

NOTICE is hereby given that the obligation secured by the trust deed described below is in default, and that the beneficiary has elected to foreclose the trust deed pursuant to ORS 86.705 to 86.795. No action is now pending to recover any part of the debt secured by the trust deed.

Information required by ORS 86.735 and ORS 86.745 is as follows:

1. Grantor: Donald Simmons and Carrie Simmons
Trustee: Aspen Title & Escrow, Inc.
Successor Trustee: Bruce Kellington, Attorney
Beneficiary: Donna Clugston Smith

2. Property covered by trust deed:

Lot 11, Block 301, DARROW ADDITION TO THE CITY OF KLAMATH FALLS in the County of Klamath, State of Oregon.

3. Trust deed was recorded on September 16, 1994, at Volume M94, Page 29358, Fee No. 88328, Official Records, Klamath County, Oregon.

4. Default for which foreclosure is made is failure to pay the following: Monthly installment payment of \$341.45 beginning with the installment due March 15, 1996, and monthly installments in the same amount due the 15th day of each month thereafter, until paid and for failure to pay real property taxes assessed against the property for tax years 1995-96 in the sum of \$859.70.

5. The sum owing on the obligation secured by the trust deed is: \$33,712.34, plus interest at the rate of 8% per annum from November 29, 1995, until paid, plus trustee's fees, attorney fees, foreclosure costs, and any sum advanced by the beneficiary pursuant to the terms of said trust deed.

6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of Default was recorded at Volume M96, Page 17446, Fee No. 19733 of the Official Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on November 14, 1996 at 10:30 o'clock a.m., based on the standard of time as established by ORS 18.110, on the front steps of the Klamath County Courthouse Annex, 305 Main Street, in the City of Klamath Falls, County of Klamath, Oregon.

8. Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion as would not then be due had no default occurred, together with costs, trustee's and attorney's fees, and by curing any other default complained of in this Notice, at any time prior to five days before the date last set for sale.

DATED this 13 day of June, 1996.


Bruce Kellington - Trustee

AFFIDAVIT OF MAILING NOTICE OF SALE

I, Bruce Kellington, being first duly sworn, depose, say and certify that: At all times herein 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 his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice, and that I am the trustee named therein;

Name

5346 Bryant Avenue
Klamath Falls, OR 97601

Bruce Kellington

Notary Public for Oregon
My Commission Expires: 4/13/97



IN THE
COUNTY OF JACKSON

COURT OF THE STATE OF
COURT CASE NO.

OREGON

19918

DONNA CLUGSTON SMITH

vs
DONALD SIMMONS AND
CARRIE SIMMONS

PROOF OF SERVICE

STATE OF OREGON)

) SS.

County of JACKSON

I hereby certify that on the 15 day of June, 19 96, at the hour of 1052
I served MARY YOUNG by:

- ☒ Personal Service (personally and in person)
☐ Substitute Service (by serving a person over the age of 14 years, who resides at the usual place of abode of the within named)
☐ Office Service (by serving the person apparently in charge)
☐ By posting (said residence)

A certified/true copy of:

- | | | |
|---|--|---------------------------------------|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Order | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Citation | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Notice | <input type="checkbox"/> Decree |
| <input checked="" type="checkbox"/> Other: TRUSTEE'S NOTICE OF SALE | | |

Together with a copy of:

To MARY YOUNG

At 2424 RECLAMATION AVE
KLAMATH FALLS, OR.

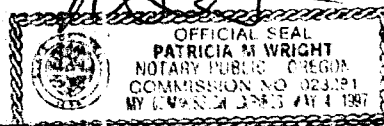
NOT FOUND: I certify that I received the within document for service on the day of 19 and after due and diligent search and inquiry, I have been unable to locate within the county of Dated this day of 19

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor a attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

Subscribed to and sworn to before me this
31 day of June, 19 96

Kathleen Shaffer
KATHLEEN SHAFFER (545)
Crandall Investigation Company
(541) 535-6005



Papers
Received From KELLINGTON, KRAIK, ET AL.
15 NEWTOWN ST.
MEDFORD
OR 97501
FEDERAL ID # 93-004214
503-779-5175
ATTN: PEGGY

Remit to: CIC	Service Fee	\$20.00
P.O. Box 231	Mileage	\$
Talent, OR 97540	Rush/Emergency	\$
Date: 6/21/96	Incorrect Add.	\$
CIC File # 18525-K		\$
Client No.	Amount Paid	\$ 0.00
	TOTAL DUE	\$20.00

IN THE COUNTY OF JACKSON COURT OF THE STATE OF OREGON
COURT CASE NO.

OREGON

19919

DONNA CLUGSTON SMITH

vs

DONALD SIMMONS AND
CARRIE SIMMONS

PROOF OF SERVICE

STATE OF OREGON

County of JACKSON

SS.

I hereby certify that on the 15 day of June, 1996, at the hour of 1250
I served JACK YOUNG, DEWAYNE YOUNG by:

- ☒ Personal Service (personally and in person)
☐ Substitute Service (by sending a person over the age of 14 years, who resides at the usual place of abode of the within named)
☐ Office Service (by serving the person apparently in charge)
☐ By posting (said residence)

A certified/true copy of:

- | | | |
|---|--|---------------------------------------|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Writ of Garnishment | <input type="checkbox"/> Small Claims |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Order | <input type="checkbox"/> Affidavit |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Citation | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Notice | <input type="checkbox"/> Decree |
| <input checked="" type="checkbox"/> Other: TRUSTEE'S NOTICE OF SALE | | |

Together with a copy of

To JACK YOUNG, DEWAYNE YOUNG At 2424 RECLAMATION AVE
KLAMATH FALLS, OR.

NOT FOUND: I certify that I received the within document for service on the day of 19 and after due and diligent search and inquiry, I have been unable to locate within the county of Dated this day of 19

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm or corporation served is the identical one named in the action.

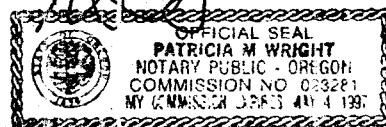
Subscribed to and sworn to before me this 21 day of June, 1996

Kathleen Shaffer

KATHLEEN SHAFFER (WS)

Cleveland Investigation Company

(541) 535-6005



Papers

Received From KELLINGTON, KRACH, ET AL.
15 NEWTOWN ST.
MENFORD
OF 97501-
FEDERAL ID#93-0904214
503-779-5175
ATTN: PEGGY

Remit to: CIC	Service Fee	\$20.00
P.O. Box 230	Mileage	\$
Talent, OR 97540	Rush/Emergency	\$
Date: 6/21/96	Incorrect Add.	\$
CIC File No. 96-18525-K		\$
Client No.	Amount Paid	\$ 0.00
	TOTAL DUE	\$20.00

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 3rd day of July A.D., 1996 at 3:47 o'clock P.M., and duly recorded in Vol. M96 of Mortgages on Page 19916.

FEL: \$25.00

By Bernetha G. Letsch, County Clerk