230	TRUSTEE'S NOTICE OF DEFAULT Ver M96 Page 8134 AND ELECTION TO SELL AND OF SALE that Trust Deed wherein RANDY R. AMOS and CRISTINA K. AMOS, husband & wife , is Grantor; is Beneficiary.
	RANDY R. AMOS and CRISTINA K. AMOS, HUBBOND, Is Grantor,
ence is made to	that Trust Deed wherein, is Trustee; and
E ENTERPRISE	TILE COMPANY S. an Oregon Corporation County, Oregon, S. an Oregon Corporation County, Oregon, Isophim Records, Vol. <u>M94</u> , Page 27676, Klamath County, Oregon;
rded in Official/M	<u>IS, an Oregon Corporation</u> Icrofilm Records, Vol. <u>M94</u> , Page <u>27676</u> , <u>Klamath</u> I-described real property in <u>Klamath</u>
ring the lonowing	
	ck 3, Americana, according to the official plat thereof on file in the the County Clerk, Klamath County, Oregon.
	there is a seconding to the official plat thereof on
Lot 1, Blo	ck 3, Americana, according to the older the County Clerk, Klamath County, Oregon.
office of	
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R1	
5	
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IAAR	
Q	the trust deed.
ch antion is pendin	ng to recover any part of the debt secured by the trust deed. ured by the trust deed is in default because the grantor has failed to pay the following: \$590.84 er 23, 1994, and a like installment monthly thereafter, plus real property er 23, 1994, and a like installment of \$1.773.12; real property taxes for the year
o action is pendin	twist doed is in default because the grantor has falled to pay the test man real property
he obligation secu	ured by the true, dead to like installment monthly thereaf they taxes for the year
iue on December	1994-95 in the amount of the rest
taxes for chief	the amount of \$1,670.25, pice the
	the amount of the flats of the flats of the obligation secured by the trust deed is: \$84,500.00 plus interest at the flats of in in from December 3, 1994, plus real property taxes for the year 1995-1996 plus in from December 3, 1994, real property taxes for the year 1995-1996 plus in from property taxes for the year 1995-1996 plus
The sum owing on	the obligation secured by the trust deed is: 304, Sorty taxes for the year 1994, 95 mm m from December 3, 1994, plus real property taxes for the year 1995-1996 plus \$1,773.12 plus interest; real property taxes for the year 1995-1996 plus
7.5% per annu	\$1,773.12 plus interest; real property
interest	teroclosura costs and any sums advanced by beneficiary percession
plus trustee's fees	attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said
trust deed.	to the obligation pursuant to UNS borrow to the
Boneficiary has a	ind does elect to sell the property to satisfy the obligation percent. 19 96., at 10:00 o'clock a.m.
Deligitoriary	March 25 , 10
The property will	be sold as provided by IaW on 540 Main Street, Fall
The property will based on standal	be sold as provided by IaW on
The property will based on standar Klamath Fall	be sold as provided by IaW on
The property will based on standau <u>Klamath Fall</u> interested person	be sold as provided by IaW on
The property will based on standau <u>Klamath Fall</u> interested person	be sold as provided by IaW on
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The property will based on standau <u>Klamath Fall</u> interested persor by payment of th with costs, truste five days before This communic that purpose.	be sold as provided by IaW on <u>Klamath</u> County, Oregon. <u>Klamath</u> County, Oregon. <u>Klamath</u> County, Oregon. <u>Klamath</u> County, Oregon. <u>Klamath</u> County, Oregon. <u>Klamath</u> County, Oregon. <u>Klamath</u> County of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together the date last set for sale. ation is an attempt to collect a debt. Any information obtained will be used for make the date last set for sale. William L. Sisemore, Successor Trustee Solong was acknowledged before me on <u>Movember</u> <u>Hother</u> , 19 95 by <u>M. Muter Manage</u> <u>M. Muter Manage</u> <u>OFFICIAL SEAL</u> <u>OFFICIAL SEAL</u> <u>OFFICIAL SEAL</u> <u>Attorney for Trustee</u>
