

30827

ASPEN 04044972/F  
INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT  
AND PROOF OF SERVICE

RECEIVED  
KLAMATH COUNTY  
SHERIFF'S OFFICE

96 AUG 12 AM 9:14

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

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

J.A.G.M. ENTERPRISES, INC

4480 SOUTH SIXTH STREET  
KLAMATH FALLS, OREGON 97603

OCCUPANT

2143 ORCHARD AVENUE  
KLAMATH FALLS, OREGON 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.

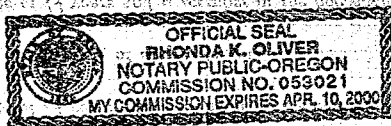
Service should be made by August 20, 1996, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in making service until it has been accomplished.

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 12th day of AUGUST, 1996.

Successor Trustee

Notary Public for Oregon. My commission expires: 4-10-2000



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

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/title/instrument/microfilm/reception No. \_\_\_\_\_

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

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

BOOK OF REFERENCE

97 JAN -6 AUG 53

# PROOF OF SERVICE

218

STATE OF OREGON, County of CLATSOP

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: \_\_\_\_\_, 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: \_\_\_\_\_, 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 \_\_\_\_\_, 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 \_\_\_\_\_, who is at the \_\_\_\_\_ thereof; OR  
 (b) leaving such true copy with \_\_\_\_\_, the person who is apparently in charge of the office of \_\_\_\_\_, who is at 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.

ASPEN 04044972/F  
TRUSTEE'S NOTICE OF SALE

219

Reference is made to that certain trust deed made by J. A. G. M. ENTERPROSES, INC., An  
OREGON CORPORATION as grantor, to  
ASPEN TITLE & ESCROW, INC., successor trustee as trustee,  
 in favor of NEIL B. LIEUALLEN and JUSTIN W. LIEUALLEN\*  
 dated October 19, 1993, recorded October 20, 1993, in the mortgage records of  
KLAMATH County, Oregon, in book 180, page M93, at page 27523, or  
 as fee/DEED/RECORD/BOOK/NO. 70045 (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

Lot 326, Block 111, Mills Addition to the City of Klamath Falls, in the County of  
 Klamath, State of Oregon.  
 Code 1 Map 3809-33AC-TL 2600

\* SEE 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:  
 Monthly installments of not less than \$382.18 due for November and December of 1995,  
 January thru August of 1996; subsequent amounts for assessments due under the terms  
 and provisions of the Note and Trust Deed.

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: \$28,546.00 plus interest and  
 late charges, thereon from November 19, 1993 at the rate of EIGHT (8.00%) PERCENT PER  
 ANNUM until paid and all sums expended by the Beneficiary pursuant to the terms and  
 provisions of the Note and Trust Deed; plus any and all taxes owing.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 13, 1997,  
 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 TO ASPEN TITLE & ESCROW, INC., LOCATED AT 525 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 AUGUST 6, 1996

Barlene T. Addington  
 Trustee

State of Oregon, County of KLAMATH

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

Barlene T. Addington  
 Successor ~~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:

## EXHIBIT "A"

This Trust Deed is an All Inclusive Trust Deed and is second and subordinate to the Trust Deed now of record which was recorded on 10/15/93, in Volume , Page , Microfilm Records of Klamath County, Oregon, in favor of BRUCE L. GUSTAFSON & ALEXIS GUSTAFSON, as Beneficiary, which secures the payment of a Note therein mentioned.

KLAMATH COUNTY SHERIFF'S OFFICE - RETURN OF SERVICE

221

State of Oregon )  
County of Klamath )

Court Case No. 04044972/F  
Sheriff's Case No. 96-02299

Received for Service 08/12/96

I hereby certify that I received for service on  
J A G M ENTERPRISES, INC.  
the within:

TRUSTEE'S NOTICE OF SALE

J A G M ENTERPRISES, INC.  
was unable to be located within Klamath County after due and  
diligent search and inquiry. I hereby return this process as  
Not Found, on 08/21/96, at 11:48 hours.

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

Carl R. Burkhardt, Sheriff  
Klamath County, Oregon

By

*Terry Alexander*  
ALEXANDER, TERRI L

Copy to:

ASPEN TITLE & ESCROW, INC  
525 MAIN  
KLAMATH FALLS

OR 97601

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 6th day  
of January A.D., 19 97 at 10:53 o'clock A.M., and duly recorded in Vol. M97  
of Mortgages on Page 217

Bernetha G. Letsch, County Clerk

FILE \$30.00

by

*Kathleen Ross*