

49168

K-36939  
AFFIDAVIT OF NON-OCCUPANCYVol. MKS Page 7807STATE OF OREGON, County of KLAMATH ss.I, DAN LINDSEY, being first duly sworn,  
on oath, depose and say:

That I am, and have been at all material times hereto, a  
competent person over the age of \_\_\_\_\_ years and a resident  
and inhabitant of KLAMATH County, State of Oregon.  
I am not a party to, an attorney in, or interested in any suit  
or action involving the property described below.

I hereby certify that on the 18th day of JANUARY  
19 85, after personal inspection, I found the following  
described real property to be unoccupied:

LOT 19, BLOCK 6, TRACT NO. 1035, GATEWOOD, KLAMATH COUNTY, OREGON.

Commonly described as: 4748 GLENWOOD Dr.

KLAMATH FALLS, OREGON 97601

By: Dan Lindsey

DAN LINDSEY

Licensed Private Detective  
Phone 682-9596

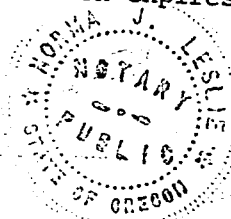
Subscribed and sworn to before me this 18th day of January  
19 85.

AFTER RECORDING, RETURN TO:

NIEHAUS, HANNA, MURPHY,  
GREEN, OSAKA & DUNN  
Attention: Joye Blalmer  
Benj. Franklin Plaza, Suite 1111  
One Southwest Columbia  
Portland, Oregon 97258

CROWE LEGAL SERVICES, INC.  
P. O. BOX 25553  
PORTLAND, OREGON 97225  
(503) 643-7066

Norman J. Seelie  
Notary Public for Oregon  
My Commission expires: March 31, 1987



# SHERIFF'S RETURN OF SERVICE

7808

STATE OF OREGON )  
County of Klamath ) ss.

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

Sheriff's Case No. 84-1458

I hereby certify that I received on May 4, 1984 the within:

- |  |  |   |                                    |                                    |
|--|--|---|------------------------------------|------------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons & Petition  | <input type="checkbox"/> Summons          | <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition  |
| <input type="checkbox"/> Subpoena            | <input type="checkbox"/> Citation            | <input type="checkbox"/> Order            | <input type="checkbox"/> Motion    | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Small Claim         | <input type="checkbox"/> Restraining Order   | <input type="checkbox"/> Show Cause Order | <input type="checkbox"/> Notice    |                                    |
| <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Order of Appearance | <input type="checkbox"/> Waiver of fees   |                                    |                                    |

☒ TRUSTEE'S NOTICE OF SALE

for service on the within named: LUCAS & HOWARD FURNITURE

☐ 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 Joan Bigby, Bookkeeper of said corporation.

☐ OTHER METHOD \_\_\_\_\_

☐ NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find  
the within named: \_\_\_\_\_  
within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: May 7, 1984 1:31 p.m.

TOM DURYEE, Sheriff  
Klamath County, Oregon

By  Deputy

STATE OF OREGON

## PROOF OF SERVICE

7809

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:

Upon Bonnie Anderson Personal Service Upon Individual(s)  
at 1944 Euclid, Klamath Falls, OR 97601, by delivering such true copy to him/her, personally and in person,  
on June 4, 1984, at 4:05 o'clock P.M.  
Upon \_\_\_\_\_, by delivering such true copy to him/her, personally and in person,  
on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

Substituted Service Upon Individual(s)  
Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
or usual place of abode, to-wit: \_\_\_\_\_, who is a person over the  
to \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.  
age of 14 years and a member of the household of the person served on \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
Upon \_\_\_\_\_, who is a person over the  
or usual place of abode, to-wit: \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.  
to \_\_\_\_\_, age of 14 years and a member of the household of the person served on \_\_\_\_\_

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 \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock, \_\_\_\_M.  
is apparently in charge, on \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock, \_\_\_\_M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name  
Upon \_\_\_\_\_ (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)  
(a) delivering such true copy, personally and in person, to \_\_\_\_\_, by  
\* \_\_\_\_\_ thereof; OR who is a/the  
(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.

TOM DURYEE, Sheriff

Deputy

Subscribed and sworn to before me this 5th day of June, 1984.

Notary Public for Oregon  
My commission expires 11-11-85

## CERTIFICATE OF MAILING

I HEREBY CERTIFY that I mailed a true copy of the documents mentioned herein to \_\_\_\_\_ at the above \_\_\_\_\_ address, together with a statement of the date, time and place at which service was made.

DATE OF MAILING \_\_\_\_\_

# PROOF OF SERVICE

STATE OF OREGON, County of Klamath ss.

7810

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 James R. Howard, by delivering such true copy to him/her, personally and in person,  
at 195 East Main St., Klamath Falls, OR 97601, on June 6, 1984, at 1:15 o'clock P.M.  
Upon \_\_\_\_\_, by delivering such true copy to him/her, personally and in person,  
at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_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 \_\_\_\_\_, by leaving such true copy with \_\_\_\_\_, the person who  
is apparently in charge, on \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock, \_\_\_\_M.

## Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon \_\_\_\_\_ (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.) \_\_\_\_\_, by  
(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 \* \_\_\_\_\_ thereof;  
\* Specify registered agent, officer (by title), director, general partner, managing agent.

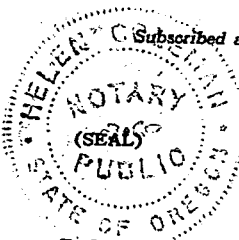
at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

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.

TOM DURYEE, Sheriff

Deputy

Subscribed and sworn to before me this 6th day of June, 1984.



Helen Coleman  
Notary Public for Oregon  
My commission expires 11-11-85

## CERTIFICATE OF MAILING

I HEREBY CERTIFY that I mailed a true copy of the documents mentioned  
herein to \_\_\_\_\_ at the above \_\_\_\_\_ address,  
together with a statement of the date, time and place at which  
service was made.

DATE OF MAILING \_\_\_\_\_

Reference is made to that certain trust deed made by Nicholas J. <sup>7811</sup>  
Keneally and Linda Keneally, as grantors, to Transamerica Title Insurance  
Company, as trustee, in favor of Equitable Savings and Loan Association, as bene-  
ficiary, recorded May 3, 1979, in the mortgage records of Klamath County, Oregon,  
as Book M-79, page 10064 covering the following-described real property situated  
in said county and state, to wit:

Lot 19, Block 6, Tract No. 1035, GATEWOOD, according to the official  
plat thereof on file in the office of the County Clerk, Klamath County,  
Oregon.

There is a default by the grantors or other persons owing an obligation,  
the performance of which is secured by said trust deed, or by their successor in  
interest; the default is: the failure to pay when due the following sums:  
Monthly installments of \$375.32 each, beginning with March, 1983 until June 1,  
1983 and monthly installment of \$423.28 each beginning with July 1, 1983 until  
paid, plus monthly late charges of \$18.77 each, beginning with March, 1983  
until June, 1983 plus monthly late charges of \$21.16 each beginning with July,  
1983 until paid; real property taxes for the years 1982-83, 1983-84 and 1984-85  
in the sums of \$727.01, \$959.19, \$1,166.29, respectively, plus penalties and  
interest; deferred interest in the amount of \$2,902.04.

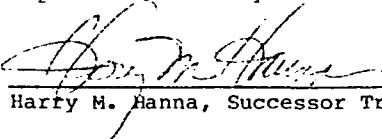
By reason of said default, the beneficiary or the beneficiary's suc-  
cessor in interest has declared all obligations secured by said trust deed imme-  
diately due and payable, said sums being the following: \$43,146.93, with  
interest thereon at the rate of 12 percent per annum, from March 1, 1983 until  
paid, plus monthly late charges of \$18.77 each, beginning with March, 1983  
until June, 1983, plus monthly late charges of \$21.16 each beginning with July,  
1983 until paid; real property taxes for the years 1982-1985 in the sum of  
\$2,852.49 plus penalties and interest; together with title expense, costs,  
trustee's fees and attorney's fees incurred herein by reason of said default;  
and any further sums advanced by The Benj. Franklin Federal Savings and Loan  
Association for protection of the above-described real property and its interest  
in it.

The beneficiary and trustee or their successors in interest, have  
elected and do hereby elect to cause the property to be sold at public auction to  
the highest bidder for cash to satisfy the obligations secured by said trust deed  
and the expenses of the sale, including the compensations of the trustee or suc-  
cessor trustee and the reasonable attorneys fees incurred.

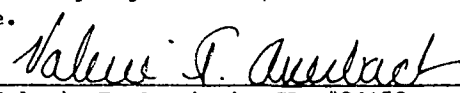
Said sale will be held on June 3, 1985, at the hour of 10 o'clock, A.M.,  
Standard Time at the following place: The front steps of the Klamath County  
Courthouse in the City of Klamath Falls, County of Klamath, State of Oregon,  
which is the hour, date and place fixed for said sale.

Notice is given that any person named in Section 86.753 of Oregon  
Revised Statutes has the right to have the foreclosure proceeding dismissed and  
the trust deed reinstated by curing the above-described defaults and 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 attorneys fees, at any time prior to five days before the date  
for said sale.

Dated 1-11-85  
STATE OF OREGON            )  
                                  : ss.  
County of Multnomah    )

  
Harry M. Hanna, Successor Trustee


I, the undersigned, certify that I am the attorney or one of the attor-  
neys for the above-named trustee and that the foregoing is a complete and exact  
copy of the original Trustee's Notice of Sale.

  
Valerie T. Auerbach, OSB #84158  
Attorney for said Trustee

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for  
record on the 28th day of May A.D., 1985 at 12:54 o'clock P M,  
and duly recorded in Vol M85, of Mortgages on page 7807.

EVELYN BIEHN, COUNTY CLERK

by: , Deputy

Fee: \$ 21.00