The property will based on standar <u>Klamath Fall</u> interested persor by payment of the with costs, truste five days before This communication that purpose.	be sold as provided by law on <u>Klamath</u> rd of time established by ORS 167.110 at <u>540 Main Street</u> , <u>Faun</u> County, Oregon. <u>S</u> <u>Klamath</u> County, Oregon. <u>S</u> <u>Klamath</u> e entire amount then due, other than such portion as would not then be due had no default ocurred, together e entire amount then due, other than such portion as would not then be due had no default ocurred, together e e's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to e's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to the date last set for sale. ation is an attempt to collect a debt. Any information obtained will be used for <u>aber 16th</u> , 19 <u>95</u> . <u>William L. Sisemore</u> , <u>Successor Trustee</u> <u>ss</u> <u>BON</u> , County of <u>Klamath</u> <u>Solide number</u> <u>Hatk</u> , 19 <u>95</u> by <u>M. Brudeman</u> <u>Notary Public for Oregon – My Commission Expires: <u>Mutemar.</u>, 19 <u>M</u> <u>M. Prudeman</u> <u>OFFICIAL SEAL</u> <u>Attorney for Trustee</u> <u>MICHELLE M. PRIDEMORE</u> <u>Attorney for Trustee</u></u>
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The property will based on standar <u>Klamath Fall</u> interested persor by payment of th with costs, trustr five days before This communication that purpose. Dated: <u>Novem</u> STATE OF ORE The forego <u>Withur</u> Certified to be	be sold as provided by law on <u>Klamath</u> rd of time established by ORS 187.110 at <u>540 Main Street</u> , <u>Faun</u> County, Oregon. <u>Same County, Oregon</u> as are notified of the right under ORS 86.753 to have this proceeding diamissed and the trust deed reinstated the entire amount then due, other than such portion as would not then be due had no default courred, together ee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to the date last set for sale. ation is an attempt to collect a debt. Any information obtained will be used for <u>Milliam L. Sisemore</u> , <u>Successor Trustee</u> ss <u>Same Milliam L. Sisemore</u> , <u>Successor Trustee</u> <u>same Milliam L. Sisemore</u> , <u>so</u> <u>Milliam L. Sisemore</u> , <u>so</u> <u>Milliam L. Sisemore</u> , <u>so</u> <u>Milliam L. Sisemore</u> , <u>so</u> <u>Milliam L. Sisemore</u> , <u>so</u> <u>Sa</u> <u>Milliam Milliam L. Sisemore</u> , <u>so</u> <u>Milliam Milliam L. Sisemore</u> , <u>so</u> <u>Sa</u> <u>Milliam Milliam L. Sisemore</u> , <u>so</u> <u>Milliam Milliam Milliam</u> , <u>19 95</u> by <u>Milliam Milliam Milliam</u> , <u>19 95</u> by <u>Milliam Milliam Milliam</u> , <u>19 95</u> by <u>Milliam Milliam Milliam</u> , <u>19 95</u> <u>Attorney for Trustee</u> <u>Milliam Milliam Milliam</u> , <u>19 95</u> at 3:15 <u>obfoct</u> ; <u>P.M</u> <u>Milliam Milliam Milliam</u> , <u>19 95</u> at 3:15 <u>obfoct</u> ; <u>P.M</u>
The property will based on standar <u>klamath Fall</u> interested persor by payment of the with costs, truste five days before This communic that purpose. Dated: <u>Novem</u> STATE OF ORE <u>The foreoc</u> <u>WILL</u> Certified to be STATE OF OR Filed for	be sold as provided by IAW on <u>Klamath</u> <u>County, Oregon.</u> Be sold as provided by IAW on <u>Klamath</u> <u>County, Oregon.</u> Be are notified of the right under ORS 66.763 to have this proceeding dismissed and the trust deed reinstated the are notified of the right under ORS 66.763 to have this proceeding dismissed and the trust deed reinstated the are notified of the right under ORS 66.763 to have this proceeding dismissed and the trust deed reinstated the are notified of the right under ORS 66.763 to have this proceeding dismissed and the trust deed reinstated the attorney's fees, and by curing any other default complained of in this Notice, at any time prior to the date last set for sale. ation is an attempt to collect a debt. Any information obtained will be used for maker 16th, 19_95. BigON, County of <u>Klamath</u> Ding was acknowledged before me on <u>Abbrember</u> 11a(th., 19.95 by MCHELLE M. PRIDEMORE INTERCIAL SEAL OFFICIAL SEAL OFFICIAL SEAL P a true copy: MICHELLE M. PRIDEMORE Notary Public for Oregon — My Commission Expires: <u>Automy for Trustee</u> COMMISSION NO. 200288 MICHELLE M. PRIDEMORE NOTARY PUBLIC - OREGON NOTARY PUBLIC - OREGON NOTARY PUBLIC - OREGON NOTARY PUBLIC - OREGON NOTARY PUBLIC - OREGON MICHELLE M. PRIDEMORE NOTARY PUBLIC - OREGON NOTARY PUBLIC -
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In re

