TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL AND TRUSTEE'S NOTICE OF SALE

Reference is made to that Trust Deed wherein Rodney D. Miller and Kelly A. Miller, is grantor; Aspen Title & Escrow, Inc., is Trustee; and Albert Marzilli, is Beneficiary, recorded in Official/Microfilm Records, Vol. M97, page 13533, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

The Westerly 59.5 feet of Lot 4, Block 5, ORIGINAL TOWN OF KLAMATH FALLS, OREGON, in the City of Klamath Falls, County of Klamath, State of Oregon.

CODE 1 MAP 3809-32BD TL 6700

No action is pending to recover any part of the debt secured by the trust deed.

The obligation secured by the trust deed is in default because the grantor has failed to pay the following: Failure to make the payment due 2/2/98 in the amount of \$647.92 and a like payment on the 2nd day of each month thereafter; failure to pay real property taxes.

The sum owing on the obligation secured by the trust deed is: \$64,792.00 + interest at the rate of 12% per annum from 1/2/98,

plus trustee's fees, attorney's fees, foreclosure costs and any sums advanced by beneficiary pursuant to the terms of said trust deed.

Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

Non-Judicial Relief from the Automatic Stay of 11 U.S.C. \$362(a) has been received from Boyd Yaden, Bankruptcy Trustee.

The property will be sold as provided by law on March 1, 1999 at 10:00 o'clock a.m. based on standard of time established by ORS 187.110 at 110 N. 6th Street, Ste 205, Klamath Falls, Klamath County, Oregon.

Interested persons are notified of the right under ORS 86.753 to have this proceeding dismissed and the trust deed reinstated by payment of the entire amount then due, other than such portion 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 days before the date last set for sale.

This communication is an attempt to collect a debt. Any information obtained will be used for that purpose.

Dated: October 20, 1998.

Sisemore, Successor Trustee

STATE OF OREGON, County of Klamath) ss The foregoing was acknowledged before me on October 20, 1998, by William L. Sisemore,

.Notary Public for Oregon-My Commission Expires: 08/02/99

OFFICIAL SEAL
ALICE L. SISEMORE
NOTARY PUBLIC - OREGON
COMMISSION NO. 045387
MY COMMISSION FAMERS AUG. 02, 1899

Certified to be a true copy:

Attorney for Trustee

STATE OF OREGON, County of Klamath, ss

19 98 , October 21 Filed for record on

M98 page 38473 or as file/reel/document/instrument

Bernetha G. Letsch. Klamath County Clerk, by Kathlus

After recording, return to: William L. Sisewore Attorney at Law 110 N. 6th Street Klamath Falls, OR 97601

Fee: \$10.00

A. m. and recorded

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE	OF	(PREGON)	
				7	SS
County	7 01	F	Klamath	١.	

I. William L. Sisemore, 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 Oregon, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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:

NAME AND ADDRESS

Argle Lee Hobbs Dale E. Hobbs 2455 Redwood Drive Klamath Falls, OR 97601

James H. Fatton Margie G. Patton 4480 S. 6th St. Klamath Falls OP

James H. Patton Hargie G. Patton 11630 Hwy 39 Klamath Falls Op

Klamath Falls, OR 97603 Klamath Falls, OR 97603

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 William L. Sisemore, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon full prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on October 27, 1998. 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 pentity.

Vear

Subscribed and sworn to before me on October 1, 1998.

OFFICIAL EAR

ALICE L. SISEMORE

NOTARY PUBLIC OREGON

COMMISSION EXPRES AUG. 02 1999

MY COMMISSION EXPRES AUG. 02 1999

STATE OF OREGON

STATE OF OREGON

MY Commission Expires: 08/02/99

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STATE	OF OREGON,)						
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	Witness my	hand and seal	of County affi	ixed.				
After	recording,	return to:	BY					

After recording, return to: William L. Sisemore Attorney at Law 110 M. 6th Street Klamath Falls, OR 97601

Deputy

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF ORE	GON)	
) S	٤
County of Kl	amath)	

I, William L. Sisemore, 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 Oregon, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain 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:

NAME AND ADDRESS

Jimmie Maurer, Trustee Shirley Maurer, Trustee 26461 Huevos Lane Mission Viejo, CA 92691 Boyd Yaden P.O. Box 606 Klamath Falls, OR 97601

Candace Amborn Attorney at Law 707 Main Street

Klamath Falls, OR 97601

Rodney D. Miller Kelly A. Miller 8212 Teal Drive Bonanza, OR 97623 Paul J. Garrick **US Trustee**

211 E. 7th St., #285 Eugene, OR 97461

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 William L. Sisemore, attorney for the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon full prepaid, and was deposited by me in the United States post office at Klamath Falls, Oregon, on October 22, 1998. 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.

