



ON

1319



## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Wesley C. Kilgore and Linda J. Kilgore, husband and wife, as grantor, to Transamerica Title Insurance Company, as trustee, in favor of First Interstate Bank of Oregon, N.A., fka First National Bank of Oregon, as beneficiary, dated November 9, 19 79, recorded November 16, 19 79, in the mortgage records of Klamath County, Oregon, in ~~book~~ file/volume No. M79 at page 27.002, or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real property situated in said county and state, to-wit:

That portion of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 6, Township 40 S, Range 13 East of the Willamette Meridian Lying Southwesterly of the County Road and Northeasterly of Langell Valley Highline Irrigation Canal. Plus all fixtures and mobile homes, if any, located thereon. (Rt. 1, Box 144, Bonanza, OR 97623)

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 \$533.86 each, commencing with the payment due March 1, 1989 and continuing each month until this trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$500.64 as of August 7, 1989 and further late charges of \$21.35 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 \$270.48.

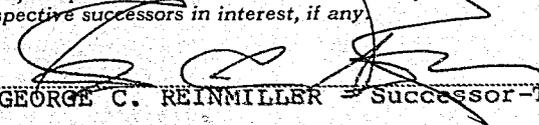
By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: The sum of \$44,564.84 with interest thereon at the rate of 10.50% per annum from February 1, 1989, until paid; plus all 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 \$270.48.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 26, 19 90, 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 grantor of the said trust deed, together with any interest which the grantor or grantor's 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 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 August 31, 19 89  
 GEORGE C. REINMILLER  
 521 SW Clay  
 Portland, OR 97201

  
 GEORGE C. REINMILLER - Successor-Trustee  
 226-3607  
 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.

\_\_\_\_\_  
 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: \_\_\_\_\_

SHERIFF'S RETURN OF SERVICE

1320

STATE OF OREGON )  
 ) ss.  
County of Klamath )

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

Sheriff's Case No. 89-2926

I hereby certify that I received on September 6, 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
- TRUSTEE'S NOTICE OF SALE

for service on the within named: OCCUPANT RT 1, BOX 144, BONANZA, OR

SERVED WESLEY KILGORE & LINDA KILGORE, OCCUPANTS personally and in person.  
at RT 1 BOX 144, 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: October 7, 1989 6:00 p.m.

Carl R. Burkhart, Sheriff  
Klamath County, Oregon

By B. W. Mordel  
Deputy

# Affidavit of Publication

STATE OF OREGON,  
COUNTY OF KLAMATH

I, Deanna Azevedo, 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 \_\_\_\_\_

LEGAL #1208

KILGORE

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

(4 insertions) in the following issues: \_\_\_\_\_

DEC. 6, 1989

DEC. 13, 1989

DEC. 20, 1989

DEC. 27, 1989

Total Cost: \$280.16

Deanna Azevedo

Subscribed and sworn to before me this 27TH  
day of DECEMBER 19 89

[Signature]  
Notary Public of Oregon

My commission expires Jan 15 1990

After Recording Return To:

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

(COPY OF NOTICE TO BE PASTED HERE)

**TRUSTEE'S NOTICE OF SALE**  
Reference is made to that certain trust deed made by Wesley C. Kilgore and Linda J. Kilgore, husband and wife, as grantor, to Transamerica Title Insurance Company, as trustee, in favor of First Interstate Bank of Oregon, N.A., fka First National Bank of Oregon, as beneficiary, dated November 9, 1979, recorded November 16, 1979, in the mortgage records of Klamath County, Oregon, volume No. M79 at page 27002, covering the following described real property situated in said county and state, to-wit:  
That portion of the NE 1/4 NW 1/4 of Section 6, Township 40-S, Range 13 East of the Willamette Meridian, Lying Southwesterly of the County Road and Northeasterly of Langel Valley Highline Irrigation Canal. Plus all fixtures and mobile homes, if any, located thereon. (Rt. 1, Box 144, Bonanza, OR 97623)

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 \$533.86 each, commencing with the payment due March 1, 1989 and continuing each month until this trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$500.64 as of August 7, 1989 and further late charges of \$21.35 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 \$270.48.

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 \$44,364.84 with interest thereon at the rate of 10.50% per annum from February 1, 1989, 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 \$270.48.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 26, 1990, at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 86.730, 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 heretofore that is capable of being cured by rendering the performance required under the obligation of 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 August 31, 1989.  
GEORGE C. REINMILLER, Successor Trustee  
#1208 Dec. 6, 13, 20, 27, 1989

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

George C. Reinmiller  
on this 19th day of Jan. A.D., 19 90  
at 12:13 o'clock P.M. and duly recorded  
in Vol. M90 of Mortgages Page 1318

Evelyn Biehn County Clerk  
By Caroline Mullendore

Fee, \$23.00

Deputy.