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF OREGON

Case No. 695-64847-aer

CRISTINA KAYE PENNINGER FNA CRISTINA KAYE AMOS. NON-JUDICIAL RELIEF FROM THE AUTOMATIC STAY OF 11 U.S.C. §362(a)

Debtor(s).

The following creditor has a purchase money security interest or a perfected security interest in the following property; there appears to be no equity in the property for the estate, and the debtor(s) do not object to relief from the stay as to the property; therefore,

The trustee hereby authorizes non-judicial relief from the automatic stay as to the specific property named below and the creditor may foreclose the security interest as provided in the security agreement or applicable law provided, however, the creditor shall account to the trustee for any surplus over the balance due which may be realized upon foreclosure.

Name of Creditor:

CRISTINA KAYE PENNINGER FNA CRISTINA KAYE AMOS

Property Released:

name a star second of a

Lot 1, Elock 3, Americana, according to the offical plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

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BOYD YADEN

Debtor/Debtor's Attorney

"The debtor or attorney's signature again that there are noted of states. may be required by the trustee.

PROCEDURES CREATED BY THE BANKRUPTCY COURT CONCERNING REQUESTS FOR NON-JUDICIAL RELIEF FROM THE AUTOMATIC STAY AS TO SECURED COLLATERAL IN CHAPTER 7 CASES

If you are interested in expediting relief from the automatic stay of 11 U.S.C. \$362(a) as to property in which you hold a security 'erest, you must furnish the trustee, debtor, and any debtor's attorney, a statement of the balance due and estimated property value. Also attach a copy of your security agreement and other documents required for perfection (e.g., if the security is an automobile, a copy of the certificate of title showing your security interest). You must also attach a completely filled out (except for signatures) copy of

8136

NEITHER THE REQUEST NOR ANY COPIES THEREOF SHOULD BE ADDRESSED TO THE COURT OR THE CLERK OF THE COURT. ALSO, YOU ARE NOT REQUIRED TO FILE THE COMPLETED LBF #750 WITH THE COURT TO MAKE THIS RELIEF EFFECTIVE!

Under §522(f) of the Bankruptcy Code the debtor may request a judicial lien or a non-possessory, non purchase-money security interest on certain exempt property be voided to the extent the exemption is impaired by the lien or security interest. Under §722 the debtor may request the court determine the value of certain personal property and permit the debtor to redeem the property from any lien against it by paying that value to the lien holder. Because of these two sections, the consent of both the trustee and debtor is required to permit

a repossession or foreclosure without court order.

IF YOUR REQUEST TO RECEIVE NON-JUDICIAL RELIEF FROM STAY WILL BE MADE AT THE MEETING OF CREDITORS (OR IS MAILED WITHIN 15 DAYS PRIOR TO SUCH MEETING and therefore will be considered at the meeting), it must be in writing and contain all the information required in the first paragraph above. Copies of all documents must be submitted to the debtor

and any debtor's attorney prior to that meeting.

