



TRUSTEE'S NOTICE OF SALE

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. Grantor: Lester Alley and Evelyn M. Alley  
Trustee: Transamerica Title Insurance Co.  
Successor Trustee: Bruce Kellington, Attorney  
Beneficiary: Commonwealth, Inc.
2. Property covered by trust deed:  
The Southerly 50 feet of Tract 4, BAILEY TRACTS, in the County of Klamath, State of Oregon.
3. Trust deed was recorded on June 2, 1972, in Book M-72, Page 5850, Mortgage Records, Klamath County, Oregon.
4. Default for which foreclosure is made is failure to pay the following: The monthly installment of \$181.06 due on the 1st day of February, 1985, and monthly installments in the same amount due the 1st day of each month thereafter.
5. The sum owing on the obligation secured by the trust deed is: \$13,970.57, together with interest thereon at the rate of 7% per annum from January 1, 1985, until paid, plus accumulated late charges at the rate of 4% of any installment not paid within 15 days of the due date, plus trustee's fees, attorney fees, foreclosure costs and any sums advanced by the beneficiary pursuant to the terms of said trust deed.
6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of Default was recorded as No. 52345, Volume M85, Page 13258 of the Mortgage Records of Klamath County, Oregon.
7. The property will be sold in the manner prescribed by law on March 3, 1986, at 10:30 o'clock a.m., based on the standard of time as established by ORS 187.110, inside the front door of the Klamath County Courthouse, in the City of Klamath Falls, County of Klamath, 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 last set for sale.

DATED this 30 day of August, 1985.

Bruce Kellington  
Bruce Kellington Trustee

# SHERIFF'S RETURN OF SERVICE

14585

STATE OF OREGON )  
County of Klamath ) ss.

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

Sheriff's Case No. 85-2689 the within:

- I hereby certify that I received on September 4, 1985
- |  |  |   |                                    |                                    |
|--|--|---|------------------------------------|------------------------------------|
| <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"/> Order for Appearance of Judgement Debtor |                                    |                                    |
| <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Order Waiving Fees and Costs             |                                    |                                    |
- ☒ TRUSTEE'S NOTICE OF SALE

for service on the within named: Lester Alley and Evelyn M. Alley

☐ SERVED \_\_\_\_\_  
at \_\_\_\_\_ personally and in person.

☐ 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 \_\_\_\_\_

☒ NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find  
the within named: Lester Alley & Evelyn M. Alley, (property vacant) within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: September 5, 1985 9:52 a.m.

TOM DURYEE, Sheriff  
Klamath County, Oregon

By Joan E. Harrison Deputy

TRUSTEE' AFFIDAVIT AS TO NONOCCUPANCY

STATE OF OREGON       )  
                                  ss.  
County of Jackson    )

I, Bruce Kellington, being first duly sworn, depose, say, and certify that:

I am the successor trustee in that certain trust deed executed and delivered by Lester Alley and Evelyn M. Alley, husband and wife as grantor to Transamerica Title Insurance Co. as trustee, in which Commonwealth, Inc., an Oregon corporation is beneficiary, recorded on June 2, 1972, in Volume M72, Page 5850 of the Mortgage Records of Klamath County, Oregon, covering the following described real property situate in said county:

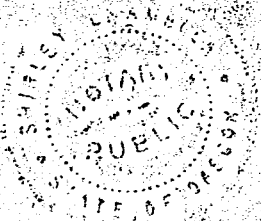
*ch* The Southerly 50 feet of Tract 4, BAILEY TRACTS, in the County of Klamath, State of Oregon.

I hereby certify that on September 5, 1985, the above described real property was not occupied by any of the persons named in subsection 1 of Section 86.750, Oregon Revised Statutes.

The word "trustee" as used in this affidavit means any successor trustee to the trustee named in the trust deed first mentioned above.

*B. Kellington*  
Bruce Kellington - Trustee

Subscribed and sworn to before me this 9 day of September, 1985.



*Shirley J. Amblin*  
Notary Public for Oregon  
My Commission Expires 2-25-87

AFFIDAVIT OF NONMILITARY SERVICE

14587

STATE OF OREGON     )  
County of Jackson    ) ss.

Bruce Kellington, of legal age and being duly sworn, deposes and says:

That he is the trustee herein, who has envoked the power of sale under ORS 86.735 by a Notice of Default and Election to Sell recorded as number 52345 Volume M85, Page 13258 of the Mortgage Records of Klamath County, Oregon.

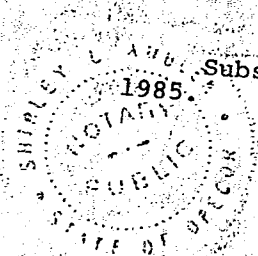
That a true copy of the Trustee's Notice of Sale was served on the following persons on the following dates:

<u>Name</u>	<u>Date of Service</u>
Lester Alley	September 3, 1985
Evelyn M. Alley	September 3, 1985

That the persons above named were not at the time they were served, nor are they now on active service with any branch of the Armed Services within the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and are not unrepresented minors or incapacitated persons.

Bruce Kellington  
Bruce Kellington

Subscribed and sworn to before me this 9 day of September,



Shirley L. Campbell  
Notary Public for Oregon  
My Commission Expires 2-25-87

Return to:  
Harrison, Kellington, Krack & Richmond  
Law Offices  
15 Newton St.  
Medford, OR 97501

STATE OF OREGON: COUNTY OF KLAMATH:     ss.

Filed for record at request of \_\_\_\_\_  
of September A.D. 19 85 at 3:39 o'clock P M., and duly recorded in Vol. M85 the 10th day  
of Mortgages on Page 14583

FEE \$21.00

Evelyn Biehn,  
By Sam Smith County Clerk