

64530

28 AUG 13 PM 3:39  
A/C 04047530Vol. 228 Page 29943**TRUSTEE'S NOTICE OF SALE**

Reference is made to that certain Trust Deed executed and delivered by STEVEN N. NELSON and SHERI L. NELSON, as Grantors, to ASPEN TITLE AND ESCROW, INC., as Trustee, for the benefit of the JAMES K. JOHNSON, DMD, P.C., PENSION AND FRONT SHARING TRUST, as Beneficiary, dated July 31, 1995, and recorded August 17, 1995, in Volume M95, Page 21947, in the Official Records of Klamath County, Oregon, covering the following described real property located in Klamath County, Oregon:

**Lot 693, Block 104, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.**

The Beneficiary and the Trustee have elected to sell the real property to satisfy the obligation secured by said Trust Deed and to foreclose said Deed advertisement and sale;

The default for which the foreclosure is made results from Grantor's failure to comply with the terms and conditions set out in the Note and Trust Deed as follows:

1. Grantors' failure to pay the monthly installment for the month of June 1997 and all subsequent installments.
2. Grantors' failure to pay the late charges beginning with the late charge due for the month of June 1997 and all subsequent months.
3. Grantors' failure to provide an insurance policy naming the Beneficiary as an additional insured.
4. Grantors' failure to furnish proof that the real property taxes have been paid.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and collectible, said sums being the following:

The sum of Thirteen Thousand Seventy-Seven Dollars (\$13,777.00), together with interest thereon at the rate of fifteen percent (15%) per annum from May 19, 1997, until paid, together with the beneficiary's collection costs, attorney's fees and other costs advanced.

A Notice of Default and Election to Sell and to foreclosure was duly recorded on April 1, 1998, in Volume M98, Page 10656 in the Mortgage Records of Klamath County, State of Oregon.

WHEREFORE, notice is given that the undersigned Trustee will on the 28th day of August, 1998, at the hour of 10:30 a.m. standard time, as established by section 187.110 of the Oregon Revised Statutes on the front steps of the United States Post Office, 317 South 7th Street, Klamath Falls, Klamath County, Oregon, 97601, which is the hour, date and place fixed by the trustee for said sale, sell at public auction to the highest bidder for cash, the interest in the above-described real property that the Grantor had or had the power to convey at the time of the execution by him of 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 and his attorney.

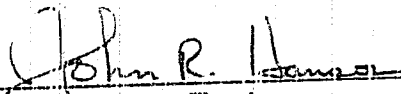
Notice is further given that any person named in section 86.740 of the Oregon Revised Statutes has the right to have the foreclosure proceedings dismissed and the Trust Deed reinstated by payment of the entire amount due (other than that portion of the principal as would not then be due had no default occurred) and by curing any other default 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

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Deed, together with Trustee's and attorney's fees at any time prior to five days before the date set for said sale.

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 grantors 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 this 10<sup>th</sup> day of April, 1998.

  
\_\_\_\_\_  
John R. Hanson, Trustee  
Attorney at Law  
800 W. 8th Street  
Medford, OR 97501

# AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

29946

STATE OF OREGON       )  
                                  ) ss.  
County of Jackson       )

I, John B. Hanson, being first duly sworn, depose and certify that:

At all times hereafter mentioned I was and now am a resident of the state of Oregon, a competent person over the age of 18 years and not the beneficiary or the successor in interest named in the attached 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 or by personal service to each of the following named persons (or their legal representatives) at their respective last known addresses as follows:

<u>Name and Address</u>	<u>How Served</u>	<u>Date Mailed</u>
Steven Nelson P.O. Box 41961 Eugene, OR 97404	First Class Mail Certified Mail Return Receipt Requested	April 10, 1998
Sheri L. Nelson P.O. Box 41961 Eugene, OR 97404	First Class Mail Certified Mail Return Receipt Requested	April 10, 1998
City of Klamath Falls 560 Klamath Avenue Klamath Falls, OR 97601	First Class Mail Certified Mail Return Receipt Requested	April 10, 1998
Klamath County Tax Department 305 Main Street Klamath Falls, OR 97601	First Class Mail Certified Mail Return Receipt Requested	April 10, 1998
Mr. Sandy Milikowski Carter-Jones Collection, LLC 1143 Pine Street Klamath Falls, OR 97601	First Class Mail Certified Mail Return Receipt Requested	April 10, 1998

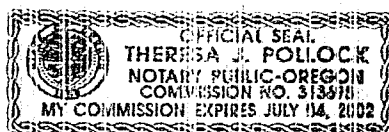
Said persons include (a) the Grantor in the Trust Deed, (b) any successor in interest to the Grantor whose interest appears of record or whose interest the Trustee or beneficiary has actual notice; (c) any person, including the Department of Revenue or any other State agency, having a lien or interest 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 86.740.

