

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

Page 13934

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
David B. Frohnmayer, Attorney GeneralADDRESS
Justice Building, Salem, OR 97310

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, 19 87, 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, 19 87.

(Attorney for) Trustee

Notary Public for Oregon

My commission expires: 6/04/90

PUBLISHED 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
Transamerica 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/title/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

13935

STATE OF OREGON
County of Marion

} ss

I HEREBY CERTIFY that I personally served the attached

Trustee Notice of Sale

11:20 a.m. on 4-6-87

State of Oregon Attorney General

Nina Leieaer, Admin Asst

100 Justice Buildint, Salem, Oregon

on the within named _____ at _____
by serving _____ personally and in person at _____
in the County of Marion, State of Oregon, a certified copy of said _____
Trustee Notice of Sale _____ Certified by _____

William S. Wiley

ROBERT J. PRINSLOW
SHERIFF OF MARION COUNTY


Deputy

TRUSTEE'S NOTICE OF SALE

13936

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 grantor, to dated October 11, 1983, recorded October 17, 1983, in the mortgage records of Klamath County, Oregon, in book volume No. M83, at page 17754, 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 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
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: David B. Frohnmayer
Attorney General
Justice Building
Salem, OR 97310

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company
of August A.D., 19 87 at 1:50 o'clock P M., and duly recorded in Vol. M87 day
of Mortgages on Page 13934

FEE \$13.00

Evelyn Biehn, County Clerk
By Pat Smith