

ON

9568

ASPEN 33154 Vol. m89 Page 25093



STATE OF OREGON, County of Multnomah, ss:

I, James D. Thompson, 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 beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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

Lomnie D. Davis
Stacy J. Davis

P.O. Box 281
P.O. Box 281

Bonanza, Oregon 97623
Bonanza, Oregon 97623

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 James C. Casterline, 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 September 12, 1989. 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.



Subscribed and sworn to before me this 12th day of September, 1989.

[Signature of Notary Public]
Arne D. Sedlacek

Notary Public for Oregon. My commission expires 11/16/91

* 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

Davis

Grantor

TO

Farmers Home Administration

Trustee

(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 of 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

AFTER RECORDING RETURN TO
Transamerica Title Ins. Co.
12360 E. Burnside
Portland, Oregon 97216
Attn: James D. Thompson

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT
AND PROOF OF SERVICE

25094

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

STATE OF OREGON

County of Multnomah

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 occupant of the property described in said Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in said trust deed, are as follows:

NAME OF PERSON TO BE SERVED

PROPERTY ADDRESS

(If unknown, so state)

Lonnie D. Davis

2491 5th Avenue

Bonanza, Oregon 97623

Stacy J. Davis

2491 5th Avenue

Bonanza, Oregon 97623

Any and All Occupants at:

2491 5th Avenue

Bonanza, Oregon 97623

If the occupant is indicated as "unknown", or if you find the property at said address to be occupied by other than the person named, then you are instructed to serve the person or persons whom you find to be occupying said property.

Service should be made by September 27, 1989, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, 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 me this 6th day of September, 1989.

Successor

(Attorney for) Trustee

(SEAL)

Notary Public for Oregon. My commission expires: 11/16/91

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 UPON OCCUPANT OF TRUSTEE'S
NOTICE OF SALE

(120-Day Notice per ORS 86.750(1))

RE: Trust Deed from
Davis

Grantor

TO

Farmers Home Administration

Trustee

AFTER RECORDING RETURN TO

Transamerica Title Ins. Co.

12360 E. Burnside

Portland, Oregon 97216

Attn: James D. Thompson

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.

By Deputy

472-579

SHERIFF'S RETURN OF SERVICE

25095

STATE OF OREGON)

) ss.

County of Klamath)

Court Case No. _____

Sheriff's Case No. 89-3017I hereby certify that I received on September 13, 1989 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: Lonnie D. Davis, Stacy J. Davis(x) SERVED Lonnie D. Davis & Stacy J. Davis personally and in person.
at 249 15th Ave., Bonanza, 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: September 16, 1989 6:46 p.m.Carl R. Burkhardt, Sheriff
Klamath County, OregonBy W. M. Mook

Deputy

TRUSTEE'S NOTICE OF SALE

25096

Reference is made to that certain trust deed made by Lonnie D. Davis and Stacy J. Davis

Farmers Home Administration U.S.D.A., as grantor, to
 in favor of United States of America, as trustee,
 dated September 4, 1987, recorded September 8, 1987, in the mortgage records of
Klamath County, Oregon, in Book/Teil/volume No. M87 at page 16232, or
 as fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real
 property situated in said county and state, to-wit:

Lot 6 and the West 12.5 feet of Lot 7, Block 30 GRANDVIEW ADDITION to Bonanza,
 according to the official plat thereof on file in the office of the County Clerk
 of Klamath County, Oregon.

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 de-
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

10 payments in the amount of \$148.00 each.
 Real property taxes for the years 1987 through 1989.

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 : \$33,086.02 All fees, costs and expenses incurred in this foreclosure.
 Interest as of 8/22/89: 810.39 Recapture of subsidized interest, if any. All sums ad-
 Daily Accrual : 2.7194 vanced, if any, to protect the property or the beneficiary's
 interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 19, 1990,
 at the hour of 10:10 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
Main entrance 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 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 per-
 formance required under the obligation or trust deed, and in addition to paying said sums or tendering the perform-
 ance 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 obli-
 gation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their
 respective successors in interest, if any.

Transamerica Title Insurance Company

DATED September 1, 1989

James D. Thompson, Assistant Secretary
 Trustee

State of Oregon, County of Multnomah, ss:

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.

James C. Casterline

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 Aspen Title the 28 day
 of Dec A.D. 1989 at 3:51 o'clock A.M., and duly recorded in Vol. 1189
 of Mortgages on Page 25093

FEE 23.00

Evelyn Biehn County Clerk
 By Bernetha A. Ketch