

40147

TRUSTEE'S NOTICE OF SALE

Vol. m92 Page 1442

Reference is made to that certain trust deed made by JAMES FRANK CARPENTER

Mountain Title Company of Klamath County, as grantor, to  
in favor of LARRY A. VAN KOUWENBERG, as trustee, \*\*  
dated July 21, 1988, recorded July 26, 1988, in the mortgage records of  
Klamath County, Oregon, in book/reel/volume No. M-88, at page 11913, or  
as fee/file/instrument/microfilm/reception No. 89680 (indicate which), covering the following described real  
property situated in said county and state, to-wit: Lot 18 in Block 19 of SECOND ADDITION TO KLAMATH  
RIVER ACRES, according to the official plat thereof on file in the office of the County  
Clerk of Klamath County, Oregon.  
TOGETHER WITH a 1985 TIMBE HT Mobile Home, Oregon License #X188059, Serial No. 8308, which  
is firmly affixed to the real property described herein.  
Klamath County Tax Account #3908-3180-0700 and #M188059

CONTINUED REVERSE SIDE  
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:

regular monthly sums due from May 22, 1991, in the sum of \$268.37, together with the same  
sum due the 22nd day of each and every month thereafter.

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:

\$23,044.43, together with interest from May 6, 1991, together with all costs, trustee's  
and attorney's fees pursuant to the terms of the Trust Deed.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 31, 1992,  
at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at  
601 Main Street, Suite 215

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.

DATED September 12, 1991

Neal G. Buchanan  
NEAL G. BUCHANAN, Successor Trustee

Trustee

State of Oregon, County of Klamath 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:

44-2-44  
JAN 23 PM 2 14  
25

33

CONTINUED FROM FRONT SIDE.

\*\*Neal G. Buchanan was substituted as trustee by instrument dated June 24, 1991, recorded July 3, 1991, Vol. M-91, page 12803.

\*\*\*The beneficiary's interest in the said Trust Deed was assigned to Clarence A. Rick and Gladys A. Rick, husband and wife, by instrument dated July 25, 1988, recorded July 26, 1988, Vol. M-88, page 11913.

\*\*\*The beneficiary's interest in said Trust Deed was assigned to Larry A. Van Kouwenberg by instrument dated June 17, 1991, recorded Vol. M-91, page 12802.

CONFIDENTIAL REVERSE SIDE

Continued Reverse Side

...to pay when due the following sum:

There is no evidence to suggest that the defendant was involved in the activities of the group.

the following is a list of the names of the persons who have been named in the Trust Deed:

19-00000

[illegible][illegible]

2017

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the People of the South (CLPS) in the United States. The Commission is therefore unable to determine whether the CLPS is a legitimate organization or a subversive group. The Commission is therefore unable to determine whether the CLPS is a legitimate organization or a subversive group.

estimates based on the following:

2222

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON, County of Klamath, ss:

I, NEAL G. BUCHANAN

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  
James Franklin Carpenter  
(Grantor)

ADDRESS  
P.O. Box 210  
Keno, OR 97627

Lorna M. Grimes  
(Occupant)

P.O. Box 210  
Keno, OR 97627

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 NEAL G. BUCHANAN, 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 Klamath Falls, Oregon, on September 12, 19 91. 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 12 day of September, 19 91

(SEAL) VIVIENNE I. HUSTEAD  
NOTARY PUBLIC-OREGON

\* My commission expires 4/11/93  
Notary Public for Oregon. My commission expires 4/11/93

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

James Frank Carpenter

Grantor

TO

Mountain Title Company

Trustee

AFTER RECORDING RETURN TO  
NEAL G. BUCHANAN  
Attorney at Law  
601 Main Street, Suite 215  
Klamath Falls, OR 97601

(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

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

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

**STATE OF OREGON**

County of Klamath

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**  
(If unknown, so state)

**PROPERTY ADDRESS**

Lorna M. Grimes

9721 Ben Kerns Road  
Keno, Oregon

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 October 2, 1991, 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.

