

66959

ATC 04047071 Vol 198 Page 35572
NOTICE OF SUBSTITUTED SERVICE OR OFFICE SERVICE

TO: Rodney Miller
8212 Teal Drive
Bonanza OR 97623

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: 8212 Teal Drive, Bonanza, OR 97623

to Kelly A. Miller, who is a person over the age of fourteen years and a member of your household, on May 26, 19 98, at 7:20 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.

MICHAEL J. BIRD

AFFIDAVIT OF MAILING

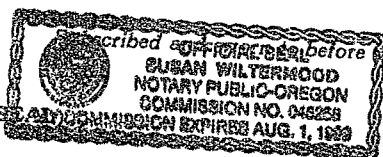
STATE OF OREGON, County of Josephine ss.

I, MICHAEL J. BIRD

, 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 Michael J. Bird 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 June 1, 19 98, addressed as aforesaid.

MICHAEL J. BIRD



Subscribed and sworn to before me this 1st day of June, 19 98

Notary Public for Oregon, my commission expires 8/1/99

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
Rodney Miller & Kelly Miller

Grantor

to
Aspen County Title & Escrow

Trustee

AFTER RECORDING RETURN TO
BROWN HUGHES BIRD LANE & ROTE
ATTORNEYS AT LAW
P.O. BOX 1249
GRANTS PASS, OR 97526-0311

(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/tile/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

NOTICE is hereby given that the obligation secured by the trust deed described herein 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: RODNEY D. MILLER AND KELLY A. MILLER

Trustee: ASPEN COUNTY TITLE & ESCROW, INC.

Successor Trustee: MICHAEL J. BIRD

Beneficiary: FLOYD A. McCURDY

2. Property covered by the trust deed:

Lot 3, Old Orchard Manor, in the City of Klamath Falls, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-34CB TL 6700

Property Address:
8212 Teal Drive
Bonanza OR 97623

3. The trust deed was dated December 12, 1996, and recorded on December 16, 1996, as Fee 30016, Volume M96, at Page 39056, Mortgage Records of Klamath County, Oregon.

4. Default for which foreclosure is made is failure to pay the following:

- (a) Monthly payments of \$455.00 each commencing February 16, 1998 and thereafter;

- (b) Late payments in the amount of 5% of any installment which is not received by collecting agent within 15 days after installment is due;

- (c) Real property taxes, plus interest thereon.

- (d) In case of foreclosure by note holder, the 6 month interest prepayment

penalty will be due and payable;

5. The sums owing on the obligation secured by the trust deed is:

(a) The principal sum of \$39,000.00, with interest thereon at the rate of 14.00 percent per annum beginning December 16, 1997, until paid.

(b) Late payments in the amount of 5% of any installment which is not received by collecting agent within 15 days after installment is due;

(c) Real property taxes, plus interest thereon.

(d) In case of foreclosure by note holder, the 6 month interest prepayment penalty will be due and payable;

(e) Title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and beneficiary's interest therein.

6. The beneficiary has and does elect to sell the property to satisfy the obligation. A Notice of default was recorded on May 11, 1998, as Document No. 57980, Official Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on September 29, 1998, at 10:00 O'clock, A.M., standard time as established by ORS 187.110, at the front steps of Aspen County Title, 525 Main Street, Klamath Falls, Oregon, 97601, Klamath County, Oregon, which is the hour, date and place last set for the sale.

8. Interested persons are notified of the right under ORS 86.753 to have this 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, 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 (5) days before the date the successor trustee conducts the sale.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

DATED this 12 day of May, 1998.



MICHAEL J. BIRD, SUCCESSOR TRUSTEE

2 - TRUSTEE'S NOTICE OF SALE

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 28th day of September A.D., 19 98 at 3:44 o'clock P M., and duly recorded in Vol. M98 of Mortgages on Page 35572.

FEE \$20.00

By Kathleen Rose Bernetha G. Leusch, County Clerk