

91-10605

K-43150

OREGON

AFFIDAVIT OF MAILING NOTICE OF SALE

I, De L. Dishman, say and certify that:

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 the successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail and first class mail to each of the following named persons at their last known addresses, to-wit:

Duel E. Chinn
2935 Cortez
Klamath Falls, OR 97602

Duel E. Chinn
P.O. Box 7414
Klamath Falls, OR 97602

Duel E. Chinn
2733 Crest Street
Klamath Falls, OR 97602

Mariam L. Chinn
2733 Crest Street
Klamath Falls, OR 97602

The person mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice and any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Kelly D. Sutherland, Shapiro & Kreisman, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Portland, Oregon, on April 29, 1991. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

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



De L. Dishman

11 41
9 PM
AUG 91

State of Oregon)
County of Multnomah)

On this 29th day of April, in the year 1991,
before me the undersigned, a Notary Public in and for said County
and state, personally appeared De L. Dishman personally known to
me to be the person whose name is subscribed to this instrument
and acknowledged that he executed.

Witness my hand and official seal

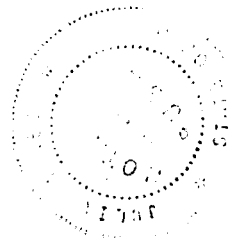
Julia Barnes
Notary Public

My Commission Expires 8/25/92

After Recording Return to:

Shapiro & Kreisman
4380 S.W. Macadam Avenue
Suite 310
Portland, Oregon 97201
(503) 227-4566

Lender Loan #: 353-318838



91-10605

TRUSTEE'S NOTICE OF SALE

A default has occurred under the terms of a 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 & 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 Book No. M-83 at Page 17754, covering the following described real property:

PARCEL 1:

Tract 13, TOWNSEND TRACTS, in the County of Klamath, State of Oregon.

PARCEL 2:

That portion of Lots 28 and 29, TOWNSEND TRACTS, in the County of Klamath, State of Oregon, lying East of the U.S.R.S. Drain.

Commonly known as: 2733 Crest Street, Klamath Falls, OR 97603

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 in the sum of \$655.00 from December 1, 1990 until March 1, 1990 and monthly payments in the sum of \$640.00 from April 1, 1991, together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit:

\$44,424.11, together with interest thereon at the rate of 13.000% per annum from November 1, 1990 together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 28, 1991 at the hour of 10:00 o'clock A.M., in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse located at 316 Main Street 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 has or had power to convey at the time of the execution of 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 due (other than such portion of the principal as would not then be due has 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 obligations 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.

KELLY D. SUTHERLAND
Successor Trustee

Dated 4/25/91

By: 

State of Oregon, County of Multnomah ss:

I, the undersigned certify that the foregoing instrument is a complete and exact copy of the original Trustee's Notice of Sale

SHAPIRO & KREISMAN
4380 S.W. Macadam Avenue
Suite 310
Portland, Oregon 97201
(503) 227-4566

Lender Loan #: 353-318838

SHERIFF'S RETURN OF SERVICE

State of Oregon)
County of Klamath) Court Case No.
 Sheriff's Case No. 911389-01
 Received for Service 04/25/91

I hereby certify that I received for service on
OCCUPANTS

the within:

TRUSTEE'S NOTICE OF SALE

See attached page if Other Process Served if marked []

MARIAM CHINN
was served personally and in person at
2733 CREST
KLAMATH FALLS , OR on 04/28/91 at 10:22 hours.

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

Carl R. Burkhart, Sheriff
Klamath County, Oregon


By _____
LAWRENCE, DONALD

Copy To:

CAPITOL
PO BOX 3225
PORTLAND

, INVESTIGATION C
OR 97208

IN THE _____ COURT OF THE STATE OF _____ Oregon
COUNTY OF _____ : COURT CASE NO. _____

15680

Town & Country Mortgage, Inc.

vs

Duel E. Chinn, et al

AFFIDAVIT/PROOF OF SERVICE

For Billing Only

STATE OF OREGON

County of Multnomah) SS.

I hereby certify that on the 28th day of April, 19 91, at the hour of 10:22AM
I served Mariam Chinn by:

- ☒ **Personal Service** (personally and in person)
☐ **Substitute Service** (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
☐ **Office Service** (by serving the person apparently in charge)
☐ **By posting** (said residence)

A certified/true copy of:

- | | | |
|------------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Order | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Citation | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Notice | <input type="checkbox"/> Decree |
- ☒ **Other:** Trustee's Notice of Sale

Together with a copy of _____

To Mariam Chinn

At 2733 Crest St.
Klamath Falls, OR 97603

NOT FOUND: I certify that I received the within document for service on the _____ day of _____, 19____
and after due and diligent search and inquiry, I have been unable to locate _____
within the county of _____. Dated this _____ day of _____, 19____.

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF Klamath

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this
1st day of May, 19 91.