> villen William L. Sisemore

Subscribed and sworn to before me on October 22, 1998. ain L'Sesemere OFFICIAL SEAL ALICE L. SISEMORE MUCE L. SISEMORE
NOTARY PUBLIC - OREGON
COMMISSION NO. 245367
MY COMMISSION EXPIRES AUG. 02, 1999 Notary Public for Oregon My Commission Expires: 08/02/99 STATE OF OREGON County of Klamath I certify that the within instrument was received for record on the

day of	. 19-	_ , at	0	'clock	М.	and re	corded	in
book/real/volume Noon	page	ae 10	fee/file/inst	rument/	microf	ilm/rec	eption	No.
, Record of Mortgages of	said Coun	ty.						
		_		_				
Witness my hand and seal	of County	affixed.			_			
						_		
After recording, return to:	BY							
William L. Sisemore			Deputy			•		
Attorney at Law								

110 N. 6th Street Klamath Falls, OR 97601

_day of

1	NOTICE OF SUBSTITUTE SERVICE
2	TO: Pam Barnett
3	You are hereby notified that you have been served with:
4	Trustee's Notice of Default and Election to Sell and Trustee's Notice of
5	Sale of that Trust deed wherein Rodney D. Miller & Kelly A. Miller is/are grantor(s), to Aspen Title & Escrow, Inc., as Trustee, and Albert Marzilli is/are
6 7	beneficiary(ies), recorded in Mortgage Records of <u>Klamath</u> County, Oregon, Volume M97, page or document no. 13533, certified copy of which is attached hereto.
8	By Substitute Service on Ericka Perrenoud, a person over the age of 14
9	years of age who resides at your place of abode on October 23, 1998, at 10:19 o'clock, a.m. at 105 Pine Street, Klamath Falls, OR 97601.
10	Wyllia Isesen
	Attorney for Flaintiff(s)/Trustee
11	STATE OF OREGON)
12 13	County of Klamath)
14	I, William L. Sisemore, certify that I am attorney for Albert Marzilli; I served a copy of Trustee's Notice of Default and Election to Sell and Trustee's Notice of Sale together with the above notice of substitute service in a sealed
15	envelope, plainly addressed to:
16	Pam Barnett 105 Pine Street
17	Klamath Falls, OR 97601
18	with postage fully prepaid, and deposited the same in the U. S. Mail at Klamath Falls, Oregon, on October 28, 1998.
19	William Diseme
20	William L. Sisemore Attorney/Trustee for Albert Marzilli
21	Subscribed and Sworn to before me this 28th day of October, 1998.
22	Min Subscribed and sworm to before me distribution and sworm and s
23	Notary Public for Oregon
24	ALICEL SISEMORE My Commission Expires: 08/02/99 NOTARY PUBLIC - OREGON COMMISSION NO. 045387
25	MY COMMISSION EXPIRES AUG. 02, 1989

WILLIAM L. SISEMORE Attorney at Law 110 North 6th St. KLAMATH FALLS, ORE. 97601 541/882-7229 O.S.B. #70133

26

PROOF OF SERVICE JEFFERSON STATE ADJUSTERS

STATE OF OREGON KID	mnth	cou	JRT CASE NO	
hereby certify that I served the copies or original, certified to be				y delivering or leaving true
Summons & Complaint Restraining Order Summons & Petition	☐ Summons ☐ Judgment ☐ Order	☐ Small Claim ☐ Affidavit ☐ Decree	☐ Motion ☐ Petition ☐ Notice	☐ Answer ☐ Letter ☐ Citation
□ Notice of Small Claims ☑ TRuStee's Notice	e of sale			
For the within named: 200	cupants o	F 105 Pin	e st,	
M PERSONALLY SERVED:				
				at the address below.
SUBSTITUTE SERVICE:	By delivering an Origin	al or True Copy to ER	cka per	renoud.
a person over the age of 1 Pam BARNE	4 who resides at the pla	ace of abode of the within	n named at said a	bode shown below for:
OFFICE SERVICE: At the leaving such true copy or	office which he/she ma	aintains for the conduct o	f business as sho	own at the address below, by who is apparently in charge.
SERVICE ON CORPORA SUIT UNDER A COMMO	N NAME.			
Corporati	on, Limited Partnership, etc.		-	ppy personally and in person,
to:		who is a/the		thereof, or
(b) leaving such true copy	with	, the pers	on who is appare	intly in charge of the office of
		, who is a/the		thereof.
O OTHER METHOD:	Ву	leaving an Original or Tr	ue Copy with	
□ NOT FOUND: I certify the	at I received the within o	locument for service on .		and after due
and diligent search and ir	quiry, I hereby return th	at I have been unable to	find, the within na	amed respondent, County.
105	Pine			
ADDRESS OF SERVICE	STREET		UNI	T/APT/SPC#
Klan	18th FALLS		OR	97601
	CITY		SIAIE	219
I further certify that I am a com that I am not a party to nor an or corporation served by me is	officer, director, or employs	se of nor attorney for any pa	arty, corporation or o	nce or the State of Oregon and otherwise, that the person, firm

