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K-44310

Vol. 92 Page 25214

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of Multnomah

} ss.

I, Dean P. Gisvold

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

I am the SUCCESSOR

trustee in that certain trust deed executed and delivered by

Robert F. Brown

as grantor

to Klamath County Title Company

as trustee,

in which The Travelers Insurance Company

is beneficiary, recorded on June 22, 1989, in the mortgage records of Klamath

County, Oregon, in book/reel/volume No. M89, at page 11198 or as fee/file/instrument/microfilm/recep-

tion No. (indicate which), covering the following described real property situated in said county:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A".

*Based on the Service Report dated August 18, 1992, and attached hereto as Exhibit B,

**known as the Brown Ranch

*I hereby certify that on July 25, 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.

portion of the

Dean P. Gisvold, Successor Trustee

Dean P. Gisvold, Successor Trustee

Subscribed, sworn to and acknowledged before me this 21st day of October, 1992

Notary Public for Oregon

My Commission expires: 9-18-93

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCYRE: Trust Deed from
Robert F. Brown

Grantor

to

Klamath County Title
Company

Trustee

AFTER RECORDING RETURN TO

Beverly Thomas
1100 SW Sixth, #1600
Portland, OR 97204DON'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/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy

EXHIBIT "A"

DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon:

PARCEL 1:

Township 33 South, Range 6 East of the Willamette Meridian

Section 35: SE $\frac{1}{4}$

Township 34 South, Range 6 East of the Willamette Meridian

Section 1: Lots 5 and 6, Lots 7 and 10 less that portion conveyed to Robert D. Helms et ux, by deed recorded in Volume 227 of Deeds page 92, Lots 11, 12, 13 and 20

Section 2: Lots 1, 2, 3, 6, 7, 8, 9, 10, 16, 17 and 24

EXCEPTING THEREFROM a road right of way 155 feet in width across the E $\frac{1}{4}$ of Section 35, Township 33 South, Range 6 E.W.M. as conveyed to Klamath County, Oregon by Deed recorded April 9, 1965, in Deed Volume 360 at page 541 and by Deed recorded April 19, 1965, in Volume 360 at page 656.

ALSO EXCEPTING THEREFROM a road right of way across the E $\frac{1}{4}$ of Section 35, Township 33 S.R. 6 E.W.M. and across the W $\frac{1}{4}$ of Section 36, Township 33 S.R. 6 E.W.M., as conveyed to Klamath County, Oregon by deed recorded July 14, 1965, in Deed Volume 363 at page 178.

PARCEL 2:

Township 34 South, Range 7 $\frac{1}{2}$ East of the Willamette Meridian

A piece or parcel of land situated in Sections 5, 8, 16, 17, 20 and 21, and being more particularly described as follows:

Beginning at the intersection of the center line of Seven Mile Canal as the same is now located and constructed, with the line marking the Westerly boundary of the said Section 5, Township 34 South, Range 7 $\frac{1}{2}$ East of the Willamette Meridian, and from which point the Southeasterly corner of Section 1, Township 34 South, Range 6 East of the Willamette Meridian, as established by Norman D. Price, U. S. Cadastral Engineer, between October 31, 1930, and June 22, 1931, bears South 83°59' West, 5310.1 feet distant, and running; thence downstream along the said center line of Seven Mile Canal South 61°35 $\frac{1}{2}$ ' East 861.2 feet; thence South 31°46 $\frac{1}{2}$ ' East 2306.4 feet; thence South 34°23 $\frac{1}{2}$ ' East 1252.4 feet; thence South 32°27 $\frac{1}{2}$ ' East 2101.8 feet; thence South 41°02 $\frac{1}{2}$ ' East 8802.1 feet, more or less, to the intersection of the said center line of Seven Mile Canal, with a line which is parallel with and 70.0 feet at right angles Southeasterly from the center line of the Dixon and McQuiston Levee, as the same is now located and constructed; thence leaving the center line of

Seven Mile Canal and following the said line parallel with the said Dixon and Mcquiston Levee South $44^{\circ}40'$ West 6437.9 feet, more or less, to its intersection with the Southerly boundary of the said Section 20, Township 34 South, Range 7 $\frac{1}{2}$ East of the Willamette Meridian; thence Westerly along the Southerly boundary of said Section 20, 4905.3 feet, more or less, to the Southwesterly corner of the said Section 20, Township 34 South, Range 7 $\frac{1}{2}$ East of the Willamette Meridian; thence North along the Westerly boundary of the said Sections 20, 17, 8 and 5, Township 34 South, Range 7 $\frac{1}{2}$ East of the Willamette Meridian, 16,570.6 feet, more or less, to the said point of beginning.

