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K-39624


Vol. M87 Page 13890TRUSTEE'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: James L. Baker and Tammy T. Baker, husband and wife  
Trustee: Transamerica Title Insurance Co.  
Successor Trustee: Bruce Kellington, Attorney  
Beneficiary: Amfac Mortgage Corporation  
Holder of Beneficial Interest: Housing Division, Department of Commerce, State of Oregon
2. Property covered by trust deed:
- ✓ Lot 32, Old Orchard Manor, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.
3. Trust deed was recorded on May 28, 1980, as No. 81826, Volume 80, Page 9658, Mortgage Records, Klamath County, Oregon.
4. Default for which foreclosure is made is the failure to pay the following: The monthly installment of \$348.37 per month for the months of November and December 1986, and January 1987, and the monthly installment of \$340.50 per month beginning with the installment due February 1, 1987, 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: \$31,325.14, together with interest thereon at the rate of 9.25% per annum from October 1, 1986, 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 as No. 75733, Volume M87, Page 10322 of the Mortgage Records of Klamath County, Oregon.
7. The property will be sold in the manner prescribed by law on November 20, 1987, 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 29 day of June, 1987.

  
Bruce Kellington, Trustee

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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;

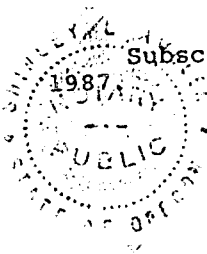
That I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof, by certified mail and first class mail to each of the following named persons at their respective last known addresses:

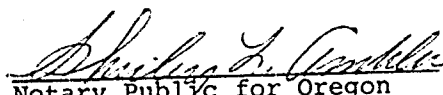
<u>Name</u>	<u>Address</u>
James L. Baker	East 1308 Illinois
Tammy T. Baker	Spokane, WA 99207

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 June, 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.

  
 Bruce Kellington

Subscribed and sworn to before me this 29 day of June, 1987.



  
 Notary Public for Oregon  
 My Commission Expires 2-5-91

# TRUSTEE'S NOTICE OF SALE

IN THE \_\_\_\_\_ COURT OF THE STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ : COURT CASE NO. \_\_\_\_\_

GRANTOR: JAMES L. BAKER & TAMMY T. BAKER,  
HUSBAND & WIFE, TRUSTEE: TRANSAMERICAN TITLE INSURANCE CO.  
SUCCESSOR TRUSTEE: BRUCE KELLINGTON, ATTORNEY.

13892

BENEFICIARY: AMPAC MORTGAGE CORPORATION  
HOLDER OF BENEFICIAL INTEREST, HOUSING DIVISION,  
DEPARTMENT OF COMMERCE, STATE OF OREGON  
STATE OF OREGON )  
 ) SS.

## PROOF OF SERVICE

County of KLAMATH

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_, I served \_\_\_\_\_ by:

- \_\_\_\_\_ Personal Service (personally and in person)
- \_\_\_\_\_ Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
- \_\_\_\_\_ Office Service (by serving the person apparently in charge)
- \_\_\_\_\_ By posting (said residence)

A certified/true copy of:

- |                    |                           |                    |
|--------------------|---------------------------|--------------------|
| _____ Summons      | _____ Writ of Garnishment | _____ Small Claims |
| _____ Motion       | _____ Order               | _____ Affidavit    |
| _____ Complaint    | _____ Citation            | _____ Subpoena     |
| _____ Petition     | _____ Notice              | _____ Decree       |
| _____ Other: _____ |                           |                    |

Together with a copy of \_\_\_\_\_

To HOUSE LOCATED AT 1133 ALANDALE, KLAMATH FALLS, OREGON IS VACANT

NOT FOUND: I certify that I received the within document for service on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and after due and diligent search and inquiry, I have been unable to locate \_\_\_\_\_ within the county of \_\_\_\_\_. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH.

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this  
07 day of JULY, 19 87

*Lenora L. Mueller*  
**LENORA L. MUELLER**  
RAWLAND MUELLER DETECTIVE AGENCY  
P. O. BOX 432  
KLAMATH FALLS, OREGON 97601  
(503) 882-3641

(KLAMATH FALLS LIC#00665)

Papers  
Received From CLEVELAND INVESTIGATION CO.

P.O. BOX 4657  
MEDFORD, OREGON 97501  
PHONE 772-8338

*R. E. Mueller*  
**R. E. MUELLER**  
NOTARY PUBLIC-OREGON  
My Commission Expires 1-5-90

Remit to: R.E. MUELLER	Service Fee	\$
P.O. Box 432	Mileage	\$
Klamath Falls, OR	Rush/Emergency	\$
Date: <u>JULY 7, 1987</u>	Incorrect Add.	\$
File No. <u>RM-024-7</u>		\$
Client No. <u>87-3720-0</u>	Amount Paid	\$
	TOTAL DUE	\$

13893

AFFIDAVIT OF NONMILITARY SERVICE

STATE OF OREGON       )  
                                  ss.  
County of Jackson    )

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 75733, Volume M87, Page 10322 of the Mortgage Records of Klamath County, Oregon.

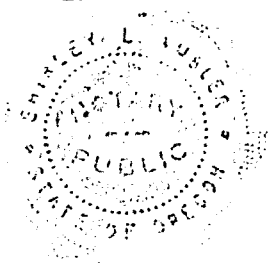
That a true copy of the Trustee's Notice of Sale was served on the following persons on the following dates:

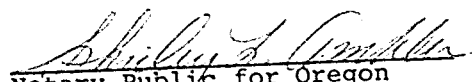
<u>Name</u>	<u>Date of Service</u>
James L. Baker	June 29, 1987
Tammy T. Baker	June 29, 1987

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 3rd day of August, 1987.



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

TRUSTEE' AFFIDAVIT AS TO NONOCCUPANCY

13894

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 L. Baker and Tammy T. Baker,  
husband and wife as grantor to Transamerica Title Insurance Co.  
as trustee, in which Amfac Mortgage Corporation is beneficiary,  
recorded on May 28, 1980, as number 81826, Volume 80, page 9658  
of the Mortgage Records of Klamath County, Oregon, covering the  
following described real property situate in said county:

Lot 32, Old Orchard Manor, according to the official  
plat thereof on file in the office of the County  
Clerk, Klamath County, Oregon

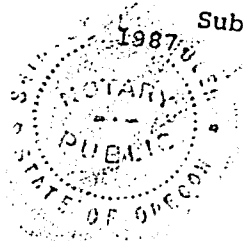
I hereby certify that on July 7, 1987, the above described  
real property was not occupied by any of the persons named in  
subsection 1 of Section 86.750, Oregon Revised Statutes.

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

Bruce Kellington  
Bruce Kellington - Trustee

Subscribed and sworn to before me this 3rd day of August,

Charles L. Connelley  
Notary Public for Oregon  
My Commission Expires 2/25/87



Return to:  
Bruce Kellington  
15 Newtown Street  
Medford, Oregon 97501

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Company the 4th day  
of August A.D. 19 87 at 10:27 o'clock A M., and duly recorded in Vol. MS7  
of Mortgages on Page 13890

FEE \$21.00

Evelyn Biehn,  
By Pat Smith County Clerk