

53164

98 FEB 17 01:02

REGIONAL TRUSTEE SERVICES CORPORATION
2730 WASHINGTON MUTUAL TOWER
1201 THIRD AVENUE
SEATTLE, WA, 98101

09-AD-11094 (0002) AMT1

Vol. 148 Page 4863AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
PTC # 46891

STATE OF Washington, COUNTY OF KING } ss.

I, BOBBY BUCHANAN, 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 Washington, 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.

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:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

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 an authorized representative of the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at SEATTLE, Washington, on October 27, 1997. With 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 proper 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.

REGIONAL TRUSTEE SERVICES CORPORATION

By: Betti Butman

Subscribed and sworn to before me on October 27, 1997.

(SEAL)

NICHOLAS E. LAVANDIER
STATE OF WASHINGTON
NOTARY --- PUBLIC
MY COMMISSION EXPIRES 05-00

Nicholas E. Lavandier
Notary Public for Washington

My commission expires: 03-00

EXHIBIT A:

GRANTORS

LAWRENCE R. MONTEITH
309 E. MAIN
KLAMATH FALLS, OR 97603

PARTIES IN POSSESSION
309 E. MAIN
KLAMATH FALLS, OR 97603

LAWRENCE R. MONTEITH
311 E. MAIN
KLAMATH FALLS, OR 97603

PARTIES IN POSSESSION
311 E. MAIN
KLAMATH FALLS, OR 97603

LAWRENCE R. MONTEITH
315 E. MAIN
KLAMATH FALLS, OR 97603

PARTIES IN POSSESSION
315 E. MAIN
KLAMATH FALLS, OR 97603

LAWRENCE R. MONTEITH
4155 PINE GROVE ROAD
KLAMATH FALLS, OR 97603

EXHIBIT E:

ISG NOTIFY

JOHN N. BROOKS
3920 MONROVIA WAY
KLAMATH FALLS, OR 97603-3980

LORI BROOKS
3920 MONROVIA WAY
KLAMATH FALLS, OR 97603-3980

JOHN N. BROOKS AND LORI BROOKS
C/O AMERITITLE ESCROW # MT39370-KR
222 S. 6TH STREET
KLAMATH FALLS, OR 97601

HIGH DESERT AUTO BODY & PAINT
309 E. MAIN
KLAMATH FALLS, OR 97603

SHAWN'S AUTO BODY & PAINT
309 E. MAIN
KLAMATH FALLS, OR 97603

4866

IN THE _____ COURT OF THE STATE OF _____
COUNTY OF _____ COURT CASE NO. _____

FRED A WALLACE AND PATRICIA A WALLACE
OR THE SURVIVOR THEREOF

vs
LAWRENCE R MONTEITH

PROOF OF SERVICE

STATE OF OREGON

County of JACKSON

SS.

I hereby certify that on the 21 day of October, 19 97, at the hour of 1702 by
Issued OCCUPANTS: TERRY WILDER

- ☒ 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:

☐ Summons

☐ Motion

☐ Complaint

☐ Petition

☒ Other: TRUSTEES NOTICE OF SALE

☐ Writ of Garnishment

☐ Order

☐ Citation

☐ Notice

☐ Small Claims

☐ Affidavit

☐ Subpoena

☐ Decree

Together with a copy of _____

To BERNADINE MARKER
MOTHER

At 311 E MAIN

KLAMATH FALLS, OR. 97603

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 _____.

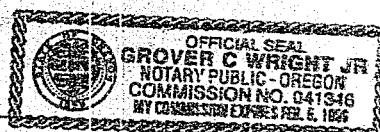
Dated this _____ day of _____, 19 _____

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 _____ day of Oct, 19 97

ANTONE HERNANDEZ (45)
Clweland Investigation Company
(541) 535-8105



Payers
Received From GARY'S PROCESS SERVICE
100 WELLS AVE. SO.
RENTON
WA 98055
FEDERAL ID # 93-0904214
206-277-0302
ATTN:

Remit to: CIC	Service Fee	\$
P.O. Box 230	Mileage	\$ 35.00
Talent, OR 97540	Rush/Emergency	\$
Date:	Incorrect Add.	\$
CIC File No. <u>10722797</u>	Amount Paid	\$
Client No. <u>7-26325-K</u>	TOTAL DUE	\$ 0.00
		\$35.00

Regional 09 AD 11094

4867

IN THE _____ COURT OF THE STATE OF _____
COUNTY OF _____ COURT CASE NO. _____

FRED A WALLACE AND PATRICIA A WALLACE
OR THE SURVIVOR THEREOF)

vs
LAWRENCE R MONTEITH)

PROOF OF SERVICE

STATE OF OREGON)
County of JACKSON) SS.