EXCEPTING THEREFROM that portion conveyed to D'Artmery Bros., a Co-partnership, by deed recorded in Volume 331 at page 367, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM that portion conveyed to Byron W. Bacchi, et ux., and Henry Francis Bacchi, et ux., by Deed recorded in Volume 350 at page 675, Deed Records of Klamath County, Oregon.

PARCEL 3:

Township 39 South, Range 12 East of the Willamette Meridian:

Section 6: E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 7: Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 17: W $\frac{1}{2}$ NW $\frac{1}{4}$ and that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ West and North of the Horsefly Irrigation District Canal.

Section 18: Lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and all those portions of Lots 2 and 3 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North of Lost River.



25217

NATIONWIDE PROCESS SERVICE, INC.

222 Century Tower • 1201 SW 12th Avenue • Portland, Oregon 97205
Telephone (503) 241-0636 • Facsimile (503) 241-1604

S E R V I C E R E P O R T

TO: Bev Thomas
FROM: Janelle Graves
DATE: August 18, 1992
CASE: Travelers Insurance vs. Robert F. Brown
SERVE: Service on Robert F. Brown and/or occupants
OUR FILE # 127007, 127008, 127009, 127010 & 127011

7/20/92 - Per Janet Gravdal, Fort Klamath and Brown Ranch are the 9:45 A.M. same ranch. This was relayed to our agent in Klamath Falls, OR.

7/23/92 - Our agent needed more detailed information on finding 3:30 P.M. the ranches. The area that our agent is looking, is very dense with many off roads. The county surveyor was not able to help very much. One of the ranches is 3 parcels. 1 parcel is 1/4 of a square mile. This information was relayed to Janet Gravdal. She stated to me she would call back.

7/24/92 - Per Janet Gravdal, call Trudie Durant at Klamath County 2:46 P.M. Title Company at 884-5155. She has maps of both ranches.

7/25/92 - Messenger attempted service at a trailer house at the 7:55 P.M. Bonanza Ranch, Bonanza, OR and personally served Nick Hoogoish, who stated he was the sole occupant.

7/25/92 - Messenger attempted service at a house at the Bonanza 8:00 P.M. Ranch, Bonanza, OR and personally served Frank Morello, who stated he was the sole occupant.

EXHIBIT B

Page 2
Service Report

7/25/92 - There was another house and trailer house on the ranch, but no one was home at either one. Messenger was told that the occupants were gone and might be back on Monday, July 27, 1992.

7/25/92 - Messenger attempted service at the Fort Klamath and Brown Ranch. There is no property on the land at the Brown Ranch. There is one house on the Fort Klamath Ranch. Messenger was told that the occupants were gone and might be back on Monday, July 27, 1992.

7/27/92 - The above service information was relayed to you. Messenger will attempt service again this evening.

7/27/92 - Messenger attempted service at both ranches. No one was home. Messenger was told that occupants of both houses should be home Tuesday, July 28, 1992.

7/28/92 - The above information was relayed to you. Messenger will attempt service again this evening.

7/28/92 - Messenger attempted service at the house on the Fort 8:05 P.M. Klamath Ranch, Fort Klamath, OR and personally served Tony and "Jane" Coelho. Mrs. Coelho refused to give her first name to the messenger.

7/28/92 - Messenger attempted service at the main ranch house at 9:50 P.M. the Bonanza Ranch, Bonanza, OR and personally served Troy Blackwell, who stated to the messenger he was the sole occupant and the grandson of Robert F. Brown.

7/28/92 - Messenger attempted service at a trailer house at the 9:55 P.M. Bonanza Ranch, Bonanza, OR and personally served Gerri Fearriem, who stated to the messenger that he was the sole occupant.

7/29/92 - The above service information was relayed to you.

8/10/92 - Affidavits of service were delivered to your office.

EXHIBIT B

Page 2 of 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 27th day of Oct. A.D., 19 92 at 10:21 o'clock A.M., and duly recorded in Vol. M92, of Mortgages on Page 25214.

FEE \$25.00

Evelyn Biehn County Clerk

By Dorlene Muehlenberg