

81448

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

Vol 1794 Page 22025

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:  
STATE OF OREGON, County of Klamath  
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

Brian H. Littleton &  
Dorothy J. Littleton

Occupant

2252 Vine Street  
Klamath Falls, Oregon 97601  
4441 Denver Avenue  
Klamath Falls, Oregon 97603

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 20, 19 93, 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.

Subscribed and sworn to before me this 6th day of October, 19 94  
SUCCESSOR Carol J. Goshorn  
Notary Public for Oregon. My commission expires: 1-15-94

RECEIVED  
CLATSOP COUNTY  
CLERK OF COURT  
19 PH 1:23

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  
Grantor  
TO  
Trustee

AFTER RECORDING RETURN TO  
ASPEN TITLE & ESCROW, INC  
ATTN: FORECLOSURE DEPARTMENT

SPACE RESERVED  
FOR  
RECORDER'S USE

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                       
By                      TITLE                       
Deputy

# PROOF OF SERVICE

22026

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, 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 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 \_\_\_\_\_, by delivering such true copy to him/her, personally and in person,  
at \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_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: \_\_\_\_\_,  
to \_\_\_\_\_, 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: \_\_\_\_\_,  
to \_\_\_\_\_, 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.

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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public for Oregon  
My commission expires \_\_\_\_\_

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.

03-11-04603:13 BOLD

22027

Court Case No. \_\_\_\_\_  
 Sheriff's Case No. 93-03310

Received for Service 10/19/93

I hereby certify that I received for service on  
LITTLETON, DOROTHY J  
the within:  
TRUSTEE'S NAME

TRUSTEE'S NOTICE OF SALE

LITTLETON, DOROTHY J.  
was served personally, and in person, at  
2252 VINE AVENUE  
KLAMATH FALLS  
at 13:45 hours.  
OR, on 10/20/93,

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

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

Copy to:

ASPEN TITLE & ESCROW, INC  
525 MAIN  
KLAMATH FALLS

By Rebecca Dailey  
DAILEY, REBECCA

UR 97601

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

22028

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 93-03310

Received for Service 10/19/93

I hereby certify that I received for service on  
LITTLETON, BRIAN H  
the within:

TRUSTEE'S NOTICE OF SALE

LITTLETON, BRIAN H  
was served by leaving a true copy with  
LITTLETON, DOROTHY J  
a person over the age of fourteen years who resides  
at the place of abode of the within named located at  
2252 VINE AVENUE  
KLAMATH FALLS  
at 13:45 hours. , OR, on 10/20/93,

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

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

By Rebecca Dailey  
DAILEY, REBECCA

Copy to:

ASPEN TITLE & ESCROW, INC  
525 MAIN  
KLAMATH FALLS

OR 97601

22029

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

State of Oregon )  
County of Klamath )

Court Case No.  
Sheriff's Case No. 93-03310

Received for Service 10/19/93

I hereby certify that I received for service on  
VINCENT, DWAYNE  
the within:

TRUSTEE'S NOTICE OF SALE

VINCENT, DWAYNE  
was served personally, and in person, at  
4441 DENVER AVENUE  
KLAMATH FALLS  
at 09:59 hours. , OR, on 10/20/93,

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

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

By   
MUCABEE, NORMAN

Copy to:

ASPEN TITLE & ESCROW, INC  
325 MAIN  
KLAMATH FALLS

OF 97601

ASPEN 04040505/F  
TRUSTEE'S NOTICE OF SALE

22030

Reference is made to that certain trust deed made by Brian H. Littleton and Dorothy J. Littleton,  
husband and wife \_\_\_\_\_, as grantor, to  
Aspen Title & Escrow, INC \_\_\_\_\_, as trustee,  
 in favor of Robert C. Brown and Karen V. Brown, husband and wife \_\_\_\_\_, as beneficiary,  
 dated September 19 \_\_\_\_\_, 19 90, recorded October 1 \_\_\_\_\_, 19 90, in the mortgage records of  
Klamath \_\_\_\_\_ County, Oregon, in book 20917 & 20918 \_\_\_\_\_, at page 19863 & 19866, or  
 as ~~see the instrument or instruments recorded in book No. 20917 & 20918~~ (Indicate which), covering the following described real  
 property situated in said county and state, to-wit:

