

49397

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT  
AND PROOF OF SERVICE

8173

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

STATE OF OREGON } ss.

County of Klamath

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7D.(2) and 7D.(3), upon the occupant of the property described in said Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in said trust deed, are as follows:

NAME OF PERSON TO BE SERVED

PROPERTY ADDRESS

Maxine Rae Krueger

3351 So. Side By-Pass  
Klamath Falls, Oregon

If the occupant is indicated as "unknown", or if you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

Service should be made by February 4, 1985, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in making service until it has been accomplished.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

NOTARY PUBLIC

(SEAL)

Subscribed and sworn to before me this

1st

day of

February

19 85

(Attorney for) Trustee

Notary Public for Oregon. My commission expires: 4-4-88

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  
Maxine Rae Krueger

Grantor

TO  
Timothy A. Bailey

Successor Trustee

AFTER RECORDING RETURN TO

CRANE & BAILEY  
ATTORNEYS AT LAW

540 MAIN STREET  
KLAMATH FALLS, OREGON 97601

SPACE RESERVED  
FOR  
RECORDER'S USE

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/tile/instrument/microfilm/reception No. \_\_\_\_\_, Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME

TITLE

By

Deputy

85 JUN 3 PM 4 29

OK  
17-00

STATE OF Oregon OREGON 61901

**PROOF OF SERVICE**  
Klamath

8174

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 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 3351 So. Side By-Pass, Klamath Personal Service Upon Individual(s)

Upon Maxine Rae Krueger

Upon \_\_\_\_\_, at 3351 So. Side By-Pass, Klamath Falls, OR, Personal Service Upon Individual(s) \_\_\_\_\_, by delivering such true copy to him/her, personally and in person, \_\_\_\_\_, on Feb. 4, 1985, at 5:50 o'clock P.M.  
 Upon \_\_\_\_\_, at \_\_\_\_\_, Substituted Service Upon Individual(s) \_\_\_\_\_, by delivering such true copy to him/her, personally and in person, \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M.  
 Upon \_\_\_\_\_, at \_\_\_\_\_, usual place of abode, to-wit: \_\_\_\_\_

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

Upon \_\_\_\_\_, who is a person over the  
business at \_\_\_\_\_, 19\_\_\_\_, at  
by leaving such true copy with \_\_\_\_\_, at the office which he/she maintains for the conduct of  
is apparently in charge, on \_\_\_\_\_, 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 \_\_\_\_\_  
\* \_\_\_\_\_  
(b) leaving such true copy with \_\_\_\_\_

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

Upon \_\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_, the person who is a/ the \_\_\_\_\_, o'clock, \_\_\_\_\_ M.

(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(a) delivering such true copy, personally and in person, to \_\_\_\_\_

(b) leaving such true copy with \_\_\_\_\_ thereof; OR

office of \_\_\_\_\_, who is a/ the \_\_\_\_\_, the person who is apparently in charge of 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

CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS

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.

Subscribed and sworn to before me this 1st day of February, 1985

(SEAL)

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 D. (2) 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.

Notary Public for Oregon  
My commission expires 4-4-88

phyllis h. Arnold

Notary Public for Oregon  
My commission expires

4-4-88

8175

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE  
STATE OF OREGON, County of Klamath

I, Phyllis M. McCoy, ss:

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 the attached original notice of sale by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

Maxine Rae Krueger  
NAME

State of Oregon  
Attorney General David  
Frohnmayr

3721 Christine Lane  
Klamath Falls, Oregon 97601

State Capitol Building  
Salem, Oregon 97301

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.\*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Timothy A. Bailey, 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 January 31, 1985. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before me this 31st day of January, 1985.

Notary Public for Oregon. My commission expires 4-15-88.  
PUBLISHER'S NOTE: 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

RE: Trust Deed from  
Maxine Rae Krueger

Timothy A. Bailey Grantor

Successor Trustee

AFTER RECORDING RETURN TO

CRANE & BAILEY  
ATTORNEYS AT LAW  
540 MAIN STREET  
KLAMATH FALLS, OREGON 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 \_\_\_\_\_ 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  
By \_\_\_\_\_  
TITLE  
Deputy

# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

8176

(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

#675 - Trustee's Notice of Sale  
Krueger

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for four  
successive and consecutive week's days

(4 insertion s) in the following issue s: March 26, 1985

April 2, 1985

April 9, 1985

April 16, 1985

Total Cost: \$305.92

Sarah L. Parsons

Subscribed and sworn to before me this 16th  
day of April 19 85

L. J. Backe  
Notary Public of Oregon

My commission expires Jan 15 86

WHEN RECORDED RETURN TO:

CRANE & BAILEY  
ATTORNEYS AT LAW  
540 MAIN STREET  
KLAMATH FALLS, OREGON 97601

TRUSTEE'S NOTICE OF SALE  
Reference is made to that certain trust deed made, executed and delivered by MAXINE RAE KRUEGER, as grantor, to TRANSAMERICA TITLE INSURANCE CO., as trustee, to secure certain obligations in favor of JOHN W. LARSEN and LAVONNE LARSEN, as beneficiary, dated May 12, 1983, recorded June 30, 1983, in book M-63 at page 10319 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit: A portion of Tract No. 25, ALTAMONT SMALL FARMS, in the County of Klamath, State of Oregon, described as follows: Beginning at a point in the Northerly boundary of Tract No. 25 of Altamont Small Farms, said point being 132.0 feet distant Westerly from the Northeastly corner of said tract, and running thence North 89° 48' West, along the said Northerly boundary line of said Tract 132.0 feet; thence South 9° 11' West 323.2 feet, more or less, to a point in the Southerly boundary of said tract; thence South 89° 48' East along the said boundary of the tract 132.0 feet; thence North 0° 11' East 322.0 feet to the point of beginning.  
Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:  
1. Payment due on October 1, 1983, in the amount of \$200.00, and the monthly payments of \$200.00 due on the 1st day of each month thereafter.  
2. Taxes for the year 1983-84 in the sum of \$294.18 and for the 1984-85 tax year in the amount of \$470.90.  
By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon, immediately due, owing and payable, said sums being the following, to-wit:  
\$19,865.00 with interest due from September 1, 1983, at the rate of 10% per annum.  
A notice of default and election to sell and to foreclose was duly recorded January 28, 1985, in book M-85 at page 1534 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Tuesday, the 4th day of June, 1985, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at Front steps of the Courthouse, Main St., 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 of the entire amount due (other than such portion of said principal as would not then be due had no default occurred) together with costs, trustee's and attorney's fees at any time prior to five days before the date set for said sale.  
In construing this notice and whenever the context hereof so requires, 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, and their successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.  
DATED at Klamath Falls, Oregon, January 31, 1985  
Timothy A. Bailey  
Successor Trustee  
State of Oregon, County of Klamath, ss:  
I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee; that I have carefully compared the foregoing copy of trustee's notice of sale with the original thereof and that the foregoing is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof.  
DATED at Klamath Falls, Oregon, this 31 day of January, 1985.  
#675-March 26, April 2, 9, 16, 1985

STATE OF OREGON,  
County of Klamath

Filed for record at request of

on this 3rd day of June A.D. 19 85

at 4:28 o'clock P M, and duly

recorded in Vol. M85 of Mortgages

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EVELYN BIEHN, County Clerk

By Ann Smith Deputy

Fee \$17.00