

OC

91138

Vol. 788

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## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah, ss.

I, George C. Reinmiller, being first duly sworn, depose, and say and certify that:

At all times hereinafter 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.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME

ADDRESS

Michael B. Hines

17110 N. Applegate Rd., Grants Pass

OR 97527

Sandra Lee Hines, aka Sandra Lee Mello

1705 Poplar, P.O. Box 412, Forest Grove

OR 97115

Mickey G. Jantzen

620 Walton, Red Bluff CA 96080

2737 Altamont Dr., Klamath Falls

OR 97603

District Director, Internal Revenue Service, Attn: Chief,

1220 SW Third Ave., Portland OR 97204

Special Procedures Staff

Joan E. Jantzen

51 Soulier Rd., Odanak WI 54861

4770 Climax Space 43, Klamath Falls

OR 97602

Century 21/Production Realty, an abn of Production Realty, Inc., RA: Allan Matthews

4509 S. 6th St., Suite 102, Klamath Falls

OR 97603

Alan M. Lee,

700 Benj. Franklin Plaza, One SW Columbia

Roberts, Reinisch &amp; Klor

St., Portland OR 97258

Richard N. Belcher, Esq.

601 Main, Suite 204, Klamath Falls OR 97601

Zamsky &amp; Belcher

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.\*

Each of the notices so mailed was certified to be a true copy of the original notice of sale by

Kelly D. Sutherland

attorney for 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 Portland, Oregon, on May 3, 1988. With respect to each

person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

George C. Reinmiller, Successor-Trustee

Subscribed and sworn to before me this 1st day of September, 1988.

(SEAL)

Notary Public for Oregon. My commission expires 10/4/91

More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.

**Publisher's Note:** An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Michael B. Hines

Grantor

TO

Transamerica Title Insurance Co.

Trustee

AFTER RECORDING RETURN TO  
GEORGE C. REINMILLER  
& ASSOCIATES  
ATTORNEYS AT LAW  
521 S.W. CLAY SUITE 2000  
PORTLAND, OREGON 97201

(DON'T USE THIS  
SPACE: RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

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

TRUSTEE'S NOTICE OF SALE

14526

Reference is made to that certain trust deed made by Michael B. Hines and assumed by Mickey G. Jantzen, as grantor, to Transamerica Title Insurance Co., as trustee, in favor of First Interstate Bank of Oregon, N.A., fka First National Bank of Oregon, as beneficiary, dated December 18, 1980, recorded December 18, 1980, in the mortgage records of Klamath County, Oregon, in book \_\_\_\_\_ reel/volume No. M80 at page 24575, or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real property situated in said county and state, to-wit:

The North 60 feet of Lot 3 in Block 3, ALTAMONT ACRES, in the County of Klamath and State of Oregon.  
(2737 Altamont Drive, Klamath Falls, OR 97603)

Beneficial interest assigned to Housing Division, Department of Commerce, State of Oregon, nka Oregon Housing Agency, State of Oregon by instrument recorded December 18, 1980 as Vol. M80, Page 24579, Klamath County Records.

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 Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly installments of \$298.86 each, commencing with the payment due December 1, 1987 and continuing each month until this trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$50.94 as of April 11, 1988 and further late charges of \$13.52 on each delinquent payment thereafter; plus all fees, costs and expenses associated with this foreclosure, all sums expended by beneficiary to protect the property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided by the terms of the Trust Deed, and less the reserve account balance of \$17.49.

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:

The sum of \$27,403.41 with interest thereon at the rate of 9.75% per annum from November 1, 1987, until paid; plus all fees, costs and expenses associated with this foreclosure, all sums expended by beneficiary to protect the property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided by the terms of the Trust Deed, and less the reserve account balance of \$17.49.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 9, 1988, at the hour of 1:00 o'clock, P. M., in accord with the standard of time established by ORS 187.110, at front door - 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 ORS 86.753 has the right, at any time prior to five days before the date last set for 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 ORS 86.753.

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 22, 1988  
 GEORGE C. REINMILLER  
 521 SW Clay  
 Portland, OR 97201  
 226-3607  
 GEORGE C. REINMILLER - Successor-Trustee  
 Trustee

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.

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:



UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In re

JANTZEN, Mickey G.

Debtor(s).

Case Number: 688-61244

NON-JUDICIAL RELIEF  
FROM THE AUTOMATIC STAY  
OF 11 U.S.C. §362(a)

The following creditor has a purchase money security interest or a perfected security interest in the following property; there appears to be no equity in the property for the estate, and the debtor(s) do not object to relief from the stay as to the property; therefore,

The trustee hereby authorizes non-judicial relief from the automatic stay as to the specific property named below and the creditor may foreclose the security interest as provided in the security agreement or applicable law provided, however, the creditor shall account to the trustee for any surplus over the balance due which may be realized upon foreclosure.

Name of Creditor: First Interstate Bank of Oregon, N.A.

Property Released: 2737 Altamont  
Klamath Falls, Oregon 97603

DATED: 6/19/94

Michael A. Grassmuck, Inc.

By

Trustee Michael A. Grassmuck

Debtor/Debtor's Attorney\*

\*The debtor or attorney's signature  
may be required by the trustee.

# SHERIFF'S RETURN OF SERVICE

14528

STATE OF OREGON )

County of Klamath )

ss.