See legal description marked Exhibit "A" attached hereto and by this reference  
 made a part hereof as though fully set forth 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 de-  
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

See attached Exhibit "B" and by this reference made a part hereof as though  
 fully set forth herein....

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:

See attached Exhibit "C" and by this reference made a part hereof as though  
 fully set forth herein....

WHEREFORE, notice hereby is given that the undersigned trustee will on March 14 \_\_\_\_\_, 19 94,  
 at the hour of 11:00 \_\_\_\_\_ o'clock, A.M., in accord with the standard of time established by ORS 187.110, at  
Front entry of Aspen Title & Escrow, Inc \_\_\_\_\_  
 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 grantor 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 36.753 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 per-  
 formance 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 October 18 \_\_\_\_\_, 19 93

ASPEN TITLE & ESCROW, INC

BY [Signature]  
 Successor

Trustee

State of Oregon, County of Klamath \_\_\_\_\_ ss:

I, the undersigned, certify that I am the attorney in fact of the undersigned trustee and that  
 the foregoing is a complete and exact copy of the original trustee's notice of sale.

Successor

[Signature]  
 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: \_\_\_\_\_

22031

EXHIBIT "A"

A parcel of land situate in the N 1/2 SW 1/4 NW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point marked by an iron pin driven in the ground in the center line of a 60 foot roadway, from which the section corner common to section 2, 3, 10 and 11, Township 39 South, Range 9 East of the Willamette Meridian, bears South 89 degrees 44 1/2' West along the center line of said roadway, 879.4 feet to a point in the West boundary of said Section 11, and North 0 degrees 13 1/2' West along the section line 1662.5 feet; thence running North 89 degrees 44 1/2' East along the center line of above mentioned roadway, a distance of 135.0 feet; thence North 0 degrees 7' West, 331.75 feet, more or less, to a point on the Northerly boundary of said N 1/2 SW 1/4 NW 1/4 of said Section 11; thence South 89 degrees 47' West along said boundary line 135.0 feet; thence South 0 degrees 07' East, 331.85 feet, more or less, to the point of beginning,

CODE 41 MAP 3909-11BC TL 600

## EXHIBIT "B"

Balance of monthly installments of \$483.05 due for the months of December of 1990 and monthly installments of \$483.05 to present and subsequent installments of like amounts; and subsequent amounts for assessments and taxes due under the terms and provisions of the Note and Trust Deed recorded on October 19, 1990 in Volume M90 Page 19863 also a second Note and Trust Deed dated September 19, 1990 recorded on October 1, 1990 in Volume M90 Page 19866 in the amount of \$9,000.00 at the rate of eleven (11.0) percent per annum due and payable on March 28, 1991 and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed.



22033

## EXHIBIT "C"

Note and Trust Deed dated September 19, 1990 and recorded on October 1, 1990 in the amount of \$42,500.00 plus interest and late charges thereon from December 28, 1990 at the rate of eleven (11.0) percent per annum until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Trust Deed. Also a second Note and Trust Deed dated September 19, 1990 and recorded on October 1, 1990 in the amount of \$9,000.00 plus interest at the rate of eleven (11.0) percent per annum all due and payable on March 28, 1991 and all sums expended by the Beneficiary pursuant to the terms and provisions of said Note and Trust Deed.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow  
of July 19 94 A.D. at 3:33 o'clock PM., and duly recorded in Vol. M94 day  
of Mortgages on Page 22025  
Evelyn Biehn County Clerk  
By Annelle Mueller

FEE 50.00