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Each notice so mailed was certified to be a true copy of the original Notice of Sale by John R. Hanson, attorney for the beneficiary named in said Notice; each such copy was contained in a sealed envelope with postage thereon fully prepaid and deposited by me in the United States Post Office at Medford, Oregon, on April 10, 1993. 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 were mailed after the Notice of Default and Election to Sell described in said Notice of Sale was recorded.

John R. Hanson  
John R. Hanson, Successor Trustee

SUBSCRIBED AND SWORN to before me this 1/9th day of August, 1998.



Theresa J. Pollock  
Notary Public for Oregon  
My Commission Expires: 7/4/2002

IN THE CLATSOP COURT OF THE STATE OF OREGON  
COUNTY OF CLATSOP COURT CASE NO. \_\_\_\_\_

JAMES K. JOHNSON, DMD, P.C.,  
PENSION AND PROFIT SHARING TRUST

VS

STEVEN N. NELSON  
SHERI L. NELSON

**PROOF OF SERVICE**

STATE OF OREGON )

) SS.

County of JACKSON

I hereby certify that on the 17 day of April, 19 93 at the hour of 1655  
I served OCCUPANTS: TINA DRITCHES AND ONE MALE OCCUPANT by

TINA Personal Service (personally and in person)  
MALE 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  
X Other: TRUSTEE'S NOTICE OF SALE

Together with a copy of \_\_\_\_\_

To TINA DRITCHES

At 2020 DARRON AVENUE  
KLAMATH FALLS, OR. 97601

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.

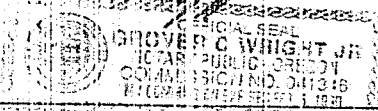
*Amelley*

Subscribed to and sworn to before me this \_\_\_\_\_ day of April, 19 93

ALLISON MITCHELL (#36)

Cleveland Investigation Company

(541) 535-6005



**Papers**

Received From WEDDELL & HANSON, ATTORNEYS AT  
300 WEST 6TH STREET  
MEMPHIS  
OR 97501-2906  
FEDERAL ID # 93-0904214  
541-779-6165  
ATTN: THERESA POLLOCK

Permit to: <u>CIC</u>	Service Fee	\$	
P.O. Box: <u>230</u>	Mileage	\$	25.00
Phone: <u>OR 97500</u>	Rush/Emergency	\$	
Date: <u>4/20/93</u>	Incorrect Add.	\$	
CIC File No. <u>541-779-6165</u>	Amount Paid	\$	0.00
Client No. <u>541-779-6165</u>	TOTAL DUE	\$	25.00

IN THE  
COUNTY OF

KLAMATH

COUNT OF THE STATE OF  
COURT CASE NO.

OREGON

29949

JAMES K JOHNSON, DMD, P.C.,  
PENSION AND PROFIT SHARING TRUSTSTEVEN N NELSON  
SHERI L NELSON

## PROOF OF SERVICE

STATE OF OREGON

County of JACKSON

) SS.

I hereby certify that on the 28 day of April, 19 98, at the hour of 1730  
I served OCCUPANTS: CAHO CAHATEMUC, MONICA HIDALGO

by

MONIC Personal Service (personally and in person)  
CAHO 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

X Other: TRUSTEE'S NOTICE OF SALE

Writ of Garnishment

Order

Citation

Notice

Small Claims

Affidavit

Subpoena

Decree

Together with a copy of

To MONICA HIDALGO

2022 DARROW AVENUE

KLAMATH FALLS, OR. 97601

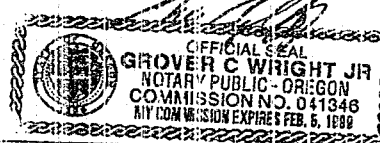
NOT FOUND: I certify that I received the within document for service on the day of 19  
and after due and diligent search and inquiry, I have been unable to locate  
within the county of Dated this day of 19

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 April, 19 98

DIENNIS GATES (114)  
Cleveland Investigation Company  
(541) 535-6005



## Papers

Received From: WEDELL &amp; HANSON, ATTORNEYS AT

800 WEST 8TH STREET

MEDFORD

OR 97501-2906

FEDERAL ID # 93-0904214

541-779-5165

ATTN: THERESA POLLOCK

STATE OF OREGON: COUNTY OF KLAMATH: ss

Mail to: CIC	Service Fee	\$ 25.00
P.O. Box 230	Mileage	\$
Medford, OR 97540	Rush/Emergency	\$
Date: 4-29-98	Incorrect Add.	\$
CIC File No. 4740-H	Amount Paid	\$ 0.00
Client No.	TOTAL DUE	\$ 25.00

Filed for record at request of Aspen Title & Escrow  
of August, A.D. 19 98 at 1:39 o'clock P. M., and duly recorded in Vol. 1128  
of Mortgages on Page 29943

FEE \$40.00

By Berntha G Letsch, County Clerk  
Kathleen Rose