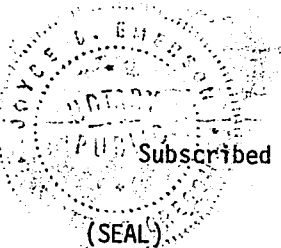
Subscribed and sworn to before this 15th day of November, 1984.

Joyce D. Emerson

Notary Public for Oregon
My commission expires OCT 16 1987

AFTER RECORDING RETURN TO
Department of Veterans' Affairs
ATTN: Doug Port
700 Summer Street, NE
Salem, OR 97310-1201

'85 MAR 29 PM 3 30



STATE OF OREGON, County of Klamath ss.

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:

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.

TOM DURYEE, SHERIFF
KLAMATH COUNTY
KLAMATH FALLS, ORE. 97601

Joan E. Harrison

Deputy



Subscribed and sworn to before me this 29th day of November, 1984.

Personal Service Upon Individual(s)

Upon Phyllis A. Lueb, by delivering such true copy to him/her, personally and in person, at 703 Front St., Klamath Falls., on November 27, 1984, at 10:48 o'clock A. M. OR

Upon Robert Lueb, husband, by delivering such true copy to him/her, personally and in person, at 703 Front St., Klamath Falls., on November 27, 1984, at 10:48 o'clock A. M. OR

Substituted Service Upon Individual(s)

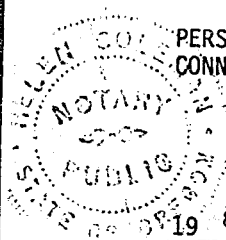
Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, to _____, who is a person over the age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____ M.

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.

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.

Joan E. Harrison

Deputy



Helen Coleman

Subscribed and sworn to before me this 29th day of November, 1984.
Notary Public for Oregon, My commission expires 11-11-85

TRUSTEE'S NOTICE OF SALE

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Reference is made to that certain trust deed made by Robert E. Lueb and Phyllis A. Lueb, as grantor, to Transamerica Title Company, as trustee, in favor of State of Oregon, by and through the Director of Veterans' Affairs, as beneficiary, dated May 25, 1983, recorded May 25, 1983, in the mortgage records of Klamath County, Oregon, in volume No. M83 at page No. 8182 and whereas a successor trustee, Douglas A. Port, Attorney at Law, was appointed pursuant to ORS 86.790(2) by written instrument recorded on November 13, 1984, in volume No. M84 at page No. 19155, covering the following described real property situated in said county and state, to-wit:

Lot 7, Block 42, BUENA VISTA ADDITION TO 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 on November 13, 1984, in volume No. M84 at page No. 19156 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:

The monthly installments of principal, interest, and other charges of \$418 due July 1, 1983 through January 1, 1984, and the monthly installment of \$485 due February 1, 1984 through November 1, 1984, and each subsequent installment due the first of each month.

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 \$41,090.78 with interest thereon at the rate of 10.5 percent per annum from June 1, 1984 until paid, plus trustee's fees, attorney's fees, foreclosure costs, and any sums advanced by the beneficiary pursuant to the terms of said trust.

WHEREFORE, notice hereby is given that the undersigned trustee will on April 4, 1985, at the hour of 1:30 o'clock, P.M., Standard 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 obligation, the performance of which is secured by said trust deed; the words "trustee" and "beneficiary" include their respective successors in interest, if any.

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DATED November 12, 1984

Douglas A. Port

Successor Trustee

Douglas A. Port

Attorney at Law OSB No. 61068

State of Oregon, County of Marion, ss:

I, the undersigned, certify that the foregoing is a complete and exact copy of the original trustee's notice of sale.

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)

Filed for record at request of

on this 29th day of March A.D. 19 85

at 3:30 o'clock P M, and duly

recorded in Vol. M85 of Mortgages

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EVELYN BIEHN, County Clerk

By [Signature] Deputy

Fee 17.00