

OC 50246

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

Vol 192 Page 20237

STATE OF OREGON,

County of Klamath

} ss.

I, Donald R. Crane

being first duly sworn, depose, say and certify that:

I am the Successor

Charles T. Bennett

trustee in that certain trust deed executed and delivered by

to Mountain Title Co., Inc.

as grantor

in which Highland Community Federal Credit Union

as trustee,

is beneficiary, recorded on April 4

County, Oregon, in Book 7321/volume No. M85, 1985, in the mortgage records of Klamath

County, Oregon, at page 4932. OF EXEMPT THIS REMEDY FROM THE MORTGAGE RECORDS OF THE COUNTY OF KLAMATH, OREGON, COVERING THE FOLLOWING DESCRIBED REAL PROPERTY SITUATED IN SAID COUNTY:

All of Lot 2, Block 4, ALTAMONT ACRES, excepting therefrom: The East 90 feet of said Lot 2; the South 75 feet of said Lot 2; and the West 102 feet of said Lot 2.

All of Lot 1, Block 4, ALTAMONT ACRES, excepting therefrom: The East 90 feet of said Lot 1; and the West 102 feet of said Lot 1, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

I hereby certify that on May 5

1992, the above described real property was not occupied. The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed first mentioned above.

Trustee

Subscribed, sworn to and acknowledged before me this 4th day of September, 1992.

(SEAL)



OFFICIAL SEAL
LINDA CRANE
NOTARY PUBLIC - OREGON
COMMISSION NO. 011913
MY COMMISSION EXPIRES DEC. 23, 1995

Linda Crane

Notary Public for Oregon

My Commission expires: 12/23/92

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCY

RE: Trust Deed from
Charles T. Bennett

Grantor

to
Mountain Title Co., Inc.

Trustee

AFTER RECORDING RETURN TO
Donald R. Crane
635 Main Street
Klamath Falls, OR 97601

(DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUNTIES
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/instru-
ment/microfilm/reception No.
Record of Mortgages of said County.
Witness my hand and seal of
County affixed.

NAME

TITLE

By

Deputy

TRUSTEE'S NOTICE OF SALE

20298

Reference is made to that certain trust deed made by Charles T. Bennett

, as grantor, to

Mountain Title Co., Inc.

, as trustee,

in favor of Highland Community Federal Credit Union

, as beneficiary,

dated April 4, 1985, recorded April 4, 1985, in the mortgage records ofKlamath County, Oregon, in book/roll/volume No. M85 at page 4932, or~~as to the instrument recorded in the office of the County Clerk~~ (indicate which), covering the following described real

property situated in said county and state, to-wit: All of Lot 2, Block 4, ALTAMONT ACRES, excepting therefrom: The East 90 feet of said Lot 2; the South 75 feet of said Lot 2; and the West 102 feet of said Lot 2.

All of Lot 1, Block 4, ALTAMONT ACRES, excepting therefrom: The East 90 feet of said Lot 1; and the West 102 feet of said Lot 1, 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 default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Monthly installments of \$203 each from August 25, 1991 and on the 25th day of each month thereafter, and monthly installments of \$100 each from August 20, 1991 and the 20th day of each month thereafter, together with real property taxes for 1990-91 in the amount of \$193.36 plus interest and 1991-92 taxes in the amount of \$189.25 plus interest.

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:

\$11,576.42 plus interest accumulating after 2/11/92 and \$3,928.50 plus interest accumulating after 2/11/92 and real property taxes in the amounts of \$193.36 (1990-91) and \$189.25 (1991-92).

WHEREFORE, notice hereby is given that the undersigned trustee will on July 17, 1992, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the main entrance to the Klamath County Courthouse, 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 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 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 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 March 10, 1992Donald R. Crane

Trustee

State of Oregon, County of _____ 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

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.

CK
35.00

PROOF OF SERVICE

STATE OF OREGON)
County of Klamath)Klamath County _____ Court
Case No. _____Date received for Service: May 7, 1992

I hereby certify that I made service of the foregoing Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering or leaving original of said Trustee's Notice of Sale certified to be such by the attorney for the plaintiff, as follows:

Personal Service Upon Individual(s)

Upon _____, by delivering such _____ to him/her personally and in person, at, _____, on _____, 1992, at _____ o'clock ____ M.

Upon _____, by delivering such _____ to him/her personally and in person, at, _____, on _____, 1992, at _____ o'clock ____ M.

Substituted Service Upon Individual(s)

Upon John K. Bennett, by delivering such original at his/her dwelling house or usual place of abode, to-wit: 3616 Boardman, Klamath Falls, OR 97603, to Charles F. Bennett who is a person over the age of 14 years and a member of the household of the person served on May 7, 1992, at 1:43 o'clock AM.

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, to _____ who is a person over the age of 14 years and a member of the household of the person served on _____, 1992, at _____ o'clock ____ M.

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon, and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise; that the person, firm or corporation served by me is the identical person, firm or corporation named in the action.