IF YOU WISH TO RECEIVE NON-JUDICIAL RELIEF FROM STAY PRIOR TO THE MEETING OF CREDITORS, OR IF YOUR REQUEST IS MADE AFTER THE MEETING OF CREDITORS, IT MUST BE IN WRITING and contain all the information required in the first paragraph above. Copies of all documents must be mailed at the same time to the debtor and any debtor's attorney, and your request to the trustee must certify the copies were mailed. Your request must also clearly set out the following notice:

"By way of this letter the debtor is informed that the trustee may grant non-judicial relief from the automatic stay as to the property UNLESS THE TRUSTEE IS NOTIFIED IN WRITING WITHIN 15 DAYS AFTER THE MAILING OF THIS REQUEST THAT THE DEBTOR OBJECTS TO SUCH RELIEF. Such relief shall constitute a termination of the stay provided by 11 U.S.C. §362(a) and will permit this creditor to foreclose his lien or security interest by repossession or as otherwise provided by law."

Objections to non-judicial relief from the automatic stay, unless made at the meeting of creditors, must be in writing, with a copy simultaneously mailed to the debtor, requesting creditor, trustee, and their respective attorneys of record. The objection must be postmarked by the 15th day after the request was mailed and received by the trustee within 20 days, or the trustee may grant the request.

If the trustee receives a timely objection from the debtor, the trustee shall not grant non-judicial relief or consider repetitive requests by the same creditor unless the debtor withdraws such objection in writing.

The trustee will grant non-judicial relief from the automatic stay if the above requirements are met, the debtor does not timely object, and there appears to be no equity in the property for the benefit of creditors.

Signing of LBF #750 by the trustee, granting non-judicial relief, shall constitute a termination of the stay of an act against such property under 11 U.S.C. §362(a). The trustee, however, shall not be deemed to have abandoned his interest in the property, nor have waived any other rights as to the property. Any non-exempt equity in the property remaining after disposition shall be immediately returned

If either the trustee or debtor(s) will not agree to such relief for any reason, you must file a motion for relief from stay under §362(d). Instructions and forms may be obtained from Clerk's office.

IMPORTANT. All requests to the trustee MUST be accompanied by a self-addressed and stamped envelope, or the trustee need not i, Andrew H respond.

SEE OTHER SIDE FOR LBF #750

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CERTIFICATE OF SERVICE

1 I hereby certify that I am attorney for M & E Enterprises, an Oregon Corporation, in the within-entitled cause; On Marsh 7/12, 1996, I served the 2 foregoing Request for Nonjudicial Relief from Automatic Stay on the following 3 4 persons: Cristina Kaye Penninger 5 P.O. Box 813 Chiloquin, Oregon 97624 6 Eric Haws 7 Attorney at Law 362 Pacific Highway 99 North Eugene, Oregon 97402 8 9 Boyd Yaden, Trustee P.O. Box 606 Klamath Falls, Oregon 97601 10 by depositing a true copy and correct copy thereof, duly certified as such copy 11 by me, as such attorney, in a sealed envelope, with postage paid, plainly addressed to the above said persons at their above postoffice address and 12 deposited the same in the United States Mail at Klamath Falls, Oregon, on said 13 14 date. William L. Sisemore, OSB #70133 15 Attorney for M & E Enterprises, 16 an Oregon Corporation 17 18 19 20 21 22 23 24 25 26 Certificate of Service WILLIAM L. SISEMORE Attomey at Law 540 Main Street KLAMATH FALLS, ORE. 97601 541/882-7229 O.S.B. #70133

1

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Julie Hughes, Office Manager, being first duly sworn, despose and say that I am the principal clerk of the publisher of the Herald and News

a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that the

LEGAL #7928

TRUSTEE'S NOTICE OF

a printed copy of which is hereto annexed, was published in the entire issue of said FOUR newspaper for

4 insertions) in the following issues:

DECEMBER 4/11/18/25, 1995
\$328,64
Total Cost:
-fula they have
Subscribed and sworn before me this <u>25TH</u> DECEMBER <u>19.95</u>
day of
Depra a Moore
Notary Public of Oregon
Mu commission expires 3-15 1990
ATTA OFFICIAL SEAL
DEBRA A. MOORE

NOTARY PUBLIC - OREGON COMMISSION NO. 012891 MY COMMISSION EXPIRES MAR. 15, 1998 TRUSTER'S BOTICE on March 25, 1995, at OF DEFAILE AND 10:00 o'Clock a.m. DELECTION TO GELU NOODSALE Refactore in the statistical by Refactore in the statistical

