

69510

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

Page 23446

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

County of Klamath } ss.

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
(If unknown, so state)

PROPERTY ADDRESS

Marvin E. Hardy or
Patsy Ann Hardy or
Occupant

Mobile Home located on
Lot 25, Block 2, Tract 1021
WILLIAMSON RIVER KNOLL

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 August 20, 19 86, 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.

ASPEN TITLE & ESCROW, INC.

BY Andrew A. Patton
Successor ~~XXXXXXXXXX~~ Trustee

Subscribed and sworn to before me this 31 day of July, 19 86.

(SEAL)

Notary Public for Oregon. My commission expires: 7/23/89

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
Marvin E. Hardy
Patsy Ann Hardy
Grantor

TO
Aspen Title & Escrow, Inc.
Successor Trustee

AFTER RECORDING RETURN TO
Aspen title & Escrow, Inc.
600 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/file/instrument/microfilm/reception No. , Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME TITLE
By Deputy

SHERIFF'S RETURN OF SERVICE

23447

STATE OF OREGON)
County of Klamath) ss.

Court Case No. _____

Sheriff's Case No. 86-2854 the within:

I hereby certify that I received on August 6, 1986

<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		
<input checked="" type="checkbox"/> <u>TRUSTEE'S NOTICE OF SALE</u>				

for service on the within named: Marvin E. Hardy or Patsy Ann Hardy or Occupant

☐ 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 _____,
_____ of said corporation.

☐ By leaving a true copy with _____

☐ OTHER METHOD _____

☒ NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find
the within named: Marvin E. Hardy & Patsy Ann Hardy, (UNOCCUPIED) within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: August 8, 1986 5:25 p.m.

TOM DURYEE, Sheriff
Klamath County, Oregon

By [Signature]
Deputy

ASPEN F-29995

STEVENS-NESS LAW PUB. CO., PORTLAND, OR. 97204

TRUSTEE'S NOTICE OF SALE

23448

Reference is made to that certain trust deed made by MARVIN E. HARDY and PATSY ANN HARDY

MOUNTAIN TITLE COMPANY, as grantor, to
 in favor of JACK T. JAMAR, as trustee,
 dated August 1, 19 79, recorded August 7, 19 79, in the mortgage records of
Klamath County, Oregon, in book XXXXXXXXXX Volume No. M-79 at page 18765,
~~for file/instrument/recorded/for exception~~ covering the following described real
 property situated in said county and state, to-wit:

Lots 1 and 25, Block 2, Tract 1021, WILLIAMSON RIVER KNOLL, in the County of
 Klamath, State of Oregon, TOGETHER WITH an undivided 2/80th interest in and to
 the following described property: The Easterly 60 feet of that portion of Government
 Lots 40, 41, 44 and 45 lying South of the Williamson River Knoll Subdivision and North
 of the Williamson River.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured
 by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the de-
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly installments
 of principal and interest due for the months of November and December of 1984, January thru
 December, inclusive, of 1985 and January, February, March, April, May, June and July of
 1986 in the amounts of \$101.62 each; and subsequent installments of like amounts;
 Subsequent amounts for assessments due under the terms and provisions of the Note and
 Trust Deed.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust
 deed immediately due and payable, said sums being the following, to-wit:
 \$5,009.63 plus interest and late charges, thereon from October 1, 1984, at the rate
 of NINE (9%) PER CENT PER ANNUM until paid and all sums expended by the Beneficiary
 pursuant to the terms and provisions of the Note and Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 19, 1986,
 at the hour of 10:10 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
ASPEN TITLE & ESCROW, INC., 600 Main Street
 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 ORS 86.753 has the right, at any time prior to five days before the date last set for
 the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of
 the entire amount then due (other than such portion of the principal as would not then to be due had no default
 occurred) and by curing any other default complained of herein that is capable of being cured by tendering the per-
 formance required under the obligation or trust deed, and in addition to paying said sums or tendering the perform-
 ance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation
 and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.
 In construing this notice, 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 obli-
 gation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their
 respective successors in interest, if any.

DATED July 31, 19 86 ASPEN TITLE & ESCROW, INC.

BY: [Signature]
 Successor Trustee

State of Oregon, County of Klamath, ss: Assistant Secretary
 I, the undersigned, certify that I am the ~~XXXXXXXXXXXXXXXXXXXX~~ for the above named trustee and that
 the foregoing is a complete and exact copy of the original trustee's notice of sale.

[Signature]
 Assistant Secretary ~~XXXXXXXXXX~~ for said Trustee

If the foregoing is a copy to be served pursuant to
 ORS 86.740 or ORS 86.750(1), fill in opposite
 the name and address of party to be served.

SERVE:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 18th day
 of December A.D., 19 86 at 4:14 o'clock P.M., and duly recorded in Vol. M86,
 of Mortgages on Page 23446.

FEE \$13.00

Evelyn Biehn County Clerk

By [Signature]