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

DATED _____

Steven E. Blackwell
Steven E. Blackwell
4331 Bisbee Street
Klamath Falls, Oregon 97603
(503) 884-9919

PROOF OF SERVICE

STATE OF OREGON)
 County of Klamath)

Klamath County _____ Court
 Case No. _____

Date received for Service: May 7, 1992

I hereby certify that I made service of the foregoing Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering or leaving original of said Trustee's Notice of Sale certified to be such by the attorney for the plaintiff, as follows:

Personal Service Upon Individual(s)

Upon _____, by delivering
 such _____ to him/her personally and in person,
 at, _____,
 on _____, 1992, at _____ o'clock _____ M.
 Upon _____, by delivering
 such _____ to him/her personally and in person,
 at, _____,
 on _____, 1992, at _____ o'clock _____ M.

Substituted Service Upon Individual(s)

Upon Michelle M. Bennett, by delivering
 such original at his/her dwelling house or usual place of abode,
 to-wit: 3616 Boardman, Klamath Falls, OR 97603,
 to Charles E. Bennett who is a person over the age
 of 14 years and a member of the household of the person served
 on May 7, 1992, at 1:43 o'clock A M.
 Upon _____, by delivering
 such true copy at his/her dwelling house or usual place of abode,
 to-wit: _____,
 to _____ who is a person over the age
 of 14 years and a member of the household of the person served
 on _____, 1992, at _____ o'clock _____ M.

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon, and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise; that the person, firm or corporation served by me is the identical person, firm or corporation named in the action.

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

DATED May 7, 1992

Steven E. Blackwell
 Steven E. Blackwell
 4331 Bisbee Street
 Klamath Falls, Oregon 97603
 (503) 884-9919

PROOF OF SERVICE

STATE OF OREGON)
County of Klamath) Klamath County _____ Court
Case No. _____

Date received for Service: May 7, 1992

I hereby certify that I made service of the foregoing Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering or leaving original of said Trustee's Notice of Sale certified to be such by the attorney for the plaintiff, as follows:

Personal Service Upon Individual(s)

Upon Charles F. Bennett, by delivering such original to him/her personally and in person, at, 3616 Boardman, Klamath Falls, OR 97603, on May 7, 1992, at 1:43 o'clock A.M.

Upon _____, by delivering such to him/her personally and in person, at, _____, 1992, 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: _____

to _____ who is a person over the age of 14 years and a member of the household of the person served on _____, 1992, at _____ o'clock _____ M.

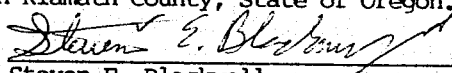
Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____

to _____ who is a person over the age of 14 years and a member of the household of the person served on _____, 1992, at _____ o'clock _____ M.

I further certify that I am a competent person 18 years of age or older and a resident of the state of service or the State of Oregon, and that I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise; that the person, firm or corporation served by me is the identical person, firm or corporation named in the action.

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

DATED May 7, 1992


Steven E. Blackwell
4331 Bisbee Street
Klamath Falls, Oregon 97603
(503) 884-9919

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, 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 #4504

TRUSTEE'S NOTICE OF SALE

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:

JUNE 1, 8, 15, 22, 1992

Total Cost: \$369.60

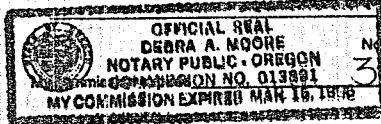
Sarah L. Parsons

Subscribed and sworn to before me this

22ND

day of

JUNE



Notary Public of Oregon

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ Donald R. Crane _____ the 4th _____ day
of Sept. A.D., 1992 at 9:47 o'clock A.M., and duly recorded in Vol. M92
of _____ Mortgages on Page 20297

FEE \$35.00

Evelyn Biehn - County Clerk

By *Debra A. Moore*

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Charles T. Bennett, as grantor, to Mountain Title Co. Inc., as trustee, in favor of Highland Community Federal Credit Union, as beneficiary, dated April 4, 1985, recorded April 4, 1985, in the mortgage records of Klamath County, Oregon, in volume No. M25 as page 4932, covering the following described real property situated in said county and state, to-wit: All of Lot 2, Block 4, ALTAMONT ACRES, excepting therefrom: The East 90 feet of said Lot 2; the South 75 feet of said Lot 2; and the West 102 feet of said Lot 2.

All of Lot 1, Block 4, ALTAMONT ACRES, excepting therefrom: The East 90 feet of said Lot 1; and the West 102 feet of said Lot 1, 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 default for which the foreclosure is made is grantor's failure to pay when due the following sums:

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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:

\$11,576.42 plus interest accumulating after 2/11/92 and \$3,928.50 plus interest accumulating after 2/11/92 and real property taxes in the amounts of \$193.36 (1990-91) and \$189.25 (1991-92).

WHEREFORE, notice hereby is given that the undersigned trustee will on July 17, 1992, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the main entrance to the Klamath County Courthouse 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 had or had power to convey at the time of the execution by him of the 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 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 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 March 10, 1992

Donald R. Crane, Trustee

#4504 June 1, 8, 15, 22, 1992