I hereby certify that on the 21 day of October, 1997, at the hour of 1900
I served OCCUPANTS: SHAWN MONTEITH, SHAWN'S AUTOBODY & PAINT 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:

- | | | |
|------------------------------------|--|---------------------------------------|
| ☐ Summons | ☐ Writ of Garnishment | ☐ Small Claims |
| ☐ Motion | ☐ Order | ☐ Affidavit |
| ☐ Complaint | ☐ Citation | ☐ Subpoena |
| ☐ Petition | ☐ Notice | ☐ Decree |

☒ Other: TRUSTEES NOTICE OF SALE

Together with a copy of _____

To SHAWN MONTEITH At 309 E MAIN
KLAMATH FALLS, OR 97603

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____

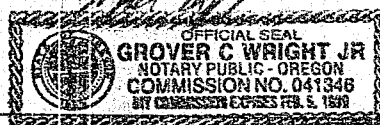
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

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.

Antone Hernandez

Subscribed to and sworn to before me this _____ day of _____, 19____

ANTONE HERNANDEZ (45)
Cleveland Investigation Company
(541) 535-6005



Papers
Received From GARY'S PROCESS SERVICE
108 WELLS AVE. 30.
RENTON
WA 98055
FEDERAL ID # 93-0904214
206-277-0302
ATTN:

Remit to: CIC	Service Fee	\$	35.00
P.O. Box 230	Mileage	\$	
Talent, OR 97540	Rush/Emergency	\$	
Date: 10/22/97	Incorrect Add.	\$	
CIC File No. 26324-K	Amount Paid	\$	0.00
Client No.	TOTAL DUE	\$	35.00

Regional of AD 11094

IN THE COURT OF THE STATE OF
COUNTY OF _____ COURT CASE NO. _____

FRED A WALLACE AND PATRICIA A WALLACE
OR THE SURVIVOR THEREOF

vs
LAWRENCE R MONTEITH

PROOF OF SERVICE

STATE OF OREGON)
County of JACKSON) SS.

I hereby certify that on the 21 day of October, 19 97, at the hour of 1703
I served OCCUPANTS: BERNADINE MARKER by

- X 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:
 _____ Summons
 _____ Motion
 _____ Complaint
 _____ Petition
 _____ Writ of Garnishment
 _____ Order
 _____ Citation
 _____ Notice
 _____ Small Claims
 _____ Affidavit
 _____ Subpoena
 _____ Decree
- X Other: TRUSTEES NOTICE OF SALE

Together with a copy of _____

To BERNADINE MARKER At 315 E MAIN
KLAMATH FALLS, OR 97603

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 _____ Date of this _____ day of _____, 19____

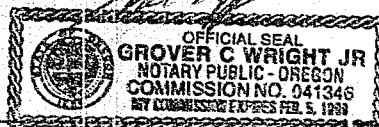
ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

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.

Antone Hernandez

ANTONE HERNANDEZ (45)
Cleveland Investigation Company
(541) 535-8005

Subscribed to and sworn to before me this
21 day of Oct, 19 97



Papers
Received From GARY'S PROCESS SERVICE
149 WELLS AVE. S.W.
RENTON
WA 98055
FEDERAL ID # 93-0984214
206-277-0302
ATTN:

Remit to: CIC	Service Fee	\$	35.00
P.O. Box 230	Mileage	\$	
Talent, OR 97540	Rush/Emergency	\$	
Date: <u>10/22/97</u>	Incorrect Add.	\$	
CIC File No. <u>27-26326-K</u>	Amount Paid	\$	
Client No.	TOTAL DUE	\$	0.00
			\$35.00

Regional of AD 11094

IN THE COURT FOR THE STATE OF

COUNTY OF

COURT CASE#

FRED A WALLACE AND PATRICIA A WALLACE
OR THE SURVIVOR THEREOF

PLAINTIFF(S)

VS

LAWRENCE R MONTEITH

DEFENDANT(S)

AFFIDAVIT OF MAILING

STATE OF OREGON)
COUNTY OF JACKSON) SS.
)

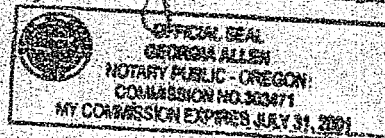
I, THE UNDERSIGNED, BEING FIRST DULY SWORN ON OATH, DEPOSE
AND SAY, THAT ON THE 23 DAY OF October, 1997 I DID CAUSE TO
BE DEPOSITED A TRUE COPY OF:
TRUSTEES NOTICE OF SALE