Lot 1, Block 3, Americar i, block s, Ameri-cana, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

No action is pending to facover any part of the debt secured by the frust deed. The obligation secured by the trust deed is in default because the grantor has failed to grantor has falled to pay the following: \$590.84 due on Decem-ber 23, 1994, and a like installment monthly thereafter, plus real property taxes for the year 1994-95 in the amount of \$1,773.12; real property taxes for the year 1995 1996 in the amount of \$1.670.25. plus interest The sum owing on the

The sum owing on the obligation secured by the trust deed ist \$84,500.00 plus interest at the rate of 7.5% per annum from December 3, 1994, plus real proberty taxes for the year 1994-95 in the amount of 1994-95 in the amount of \$1,773.12 plus interest; real property faxes for the year 1995-1996 plus interest plus trustee's fees, ptprney's fees, forgetosure costs and any sums advanced by any sums advanced by beneficiary pursuant to the terms of said trust deed.

Beneficiary has and does elect to sell the property to satisfy the property to satisfy obligation pursuant to ORS 86,205 to 86,795. The property will be sold as provided by law:

Tault complained of in And Comparison of the second s

an attempt to collect a debt. Any information obtained will be used for that purpose. Dated: November 16, 1995

William L. Sisemore, Successor Trustee #7928 December 4, 11, 18, 25, 1995

JEFFERSON STATE ADJUSTERS PROOF OF SERVICE

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COUNTY OF Klomath	TRUSTEE'S NOTICE OF DEFAULT
I hereby certify that I made service of	TRUSTER'S NOTICE OF DELTON DE the forgoing <u>AND ELECTION TO SELL AND OF SALE</u> delivering or leaving a true copy of the said ows:
AND ELECTION TO SELL AND OF SALE PE	RSONAL SERVICE
On Nov 20, 1995 at 199	RSONAL SERVICE Free Sale to RANdy Amos Kinnath Falls OR STITUTE SERVICE*
in person, at 5406 American	STITUTE SERVICE*
0n, 19at	by delivering an original or true copy to
in said party's house or usual place	of abode at OFFICE SERVICE*
0n, 19a	with
of the	to'clock.,M., I left an original with the business office maintained by
dt	NON FOUND
I certify that I received the	NON FOUND within document for service on, and inquiry I have been unable to locate the within in Klamath County
and after due and deligent our	in Klamath County.
named	a competent person 18 years of age not a party to or State of Oregon, and that I am not a party to for any party; that the person served by me is
the identical point	Court Case Number
Signature	
<u>All 20 95</u> Date *Where substituted or offic reasonably possible, shall cause	e service is used, the petitioner as soon as to be mailed a true copy of the ent's dwelling house or usual place of abode, time and date at which such service was made.
to the respondence to the together with a statement of the	time and back at

AFFIDAVIT OF MAILING TRUSTER'S NOTICE OF SALE

STATE OF OREGON

County of Klamath

SS

I, William L. Sisemore, 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 AND ADDRESS

Cristina K. Amos c/o Robert Foltyn Attorney at Law 635 Main Street Klamath Falls, Oregon 97601

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 William L. Sisemore, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon full prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on November 16th 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 property 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.

hellen William L. Sisemore

Subscribed and sworn to before me on November 16th . 19<u>95</u>.



Michael M. Pr idemare Notary Public for Oregon My Commission Expires: 12-23-98

STATE OF OREGON) SS

I certify that the within instrument was received for record on the) <u>25th</u>day of <u>March</u>. <u>1996</u>, at <u>11:49</u> o'clock <u>M</u>, and recorded in book/real/volume No. <u>M96</u> on page <u>8134</u> or as fee/file/instrument/microfilm/reception No. 15277, Record of Mortgages of said County.

	Witness my hand and seal	of County affixed.	Bernetha G. Letsch,	County Clerk
After	recording, return to:	BY <u>CLUUM</u>	Jours	
	والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمتحرين المراجع والمحاج والمراجع والمراجع والمراجع والم		0	
	فكالمتوضر ببريدة بالبرعانية فالموسانية والمتحر والمتحر والمتحر والمتحر والمحرور والمحرور	Fee \$35.00		