

OC 77726

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE PURSUANT TO ORS 86.740 AND PROOF OF SERVICE

MT-17847 Vol 1187 Page 13929

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

STATE OF OREGON

County of Lane } 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 following persons:

NAME OF PERSON TO BE SERVED

Duel E. Chinn

Mariam L. Chinn

Neal G. Buchanan, Attorney at Law

D. L. Hoots, Attorney at Law

ADDRESS

2733 Crest Street, Klamath Falls, OR 97603

2733 Crest Street, Klamath Falls, OR 97603

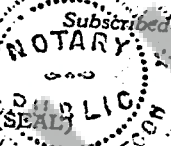
601 Main Street, Klamath Falls, OR 97603

2261 S. 6th, Klamath Falls, OR 97603

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Service should be made by April 19, 1987, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, but it appears that it is possible to effect service upon the above named person, 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.



Subscribed and sworn to before this 1st day of April, 1987.

(Attorney for) Trustee

Notary Public for Oregon

My commission expires: 6/04/90

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 OF TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Duel E. Chinn and
Mariam L. Chinn

Grantor

TO
Tranamerica Title
Insurance Company

Trustee

AFTER RECORDING RETURN TO
William S. Wiley
Attorney at Law
P. O. Box 1147
Eugene, OR 97440

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

13930

STATE OF OREGON)
) ss.
County of Klamath)

Court Case No. _____

Sheriff's Case No. 87-1113I hereby certify that I received on April 2, 1987 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: Duel E. Chinn, Mariam L. Chinn

(X) SERVED Mariam L. Chinn personally and in person.
at 2733 Crest, Klamath Falls, OR

(X) SUBSTITUTE SERVICE - By leaving a true copy with Mariam L. Chinn for Duel E. Chinn,
a person over the age of fourteen years, who resides at the place of abode of the within named, at said
abode: 2733 Crest, Klamath Falls, OR 97603

() 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 _____

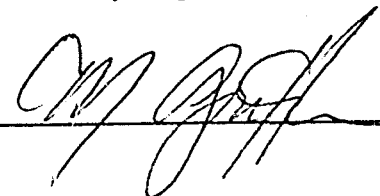
() NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find
the within named: _____ within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: April 3, 1987 10:20 a.m.

TOM DURYEE, Sheriff
Klamath County, Oregon

By


Deputy

SHERIFF'S RETURN OF SERVICE

13931

STATE OF OREGON)

) ss.

County of Klamath)

Court Case No. _____

Sheriff's Case No. 87-1113I hereby certify that I received on April 2, 1987 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 SALEfor service on the within named: D. L. Hoots, Attorney at Law(X) SERVED D. L. Hoots personally and in person.
at 2261 S. 6th St., Klamath Falls, OR

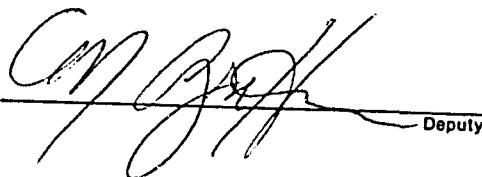
- () SUBSTITUTE SERVICE - By leaving a true copy with _____,
a person over the age of fourteen years, who resides at the place of abode of the within named, at said
abode: _____
- () OFFICE SERVICE - By leaving a true copy with _____,
the person in charge of the office maintained for the conduct of business by

- () By leaving a true copy with _____ of said corporation.
- () OTHER METHOD _____
- () NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find
the within named: _____ within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: April 3, 1987 9:35 a.m.TOM DURYEE, Sheriff
Klamath County, Oregon

By


Deputy

SHERIFF'S RETURN OF SERVICE

13932

STATE OF OREGON)
County of Klamath) ss.

Court Case No. _____

Sheriff's Case No. 87-1113

I hereby certify that I received on April 2, 1987 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: Neal G. Buchanan, Attorney at Law

(X) SERVED Neal G. Buchanan personally and in person.
at 601 Main, Klamath Falls, OR

() 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 _____
() NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find
the within named: _____ within Klamath County.

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

DATE AND TIME OF SERVICE OR NOT FOUND: April 3, 1987 1:48 p.m.

TOM DURYEE, Sheriff
Klamath County, Oregon

By  Deputy

TRUSTEE'S NOTICE OF SALE

13933



Reference is made to that certain trust deed made by DUEL E. CHINN and MARIAM L. CHINN, husband and wife,

TRANSAMERICA TITLE INSURANCE COMPANY

in favor of TOWN AND COUNTRY MORTGAGE, INC., an Oregon corporation, as trustee, dated October 11, 1983, recorded October 17, 1983, in the mortgage records of Klamath County, Oregon, in ~~book~~ volume No. M83 at page 17754,

and the same is subject to a ~~trust deed~~ covering the following described real

property situated in said county and state, to-wit:

PARCEL 1 - Tract 13, TOWNSEND TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2 - That portion of Lots 28 and 29, TOWNSEND TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, lying East of the U.S.R.S. Drain.

the beneficial interest thereof was assigned of record to Peoples Mortgage Company, a Washington corporation, by assignment recorded October 17, 1983, as volume no. M83, page 17893, in the Microfilm Records of Klamath County, Oregon, and thereafter further assigned to ICA Mortgage Corporation, a California corporation, by assignment recorded October 10, 1984, as volume no. *

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 Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly payments in the amount of \$620.00 each for the months of November 1, 1986, through March 1, 1987, plus late charges in the amount of \$34.88 each for the months of November, 1986, through March, 1987.

***M84, page 17453, in the Microfilm Records of Klamath County, Oregon,

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:

Principal amount of \$45,440.75, together with interest thereon at the rate of 13.0% per annum from October 1, 1986, plus accumulated late charges of \$174.00.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 18, 1987, at the hour of 10:00 o'clock, AM., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the main door of the Klamath County Courthouse 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 Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts 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 performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance 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 Section 86.753 of Oregon Revised Statutes.

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 obligation, 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 April 1, 19 87

William S. Wiley
WILLIAM S. WILEY

Successor Trustee

State of Oregon, County of Lane ss:

P. O. Box 1147, Eugene, OR 97440

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

William S. Wiley Attorney 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 Mountain Title Company the 4th day of August A.D., 19 87 at 1:50 o'clock P.M., and duly recorded in Vol. M87 of Mortgages on Page 13929.

FEE \$21.00

Evelyn Biehn, County Clerk
By Ann Smith