Court Case No. \_\_\_\_\_

Sheriff's Case No. 88-2225

I hereby certify that I received on June 30, 1988

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: Michael B. Hines, and assumed by Mickey G. Jantzen

(X) SERVED Mickey G. Jantzen personally and in person.  
 at 2737 Altamont Dr., 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 \_\_\_\_\_

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

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

DATE AND TIME OF SERVICE OR NOT FOUND: July 1, 1988 9:35 a.m.

TOM DURYEE, Sheriff  
 Klamath County, Oregon

By \_\_\_\_\_

Deputy



# First Interstate Bank v. Hines/Jantzen

## Affidavit of Publication

14529

STATE OF OREGON,  
COUNTY OF KLAMATH ss.

I, Sarah L. Parsons, Office Manager

being first duly sworn, depose and say that

I am the principal clerk of the publisher of  
the Herald and News

a newspaper of general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the aforesaid  
county and state; that the

#960 Trustees sale-Hines

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for four

~~successive consecutive calendar days~~

(4 insertion s) in the following issue s: —

July 8, 1988

July 15, 1988

July 22, 1988

July 29, 1988

Total Cost: \$304.64

Sarah L. Parsons

Subscribed and sworn to before me this 29  
day of July, 1988

[Signature]  
Notary Public of Oregon

My commission expires Jan 15 90

TRUSTEE'S NOTICE OF SALE  
Reference is made to a certain Trust Deed  
made by Michael J. Hines and assumed by  
Michael J. Hines as grantor to First Inter-  
state Bank of Oregon, Inc. as First Na-  
tional Bank of Oregon, Inc. as beneficiary, dated  
December 18, 1980, recorded December 18, 1980,  
in the mortgage records of Klamath County,  
Oregon at book 142 and at page 5075 covering  
the following described real property situated in  
said county and state, to wit:  
24 North 40 feet of Lot 3 in Block 4, ALTAMONT  
ADDN to the County of Klamath and State of  
Oregon.

(2737 Altamont Drive, Klamath Falls, OR 97603)  
Beneficial interest assigned to Housing Division  
Department of Commerce, State of Oregon, by in-  
strument recorded December 18, 1980, at 5075  
of book 142, Klamath County Records.

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  
Oregon Revised Statutes 86.735(3). The default  
for which the foreclosure is made is granted  
failure to pay when due the following terms:  
Monthly installments of \$298.84 each, commencing  
with the payment due December 1, 1987 and  
continuing each month until this trust deed is  
reinstated or goes to Trustee's sale; plus ac-  
crued late charges of \$50.94 as of April 11, 1988  
and further late charges of \$13.52 on each delin-  
quent payment thereafter; plus all fees, costs  
and expenses associated with this foreclosure;  
all sums expended by beneficiary to protect the  
property or its interest therein; during the  
pendency of this proceeding, evidence that taxes  
are paid as provided by the terms of the Trust  
Deed; and less the reserve account balance of  
\$17.41.

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:  
The sum of \$27,245.41 with interest thereon at the  
rate of 12% per annum from November 1, 1985  
until paid; plus all fees, costs and expenses  
associated with this foreclosure; all sums ex-  
pended by beneficiary to protect the property or  
its interest therein; during the pendency of this  
proceeding, evidence that taxes are paid as pro-  
vided by the terms of the Trust Deed; and less  
the reserve account balance of \$17.41.

WHEREFORE, the trustee will on September 7, 1988  
at 10:00 a.m. at a clock 2:00 p.m. in accordance with  
the Board of time established by ORS 86.735(3),  
from door Klamath County Courthouse  
which time and place sale is to be postponed to  
October 26, 1988, at 1:00 p.m. in accordance with  
the standard of time established by ORS 86.735(3),  
from door 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 in-  
terest which the grantor or his successors in in-  
terest acquired after the execution of said trust  
deed, to satisfy the foregoing obligations thereon  
secured and the costs and expenses of sale, in-  
cluding a reasonable charge by the trustee.  
Notice is further given that any person named in  
ORS 86.753 has the right at any time prior to five  
days before the date last set for the sale, to have  
this foreclosure proceeding dismissed and the  
trust deed reinstated by payment for 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 cur-  
ring any other default complained of herein that  
is capable of being cured by rendering the per-  
formance required under the obligation of trust  
deed; and in addition to paying said sums or  
rendering the performance necessary to cure the  
default, by paying all costs and expenses actual-  
ly incurred in enforcing the obligation and trust  
deed, together with trustee's and attorney's fees  
not exceeding the amounts provided by said ORS  
86.753.

In construing this notice, the masculine gender  
includes the feminine and the neuter, the singular  
includes the plural, the word "grantor" in-  
cludes 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 suc-  
cessors in interest, if any.  
DATED April 22, 1988  
GEORGE C. REINMILLER, Successor Trustee  
521 SW Clay  
Portland, OR 97201  
224-3207  
1988 July 8 15 24 29 1988

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

George C. Reinmiller

on this 7th day of Sept., A.D. 1988  
at 9:40 o'clock A.M. and duly recorded  
in Vol. M88 of Mortgages Page 14525

By Evelyn Biehn County Clerk

By Carlene Millenclase Deputy

Fee, \$28.00

AFTER RECORDING,  
PLEASE RETURN TO:

GEORGE C. REINMILLER  
521 S.W. CLAY  
PORTLAND, OR 97201