

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

13937

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

ADDRESS

American Universal Insurance Company
c/o Roland F. Banks, Jr., Reg. AgentStandard Plaza, 1100 S.W. Sixth Avenue
Portland, OR 97204

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.

(Attorney for) Trustee

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

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
Transamerica Title
Insurance Company

Trustee

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

STATE OF Oregon

PROOF OF SERVICE

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I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor the successor of either, nor an officer, director, employee or of attorney for the beneficiary or trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, as follows:

Upon _____, by delivering such true copy to him/her, personally and in person, at _____, on _____, 19____, at _____ o'clock ____M.

Upon _____, by delivering such true copy to him/her, personally and in person, at _____, on _____, 19____, at _____ o'clock ____M.

Substituted Service Upon Individual(s)
Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, who is a person over the

age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, who is a person over the

age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.

Office Service Upon Individual(s)
Upon _____, at the office which he/she maintains for the conduct of business at _____, the person who

by leaving such true copy with _____, is apparently in charge, on _____, 19____, during normal working hours, at to-wit: _____ o'clock ____M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name
Upon American-Universal Insurance
(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(a) delivering such true copy, personally and in person, to _____, by _____, who is a/the

(b) leaving such true copy with Ann Reaves, the person who is apparently in charge of the office of Roland F Banks Jr, who is a/the * registered agent

* Specify registered agent, officer (by title), director, general partner, managing agent.
at 1211 SW 5th, Portland, OR, on April 7, 87, at 2:00pm o'clock ____P.M.

Service Upon State of Oregon
Upon the State of Oregon by leaving such true copy with _____, a deputy/ clerk (delete word inapplicable) at the office of the Attorney General on _____, 19____, at _____ o'clock ____M.

Service Upon Public Bodies
Upon _____, 19____, at _____ o'clock ____M.
(a) serving such true copy, personally and in person on _____, by _____, who is the

(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the * _____ thereof;

* Specify director, managing agent, clerk, secretary
FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon _____, on _____, 19____, at _____ o'clock ____M.

who is the district attorney for the county, by _____, (a) delivering such true copy, personally and in person, to said district attorney, OR (b) leaving such true copy with _____, the person who is apparently in charge of the district attorney's office, on _____, 19____, at _____ o'clock ____M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

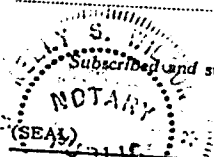
Service cannot be made upon _____ after reasonable efforts to do so have been made; I attempted to make service by _____

Chelsea Browne

230-9509

1208 SE Ankeny, Portland, OR 97214

Notary Public for Oregon
My commission expires 3-24-91



PUBLISHER'S NOTE: ORS 86.740(2) requires that the Notice of Sale be served in the manner in which a summons is served pursuant to Oregon Rules of Civil Procedure 7 D. (2) and 7 D. (3). The Proof of Service above contains most, but not all, of the methods of service. For example, this form does not include a method of service upon a minor or incapacitated person. See ORCP 7 D. (2) and 7 D. (3) for complete service methods on particular parties.

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TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by DUEL E. CHINN and MARIAM L. CHINN, husband and wife, as grantor, to TRANSAMERICA TITLE INSURANCE COMPANY, as trustee, in favor of TOWN AND COUNTRY MORTGAGE, INC., an Oregon corporation, as beneficiary, dated October 11, 1983, recorded October 17, 1983, in the mortgage records of Klamath County, Oregon, in 1983 volume No. M83 at page 17754.

~~and in the mortgage records of the County of Klamath, Oregon, in 1983, 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, 1987

WILLIAM S. WILEY

Successor Trustee
P. O. Box 1147, Eugene, OR 97440

State of Oregon, County of Lane

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 American Universal Insurance Company
c/o Roland F. Banks, Jr., Reg. Agent
Standard Plaza, 1100 S.W. 6th Avenue
Portland, OR 97204

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 13937.

FEE \$13.00

Evelyn Biehn, County Clerk
By [Signature]