*Paul Buchanan*  
(Attorney for) Trustee

Subscribed and sworn to before me this 12<sup>th</sup> day of September, 1991.

**VIVIANNE I. HUSTEAD**  
**NOTARY PUBLIC-OREGON**  
(SEAL) My Commission Expires \_\_\_\_\_

*Vivienne I. Hustead*  
Notary Public for Oregon. My commission expires: 4/11/93

**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**  
**James Frank Carpenter**

**Grantor**

**TO**

**Mountain Title Company**

**Trustee**

**NEAL G. BUCHANAN**  
**Attorney at Law**  
601 Main Street, Suite 215  
Klamath Falls, OR 97601

**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 \_\_\_\_\_ TITLE  
Deputy

BOOK OF RECORD

1445

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## PROOF OF SERVICE

STATE OF OREGON, County of Klamath

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 of or 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:

Personal Service Upon Individual(s)  
 Upon LORNA M. GRIMES, by delivering such true copy to him/her, personally and in person,  
 at QUALITY COMPONENTS, INC., 3122 Century DR., Klamath Falls, OR on 9-20, 1991, at 11:52 o'clock A.M.  
 Upon \_\_\_\_\_, by delivering such true copy to him/her, personally and in person,  
 at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M.

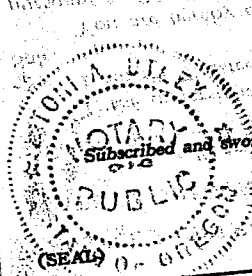
Substituted Service Upon Individual(s)  
 Upon \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
 or usual place of abode, to-wit: \_\_\_\_\_, who is a person over the  
 to \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M.  
 age of 14 years and a member of the household of the person served on \_\_\_\_\_, by delivering such true copy at his/her dwelling house  
 Upon \_\_\_\_\_, who is a person over the  
 or usual place of abode, to-wit: \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M.  
 to \_\_\_\_\_, age of 14 years and a member of the household of the person served on \_\_\_\_\_

Office Service Upon Individual(s)  
 Upon \_\_\_\_\_, at the office which he/she maintains for the conduct of  
 business at \_\_\_\_\_, the person who  
 by leaving such true copy with \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock, \_\_\_\_ M.  
 is apparently in charge, on \_\_\_\_\_

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name  
 Upon \_\_\_\_\_, who is a/the  
 (NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)  
 (a) delivering such true copy, personally and in person, to \_\_\_\_\_, the person who is apparently in charge of the  
 \* \_\_\_\_\_ thereof; OR  
 (b) leaving such true copy with \_\_\_\_\_, who is a/the \*  
 office of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M.  
 \* Specify registered agent, officer (by title), director, general partner, managing agent.  
 at \_\_\_\_\_, on \_\_\_\_\_

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.

Subscribed and sworn to before me this 20th day of September, 1991



Lori A. Ullery  
 Notary Public for Oregon  
 My commission expires 1-20-92

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.

# Affidavit of Publication

**STATE OF OREGON,  
COUNTY OF KLAMATH**

1, SARAH 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 \_\_\_\_\_

LEGAL #4030

TRUSTEE'S SALE:

JAMES FRANK CARPENTER

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:

NOVEMBER 17, 24, 1991

DECEMBER 1, 8, 1991

**Total Cost:** \$353.60

Sarah L. Parsons

Subscribed and sworn to before me this

**8TH**

DECEMBER

91

Notary Public of Oregon

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

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STATE OF OREGON,  
County of Klamath

Filed for record at request of:

Neal G. Buchanan

on this 23rd day of Jan. A.D., 19 92  
at 2:14 o'clock PM. and duly recorded  
in Vol. M92 of Mortgages Page 1442.

**Evelyn Biehn**

**County Clerk**

By Pauline Mullendore

**Deputy.**

Fee: \$33.00