151
Capitol Investigation Company

Papers
Received From Shapiro & Kreisman
4380 SW Macadam Ave., Ste 310
Portland, OR 97201

Remit to: CIC	Service Fee	\$ 25.00
P.O. Box 3225	Mileage	\$.00
Portland, OR 97208	Rush/Emergency	\$.00
Date: 05/01/91	Incorrect Add.	\$.00
File No. 91-06430-M		\$
Client No. 91-10605	Amount Paid	\$.00
	TOTAL DUE	\$ 25.00

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH

I, DEANNA AZEVEDO

being first duly sworn, depose and say
that I am the principal clerk of the
publisher of the HERALD & 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 #2716

S&K #91-10605

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:

MAY 29, 1991

JUNE 6, 1991

JUNE 13, 1991

JUNE 21, 1991

Total Cost: 272.00

Deanna L. Azevedo

Subscribed and sworn to before me this 21ST

day of JUNE 19 91

Rita Bucke
Notary Public of Oregon

My commission expires Jan 15 94

TRUSTEE'S NOTICE OF SALE

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Tract 13, TOWNSEND TRACTS, in the County of Klamath, State of Oregon.

PARCEL 2:
That portion of Lots 28 and 29, TOWNSEND TRACTS, in the County of Klamath, State of Oregon, lying East of the U.S.R.S. Drain, Commonly known as: 2733 Crest Street, Klamath Falls, OR 97603.

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 in the sum of \$635.00 from December 1, 1990 until March 1, 1990 and monthly payments in the sum of \$640.00 from April 1, 1991; together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

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 sum being the following, to-wit: \$44,424.11, together with interest thereon at the rate of 13.000% per annum from November 1, 1990 together with all costs, disbursements, and/or fees incurred or paid by the beneficiary and/or trustee, their employees, agents or assigns.

WHEREFORE, notice hereby is given that the

undersigned trustee will on August 28, 1991 at the hour of 10:00 o'clock A.M. in accord with the standard time established by ORS 187.110, at the main entrance of the Klamath County Courthouse located at 316 Main Street 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 has or had power to convey at the time of the execution of 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 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 obligations 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 4/25/91
KELLY D. SUTHERLAND
Successor Trustee
#2716 May 29, June 6, 13, 21, 1991

91-10605

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF California)
 County of San Diego) SS.

THIS IS TO CERTIFY THAT I, William W. Howard,
 am the Operations Specialist of Imperial Federal Savings
 Association, the current beneficiary in that certain trust deed
 in which Duel E. Chinn and Mariam L. Chinn, husband and wife, as
 grantor, conveyed to Transamerica Title Insurance Company, as
 trustee, certain real property in Klamath County, Oregon; which
 said trust deed was dated October 11, 1983, and recorded October
 17, 1983, in the mortgage records of said county, in Book No. M-
 83, at Page 17754; thereafter a Notice of Default with respect to
 said trust deed was recorded April 25, 1991, in Book No. M91 at
 Page 7617 of said mortgage records; thereafter the said trust
 deed was duly foreclosed by advertisement and sale and the real
 property covered by said trust deed was sold at the trustee's
 sale on August 28, 1991; I reasonably believe at no time during
 the period of three months and one day immediately preceding the
 day of said sale and including the day thereof, was the real
 property described in and covered by said trust deed, or any
 interest therein, owned by a person in the military service as
 defined in Article I of the "Soldiers' and Sailor's Civil Relief
 Act of 1940," as amended, or legally incompetent under the laws
 of the State of Oregon.

In construing this certificate, the masculine includes the
 feminine, the singular includes the plural, the word "grantor"
 includes any successor in interest to the grantor, the word
 "trustee" includes any successor trustee, and the word
 "beneficiary" includes any successor in interest to the
 beneficiary named in said trust deed.

Imperial Federal Savings Association
 under the receivership of the Resolution
 Trust Corporation, as successor in
 interest to Imperial Savings Association,
 a California Corporation

William W. Howard
 Beneficiary

William W. Howard, Operations Specialist

By: _____
 Name-Title

STATE OF California)
COUNTY OF San Diego) SS.

On this 23 day of May, 19 91, before me the undersigned a Notary Public appeared William W. Howard personally known to me or proved to me on the basis of satisfactory evidence to be the Operations Spec. of the corporation that executed the within instrument, also know to me to be the person(s) who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

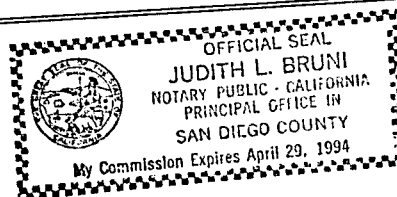
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the date first hereinabove written.

Judith L. Bruni
Notary Public for State indicated above
My commission expires:

After Recording Return to:

SHAPIRO & KREISMAN
4380 S.W. Macadam Avenue
Suite 310
Portland, Oregon 97201
(503) 227-4566

Loan #: 353-318838



STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of Klamath County Title Co the 9th day
of August A.D., 19 91 at 1:41 o'clock P M., and duly recorded in Vol. M91
of Mortgages on Page 15675

FEE \$48.00

By Evelyn Biehn, County Clerk
Shirley J. Drummond