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### K-39199

Vol. 181 Page 20 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:	Arnulfo R. Lumbreras
	Trustee:	Aspen Title & Escrow, Inc.
	Successor	Trustee: Bruce Kellington, Attorney
	Beneficiar	cy: Town & County Mortgage, Inc.
	Holder of	Beneficial Interest: Associates National
		Mortgage Corporation

Property covered by trust deed: 2.

A portion of Lot 2, Section 12, Township 41 South, Range 10 East of Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point 50 feet East and 241.5 feet South of the Section corner common to Sections 1, 2, 11, and 12, Township 41 South, Range 10 E.W.M.; thence East a distance of 190.2 feet; thence South to the meander line on the North bank of Lost River; thence, Westerly and upstream along said meander line to a point due South of the point of beginning; thence North to the point of beginning.

Trust deed was recorded on November 7, 1985, in Volume M85, 3. Page 18162, Mortgage Records, Klamath County, Oregon.

Default for which foreclosure is made is the failure to pay 4. the following: The monthly installment of \$547.77 per month beginning with the installment due May 1, 1986, 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: 5. \$47,670.25, together with interest thereon at the rate of 11.5% per annum from April 1, 1986, until paid, plus late charges at the rate of \$21.91 per month, from and including the month of May, 1986, 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.

The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of Default was recorded in Volume M87, Page 1237 of the Mortgage Records of Klamath County, Oregon.

The property will be sold in the manner prescribed by law on 7. June 26, 1987, 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.

Interested persons are notified of the right under ORS 86.753 8. 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

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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 <u>28</u> day of January, 1987.

<u>J. Smu Kellewston</u> Bruce Kellington Trustee

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# AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF OREGON ) ss.

County of Jackson ١

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:

Name

Arnulfo R. Lumbreras

P. O.Box 782 Merrill, Oregon 97633

Address

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 29 day of January, 1987, 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.

Son Kellington Bruce Kellington

Subscribed and sworn to before me this 22 day of January,

Notary Public for Oregon

My Commission Expires 2/25/87

1 - Affidavit of Mailing Notice of Sale

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## SHERIFF'S RETURN OF SERVICE

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STATE OF OREGON ) ) ss.	Court Case No		
County of Klamath )	Sheriff's Case No <u>. 87-389</u>		
I hereby certify that I received on	January 30, 1987 the within		
<ul> <li>( ) Summons &amp; Complaint ( ) Summons &amp; Petition</li> <li>( ) Subpoena ( ) Citation</li> <li>( ) Small Claim ( ) Restraining Order</li> <li>( ) Writ of Garnishment ( ) Order to Show Cause</li> <li>(X ) TRUSTEE'S NOTICE OF SALE</li> </ul>	<ul> <li>( ) Summons ( ) Complaint ( ) Petition</li> <li>( ) Order ( ) Motion ( ) Affidavit</li> <li>( ) Order for Appearance of Judgement Debtor</li> <li>( ) Order Waiving Fees and Costs</li> </ul>		
for service on the within named: <u>Occupants</u> , 145	South Main Street Monvill on		
) SERVED	<u> </u>		
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			
a person over the age of fourteen years, who resides	at the place of abode of the within named at the		
abode:	at said		
) 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			
) OTHER METHOD	of said corporation.		
) NOT FOUND. After due and diligent search and inqui	ry, I hereby return that I have been unable to find		
the within named: Occupants, no one living the	re within Klamath County.		
search and service was made within Marriet e			
search and service was made within Klamath County, St	late of Oregon.		
TE AND TIME OF SERVICE OR NOT FOUND:	February 3, 1987 3:30 p.n.		
TE AND TIME OF SERVICE OR NOT FOUND:			

By 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 Arnulfo R. Lumbreras as grantor to Aspen Title & Escrow Inc. as trustee, in which Town & Country Mortgage, Inc. is beneficiary, recorded on November 7, 1985, in Volume M85, Page 18162 of the Mortgage Records of Klamath County, Oregon, covering the following described real property situate in said county:

A portion of Lot 2, Section 12, Township 41 South, Range 10 East of Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point 50 feet East and 241.5 feet South of the Section corner common to Sections 1, 2, 11, and 12, Township 41 South, Range 10 E.W.M.; thence East a distance of 190.2 feet; thence South to the meander line on the North bank of Lost River; thence Westerly and upstream along said meander line to a point due South of the point of beginning; thence North to the point of

I hereby certify that on February 3, 1987, 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

unotin - Trustee Bruce Kellington

Subscribed and sworn to before me this 6th February o 1987. day of

Notary Public

for Oregon My Commission Expires 2/25/87

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#### AFFIDAVIT OF NONMILITARY SERVICE

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 M87, Page 1263 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:

Name

#### Date of Service

Arnulfo R. Lumbreras

January 29, 1987

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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.

Kellington

Subscribed and sworn to before me this 6th day of February, 087.

Oregon

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

BAUCE Kellington 15 New town St. Medford, OR. 41501

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed f	or record at reque	st of		Carlo and a second second	the	<u> </u>	_ day
of	February	A.D., 1987	_ at2:22	o'clock PM.	, and duly recorded in	VolM87	,
		of	Mortgages	on Page	2069	1	11-
	1 - 31	e an e ha s		Evelyn Bi	lehn, County Clerk	L H	5
FEE	\$25.00			Ву		mun	