

ASPEN 3511

19121

Vol 1690 Page 16216

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE PURSUANT TO ORS 86.740 AND PROOF OF SERVICE  
TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON WASHINGTON

County of King } 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

R. Mark Trelease

243 Squel Street, Klamath Falls, Oregon 97601

and/or

same as above

Doris Dee Trelease

and/or

same as above

Unknown occupant(s)

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 May 8, 1990, 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.

David E. Farrell Trustee

23rd

day of April

1990

Notary Public for Oregon Washington

My commission expires: 4/9/91



TRUSTEE'S INSTRUCTIONS AND PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from Trelease

Grantor

TO

Trustee

Kim Roust  
FRESH THORNTON SHILDER GATES & ELLIS  
5400 Columbia Center, 701 5th Avenue  
Seattle, Washington 98104

STATE OF OREGON,

County of }

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

BOOK OF SERVICE

90 AUG 20 PM 3 20

# PROOF OF SERVICE

16717

STATE OF OREGON

County of

KLAMATH

ss.

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 JOHN LESTER (OCCUPANT), by delivering such true copy to him/her, personally and in person, at 243 SOQUEL STREET, KLAMATH FALLS, OREGON, on 5-2-, 1990, at 1:52 o'clock P.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 \_\_\_\_\_, by leaving such true copy with \_\_\_\_\_, the person who

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 \_\_\_\_\_, by

(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(a) delivering such true copy, personally and in person, to \_\_\_\_\_, who is a/the \_\_\_\_\_ thereof; OR

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

\* Specify registered agent; officer (by title), director, general partner, managing agent;

at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

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.

Upon \_\_\_\_\_, by

(a) serving such true copy, personally and in person on \_\_\_\_\_, who is the \_\_\_\_\_ thereof; OR

(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

at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon \_\_\_\_\_, 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,

at \_\_\_\_\_, 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 \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1990

Notary Public for Oregon

My commission expires \_\_\_\_\_

3-31-91

Notary Public for Oregon

My commission expires \_\_\_\_\_

3-31-91

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 proof 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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ON

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by R. Mark Trelease and Doris Dee Trelease, husband and wife, as grantor, to Klamath County Title Company, as trustee, in favor of Jackson County Federal Savings and Loan Association, as beneficiary,

dated November 10, 1986, recorded November 19, 1986, in the mortgage records of Klamath County, Oregon, in book 186 / volume No. MB6 at page 21105, (indicate which), covering the following described real

~~property situated in said county and state, to-wit:~~  
property situated in said county and state, to-wit:

See Exhibit A attached and incorporated herein

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 payments of \$405.00 beginning 12-01-89 to 04-01-90; plus late charges of \$16.20 each month beginning 5-16-90; plus prior accrued late charges of \$81.00; plus escrow advances of \$31.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

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: \$36,524.44 with interest thereon at the rate of 9.50 percent per annum beginning 11-1-89 until paid; plus late charges of \$16.20 each month beginning 5-16-90 until paid; plus prior accrued late charges of \$81.00; plus escrow advances of \$31.50; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 5, 1990, at the hour of 10:00 o'clock, AM, in accord with the standard of time established by ORS 187.110, at inside door to main lobby of the Klamath County Courthouse, Klamath Falls, Klamath County of Oregon, 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 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 April 23, 1990

David E. Fennell  
David E. Fennell, 5400 Columbia Center, 701 5th Avenue  
Seattle, Washington 98104 (206) 623-7580  
Trustee

King ss:  
State of Oregon, County of Washington  
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.

David E. Fennell  
Attorney for said Trustee

SERVE:

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.

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## EXHIBIT A

PARCEL I: Lot 8 in Block 48 of BUENA VISTA, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

PARCEL II: A parcel of land situate in Lots 6 and 7, Block 48, BUENA VISTA ADDITION to the City of Klamath Falls, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a 5/8" iron pin marking the most Southerly corner of Lot 6, Block 48, said BUENA VISTA ADDITION; thence North 57° 00' 00" West, 35.0 feet; thence North 50° 00' 00" West 47.0 feet; thence South 17° 43' 55" West, to an intersection with the Northerly line of Lot 8, Block 48, said BUENA VISTA ADDITION; thence South 64° 45' 58" East to the point of beginning.

Property Address: 243 Soquel Street, Klamath Falls, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 20th day  
of Aug. A.D., 19 90 at 3:20 o'clock P.M., and duly recorded in Vol. M90  
of Mortgages on Page 16716  
By Evelyn Biehn - County Clerk  
Pauline Mullesore

FEE \$23.00