TOGETHER WITH A COPY OF THE PROOF OF SERVICE, IN THE UNITED STATES
MAIL AT TALENT, OREGON, POSTAGE PREPAID THEREON, IN A SEALED
ENVELOPE, ADDRESSED TO:

OCCUPANTS: TERRY WILDER
311 E MAIN
KLAMATH FALLS, OR
97603

[Signature]
CLEVELAND INVESTIGATION COMPANY
P.O. BOX 230
TALENT, OR. 97540
(503) 535-6005

SIGNED AND SWORN TO BEFORE ME BY TRISH WRIGHT
ON THIS 23 DAY OF October, 1997



TRUSTEE'S NOTICE OF SALE

Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5016, et seq.
Trustee No.: 09-AD-11094

Reference is made to that certain trust deed made by LAWRENCE R. MONTEITH, as grantor, to AMERITILE, as trustee, in favor of FRED A. WALLACE AND PATRICIA A. WALLACE, OR THE SURVIVOR THEREOF, as beneficiary, dated September 19, 1996, recorded October 4, 1996, in the mortgage records of Klamath County, Oregon, in Book M96, Page 31594. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by LIE TAN. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The street address or other common designation, if any, of the real property described above is purported to be:

309, 311 & 315 W. MAIN
KLAMATH FALLS OF 97603

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

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 default for which the foreclosure is made is grantor's failure to pay when due, the following sums:

Payments:			
6	payments at \$	1,075.00 each;	\$ 6,450.00
0	payments at \$	each;	\$
(04-26-97 through 10-13-97)			
Late Charges:			
Prior accumulated late charges:			\$ 300.00
Beneficiary Advances (with interest if applicable)			\$
TOTAL:			=====
			\$ 6,750.00

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and deed of trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

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:

UNPAID PRINCIPAL BALANCE OF \$85,000.00, AS OF 03-26-97, PLUS, FROM THAT DATE UNTIL PAID, ACCRUED AND ACCRUING INTEREST AT THE RATE OF 15.000% PER ANNUM, PLUS ANY LATE CHARGES, ESCROW ADVANCES, FORECLOSURE COSTS, TRUSTEE FEES, ATTORNEY FEES, SUMS REQUIRED FOR PROTECTION OF THE PROPERTY AND ADDITIONAL SUMS SECURED BY THE DEED OF TRUST.

WHEREFORE, notice hereby is given that the undersigned trustee will, on February 26, 1998, at the hour of 10:00 A.M., in accord with the standard of time established by ORS 187.110, at FRONT ENTRANCE TO ASPEN TITLE & ESCROW, INC., 525 MAIN STREET, 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 him of the said trust deed, together with any interest which the grantor or his 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 performance 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.

In construing this notice, the masculine gender includes the feminine and the neuter, 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 13, 1997

REGIONAL TRUSTEE SERVICES CORPORATION
f/k/a INTERSTATE TRUSTEE SERVICES CORPORATION
Successor Trustee

BY *Aleeta Lavandier*
ALEETA LAVANDIER, PRESIDENT
1201 THIRD AVENUE, SUITE 2730
SEATTLE, WA 98101 (206) 340-2550
Sale Information: (206) 654-5545

STATE OF WASHINGTON

COUNTY OF KING

} ss.

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

Authorized Representative of Trustee

EXHIBIT A:

EXHIBIT FOR LEGAL DESCRIPTION

PARCEL 1: THE NORTHEASTERLY 59 FEET OF LOTS 22, 23, 24 AND 25; THE SOUTHWESTERLY 56 FEET OF LOT 22 AND THE SOUTHWESTERLY 56 FEET OF THE SOUTHEASTERLY 11 FEET OF LOT 23, ALL IN BLOCK 18, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. PARCEL 2: LOTS 29, 28, 27 AND 26; THE SOUTHWESTERLY 56 FEET OF LOTS 25 AND 24 AND THE SOUTHWESTERLY 56 FEET OF THE NORTHWESTERLY 14 FEET OF LOT 23, ALL IN BLOCK 18, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 17th day
of February A.D., 19 98 at 11:02 o'clock A.M., and duly recorded in Vol. M98
of Mortgages on Page 4863

FEE \$50.00

By Bernetha G. Leach, County Clerk
Kathleen Ross