

Volume 96 Page 23029

22311

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

RECEIVED  
KLAMATH COUNTY  
CLERK'S OFFICE

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto for  
STATE OF OREGON, County of Josephine ) ss.

96 MAR 20 AM 10:36

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

Occupants

4022 Fawn Avenue  
Klamath Falls, OR 97601

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 February 24, 1996, 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.

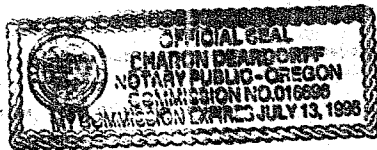
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before me this 10<sup>th</sup> day of July, 1996

PATRICK J. KELLY

(Attorney for) Trustee

Notary Public for Oregon. My commission expires: 7-13-96



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  
Furrey

Grantor

TO  
Klamath County Title Co.

Trustee

AFTER RECORDING, RETURN TO  
PATRICK J. KELLY  
ATTORNEY AT LAW  
717 NW 5th ST.  
GRANTS PASS, OR 97526

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

TITLE

By \_\_\_\_\_ Deputy

23030

Court Case No.  
Sheriff's Case No. 96-00806

OR 97526

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

23031

State of Oregon     )  
County of Klamath    )

Court Case No.  
Sheriff's Case No. 96-00806

Received for Service 03/20/96

I hereby certify that I received for service on  
FURREY, SARAH  
the within:

TRUSTEE'S NOTICE OF SALE

FURREY, SARAH  
was served personally, and in person, at  
4022 FAWN AVENUE  
KLAMATH FALLS                     , OR, on 03/20/96,  
at 14:19 hours.

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

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

By   
DAILEY, REBECCA

Copy to:

KELLY, PATRICK J  
717 NW FIFTH STREET  
GRANTS PASS

OR 97526

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

23032

State of Oregon     )  
County of Klamath    )

Court Case No.  
Sheriff's Case No. 96-00806

Received for Service 03/20/96

I hereby certify that I received for service on  
FURREY, HAROLD LEON  
the within:

TRUSTEE'S NOTICE OF SALE

FURREY, HAROLD LEON  
was served personally, and in person, at  
4022 FAWN AVENUE  
KLAMATH FALLS                     , OR, on 03/20/96,  
at 14:14 hours.

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

Carl R. Burkhart, Sheriff  
Klamath County, Oregon

By Rebecca Dailey  
DAILEY, REBECCA

Copy to:

KELLY, PATRICK J  
717 NW FIFTH STREET  
GRANTS PASS

OR 97526

## NOTICE OF SUBSTITUTED SERVICE OR OFFICE SERVICE

23033

TO: Ernest Furrey  
4022 Fawn Avenue  
Klamath Falls, OR 97601

You are hereby notified that you have been served with a Trustee's Notice of Sale, a true copy of which is attached hereto and enclosed herewith.

Service was made by delivering a true copy of said Notice of Sale at your dwelling house or usual place of abode, to-wit: 4022 Fawn Avenue, Klamath Falls, Oregon

to Harold Leon Furrey, who is a person over the age of fourteen years and a member of your household, on March 20, 1996, at 2:19 o'clock P.M. OR

Service was made by leaving a true copy of said Notice of Sale with the person who is apparently in charge of the office which you maintain for the conduct of your business at on \_\_\_\_\_, 19\_\_\_\_, during normal working hours, at to-wit: \_\_\_\_\_ o'clock \_\_\_\_\_M.

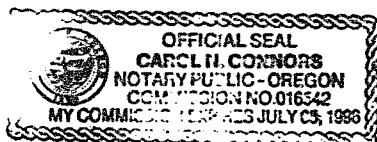
## AFFIDAVIT OF MAILING

STATE OF OREGON, County of Josephine SS.

I, Sharon Deardorff

, being first duly sworn, depose, say and certify that: I mailed an original Notice of Substituted or Office Service, an exact and complete copy of which appears above, together with a true copy of the Notice of Sale referred to therein and attached hereto, which Notice of Sale was certified to be an exact and complete copy of the original Notice of Sale by Patrick J. Kelly, attorney for the Trustee named in said Notice of Sale, to the person and to the address first appearing above.

The Notice set forth above, and the true copy of the Notice of Sale were placed in a sealed envelope with first class postage thereon fully prepaid, and deposited by me in the United States Post Office at Grants Pass, Oregon, on April 1, 1996, addressed as aforesaid.



Sharon Deardorff  
SHARON DEARDORFF

Subscribed and sworn to before me on April 1, 1996

Carol H. Connors  
Notary Public for Oregon. My commission expires 7-25-98

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

# NOTICE OF SUBSTITUTED OR OFFICE SERVICE AND AFFIDAVIT OF MAILING

RE: Trust Deed from  
Furrey

Grantor

to  
Klamath County Title Co.

Trustee

AFTER RECORDING RETURN TO

PATRICK J. KELLY  
ATTORNEY AT LAW  
717 NW 5th ST.  
GRANTS PASS, OR 97528

(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/instrument/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

23034

Reference is made to that certain trust deed made by Sarah A. Furrey, Ernest L. Furrey,  
Harold L. Furrey  
Klamath County Title Company, as grantor, to  
Gary L. Nelson and Barbara A. Nelson\*, as trustee,  
dated September 28, 19 92, recorded September 30, 19 92, in the mortgage records of  
Klamath County, Oregon, in book 192, volume No. M92 at page 22788, or  
as trustee/instrument/51636 (indicate which), covering the following described real  
property situated in said county and state, to-wit:

LOT 9 IN BLOCK 2 OF LENOX, 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 de-  
fault for which the foreclosure is made is grantor's failure to pay when due the following sums:

Balance of June 28, 1995 monthly installment of \$104.00 plus, July 28, 1995 monthly  
installment of \$162.50 and each month thereafter plus, Buyer's fees of \$32.00 plus,  
Late charges of \$89.43.

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:

The unpaid principal balance of \$12,713.55 with interest thereon at 15% per annum from  
July 28, 1995 until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 25, 19 96,  
at the hour of 10:30 o'clock, M., in accord with the standard of time established by ORS 187.110, at  
Front entrance of 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 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 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 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 March 4, 19 96

PATRICK J. KELLY

Trustee

State of Oregon, County of Josephine 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.

PATRICK J. KELLY Attorney for said 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:

\*Beneficiary's interest was assigned to Gary L. Nelson & Barbara A. Nelson, Trustees or their successors in trust, under the NELSON LOVING TRUST, dated 6-30-93, and any amendments thereto, by that certain assignment recorded 8-30-93 in Vol. M93, Pg. 21867 as Doc. #67104 in the Official records of Klamath County.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Richard Fairclo the 30th day  
of July A.D., 19 96 at 2:59 o'clock P M., and duly recorded in Vol. M96,  
of Mortgages on Page 23029.

Bernetha G. Letsch County Clerk

By [Signature]

FEE \$40.00