ATC 29045

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF OREGON County of Jackson)

53414

en Se

က်

E.

SED

5

I, Bruce Kellington, being first duly sworn, depose, say and certify that: At all times herein 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 said notice, and that I am the trustee named therein;

That I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof, by certified mail and first class mail to each of the following named persons at their respective last known addresses:

Address

Vol. <u>M85</u> Page 14583

2884 Homedale Klamath Falls, OR 97601

Carter-Jones Collection Service, Inc.

Name

Evelyn M. Alley

70 0 1

Lester Alley

Leonard D. Jones Registered Agent 1143 Pine Street Klamath Falls, OR 97601

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Bruce Kellington, 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 Medford, Oregon, on the <u>3</u> day of <u>September</u>, 1985, each of said Oregon, on the 3 day of <u>September</u>, 1985, each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded, and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

Bruce Kellington

Subscribed and sworn to before me this 3rd day of September, 1985.

Oregon for

Notary Public My Commission Expires 2/25/87

Affidavit of Mailing Notice of Sale

TRUSTEE'S NOTICE OF SALE

14584

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 Transamerica Title Insurance Co. Trustee: 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.

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.

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

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.

1 - Trustee's Notice of Sale

SHERIFF'S RET	URN OF SERVICE 14
STATE OF OREGON)	
County of Klamath	
I hereby certify at	Court Case No
I hereby certify that I received on	Sheriff's Case No. <u>85-2689</u> September 4, 1985
 () Summons & Complaint () Summons & Petition () Subpoena () Citation () Small Claim () Restraining Order () Writ of Garnishment () Order to Show Cause (X) TRUSTEE'S NOT LCC or any 	 () Summons () Complaint () Petition () Order () Motion () Affidavit () Order for Appearance of Judgement Debt
INTICE OF SALE	Fees and Costs
for service on the within named:	
for service on the within named: <u>Lester Alley an</u> () SERVED	d Evelyn M. Alley
at	
() SUBSTITUTE SERVICE - By leaving a true copy with a person over the age of fourth	personally and in person.
abode:	at the place of abode of the within named, at said
STRUCE - By leaving a true service	
the person in charge of the office maintained for the co	
 b) By leaving a true copy with b) By leaving a true copy with b) OTHER METHOD 	nduct of business by
the person in charge of the office maintained for the coin of the	nduct of business by
 bit IOE SERVICE - By leaving a true copy with	nduct of business by
 bit IOE SERVICE - By leaving a true copy with	nduct of business by
 bit IOE SERVICE - By leaving a true copy with	nduct of business by
 b) For the SERVICE - By leaving a true copy with	nduct of business by of said corporation.
 be those SERVICE - By leaving a true copy with	nduct of business by of said corporation.
the person in charge of the office maintained for the coid) By leaving a true copy with) OTHER METHOD () NOT FOUND. After due and diligent search and inquiry, the within named: <u>Lester Alley & Evelvn M. Alley</u> , search and service was made within Klamath County, State TE AND TIME OF SERVICE OR NOT FOUND: <u>Septemb</u>	nduct of business by
the person in charge of the office maintained for the coid) By leaving a true copy with) OTHER METHOD () NOT FOUND. After due and diligent search and inquiry, the within named: <u>Lester Alley & Evelvn M. Alley</u> , search and service was made within Klamath County, State TE AND TIME OF SERVICE OR NOT FOUND: <u>Septemb</u>	nduct of business by of said corporation. I hereby return that I have been unable to find (property_vacant)within Klamath County. of Oregon. oer 5, 1985 9:52 a.m.
the person in charge of the office maintained for the coid) By leaving a true copy with) OTHER METHOD (*) NOT FOUND. After due and diligent search and inquiry, the within named: <u>Lester Alley & Evelyn M. Alley</u> , search and service was made within Klamath County, State TE AND TIME OF SERVICE OR NOT FOUND: <u>Septemt</u>	nduct of business by

.

Deputy

14586

TRUSTEE' AFFIDAVIT AS TO NONOCCUPANCY

STATE OF OREGON)

 (\cdot, \cdot)

Ö

UE

S.

12.9

County of Jackson)

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

ss.

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:

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.

Bruce Kellington - Trustee

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

Public for Oregon

My Commission Expires

AFFIDAVIT OF NONMILITARY SERVICE

STATE OF OREGON

County of Jackson ss.

and says:

)

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

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

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

Name

Date of Service

14587

September 3, 1985 September 3, 1985

Lester Alley Evelyn M. Alley

J.

5/17/01

38

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 Subscribed and sworn to before me this \mathcal{P} day of September,

1985. E

Notary Public for Oregon

My Commission Expires 2-25 f

Return to: Harbison, 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. 10th of Mortgages . day __ on Page __ M85 FEE \$21.00 14583 Evelyn Biehn, County Clerk Bv

1 - Affidavit of Nonmilitary Service