

58502

K-38328

## TRUSTEE'S NOTICE OF SALE


Vol. M86 Page 3106

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: James A. DeLonge and Carolynn R. DeLonge  
Grantors' Successor: James Allan DeLonge  
Trustee: Klamath County Title Company  
Successor Trustee: Bruce Kellington, Attorney  
Beneficiary: Firstbank Mortgage Corporation  
Holder of Beneficial Interest: Commonwealth Western Mortgage Corporation, formerly General Electric Mortgage Corporation
2. Property covered by trust deed:  
The South 80 feet of Lot 388, Block 113, Mills Addition  
to the City of Klamath Falls, according to the official  
plat thereof on file in the office of the County Clerk  
of Klamath County, Oregon.
3. Trust deed was recorded on July 18, 1972, in Volume M72, Page 7832, Mortgage Records, Klamath County, Oregon.
4. Default for which foreclosure is made is the failure to pay the following: The monthly installment of \$101.90 per month beginning with the installment due August 1, 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: \$7,133.53, together with interest thereon at the rate of 7% per annum from July 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, until paid, 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 in Volume M86, Page 1457 of the Mortgage Records of Klamath County, Oregon.
7. The property will be sold in the manner prescribed by law on July 7, 1986, at 10:30 o'clock a.m., based on the standard of time as established by ORS 187.110, at 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 3 day of February, 1986.

  
Bruce Kellington - Trustee

86 FEB 24 AM 9 57

AFFIDAVIT OF MAILING NOTICE OF SALE


STATE OF OREGON       )  
                                   ss.  
 County of Jackson    )

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;

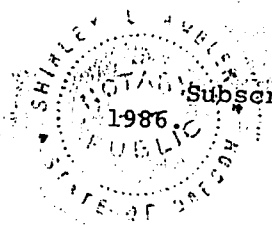
That I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof, by certified mail and first class mail to each of the following named persons at their respective last known addresses:

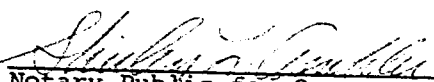
<u>Name</u>	<u>Address</u>
James Allan DeLonge	2263 Garden Street
Neda J. DeLonge	Klamath Falls, Oregon 97601
FinanceAmerica Corporation	CT Corporation System
	Registered Agent
	800 Pacific Building
	520 SW Yamhill Street
	Portland, Oregon 97204
John L. Langslet	2900 First Interstate Tower
Attorney at Law	1300 SW 5th Street
Successor Trustee for	Portland, Oregon 97201
FinanceAmerica Corporation	

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 3rd day of February, 1986, 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 February,



  
 Notary Public for Oregon  
 My Commission Expires 2/25/87

# SHERIFF'S RETURN OF SERVICE

3108

STATE OF OREGON )  
County of Klamath ) ss.

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

Sheriff's Case No. 86-445

I hereby certify that I received on February 4, 1986

the within:

- ( ) Summons & Complaint ( ) Summons & Petition ( ) Summons ( ) Complaint ( ) Petition  
( ) Subpoena ( ) Citation ( ) Order ( ) Motion ( ) Affidavit  
( ) Small Claim ( ) Restraining Order ( ) Order for Appearance of Judgement Debtor  
( ) Writ of Garnishment ( ) Order to Show Cause ( ) Order Waiving Fees and Costs  
(X) TRUSTEE'S NOTICE OF SALE

for service on the within named: James A. DeLonge and Carolyn R. DeLonge or Occupants

( ) 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 \_\_\_\_\_

(X) NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find  
the within named: James A. DeLonge & Carolyn R. DeLonge, 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: February 11, 1986 11:58 a.m.

TOM DURYEE, Sheriff  
Klamath County, Oregon

By Joan E. Harrison Deputy

AFFIDAVIT OF NONMILITARY SERVICE

3109

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 in Volume M86, Page 1457 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:

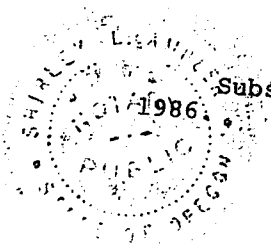
<u>Name</u>	<u>Date of Service</u>
James Allan DeLonge	February 3, 1986
Neda J. DeLonge	February 3, 1986
John L. Langslet	February 3, 1986

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 19th day of February,

  
Notary Public for Oregon  
My Commission Expires 2/25/87



TRUSTEE' AFFIDAVIT AS TO NONOCCUPANCY

3110

STATE OF OREGON )  
County of Jackson ) ss.

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 James A. DeLonge and Carolyn R. DeLonge as grantor to Klamath County Title Company as trustee, in which Firstbank Mortgage Corporation is beneficiary, recorded on July 18, 1972, in Volume M72, Page 7832 of the Mortgage Records of Klamath County, Oregon, covering the following described real property situate in said county:

The South 80 feet of Lot 388, Block 113, Mills Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

I hereby certify that on February 11, 1986, 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  
Bruce Kellington - Trustee

Subscribed and sworn to before me this 19th day of February,

Shirley L. Smith  
Notary Public for Oregon  
My Commission Expires 2/25/87

Return to:  
Harbison, Kellington, Krack & Richmond  
15 Newtown Street  
Medford, Ore. 97501

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of February A.D., 19 86 at 9:57 o'clock A M., and duly recorded in Vol. M86  
of Mortgages on Page 3106

FEE \$21.00

Evelyn Biehn,  
By Sam Smith County Clerk