10.19 (a.m. 20 p.m. 2) Forestany
TIME OF SERVICE SIGNATURE

OC+, 23, 1998
DATE OF SERVICE
or not found
PRINTED IN OREGON

PROOF OF SERVICE JEFFERSON STATE ADJUSTERS

STATE OF OREGON COUNTY OF	math	COL	IRT CASE NO	
I hereby certify that I served the copies or original, certified to be				y delivering or leaving true
□ Summons & Complaint □ Restraining Order □ Summons & Petition □ Notice of Small Claims □ TRUSTEES Notice	ce of sale			☐ Answer ☐ Letter ☐ Citation ☐ Subpoena
For the within named:	-CUPANTS OF	- 109 Pi	ne st	
Billy Bradford				o: at the address below.
	: By delivering an Original 14 who resides at the plac			bode shown below for:
				ewn at the address below, by who is apparently in charge.
SERVICE ON CORPOR	ON NAME.			
UponCorpore	ition, Limited Partnership, etc.	, by (a) delive	ring such true co	py personally and in person,
to:		who is a/the		thereof, or
(b) leaving such true cop				ntly in charge of the office of thereof.
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	inquiry, I hereby return that			amed respondent,County
	<i>A</i> (
ADDRESS OF SERVICE	STREET		UM	T/APT / SPC#
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I further certify that I am a co	mpetent person 18 years of ag	e or older and a resident	of the state of serv	ice or the State of Oregon and

that I am not a party to nor an officer, director, or employee of nor attorney for any party, corporation or otherwise, that the person, firm or corporation served by me is the identical person, firm, or corporation named in the action.

Oct. 23, 1998 DATE OF SERVICE

10:22 am bi p.m. a 3 Forenson SIGNATURE

PROOF OF SERVICE **JEFFERSON STATE ADJUSTERS**

STATE OF OREGON COUNTY OF	Klomi	eth			co	URT CASE NO		
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OTHER METHOD):		By leav	ing an O	riginal or Tr	ue Copy with		
and diligent searc	h and inqu	ilry, I hereby r	eturn that I I	have bee	n unable to	find, the within i	and named respondent,	
107		P	inc					
ADDRESS OF SERVICE		STF	REET			UN a	ST/APT/SPC#	
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I further certify that I a	m a compe o nor an offi	tent person 18 y cer, director, or	years of age employee of	nor attorn	ey for any pa	arty, corporation or	rvice or the State of Ores otherwise, that the pers	gon and son, firm
oct. 23, 19	398	10114	(A	um (T)	30	Form an	e(v)	
DATE OF SEP	VICE	TIM	E OF SERVICE			SIGN	IATURE	

or not found PREITED IN OREGON

CERTIFICATE OF NON-MILITARY SERVICE

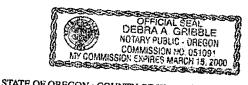
STATE OF OREGON) SS	
County of Klamath)	
certain trust deed in which Ro Aspen Title & Escrow, Inc., as which said trust deed was dated records of said county, in be default with respect to said trust make the said trust and said at the trustee's sale on period of three months and concluding the day thereof, was deed, or any interest therein Article I of the "Soldiers' are includes the plural, the word "trustee" includes and the word "trustee" includes and the said trustee "includes and the said trustee" includes and the said trustee "includes and the said trustee" includes and the said trustee "includes and trustee" includes and trustee "includes and trustee" includes and trustee "includes an	I am the Attorney and Trustee for beneficiary in that dney D. Miller & Kelly A. Miller, as grantor, conveyed to trustee, certain real property in Klamath County, Oregon; April 23, 1997, and recorded May 2, 1997, in the mortgage bok/reel/volume M97, page 13533; thereafter a notice of ust deed was recorded October 21, 1998, in book/reel/volume ortgage records; thereafter the said trust deed was duly a sale and the real property covered by said trust deed was March 1, 1999; I reasonably believe at no time during the need ay immediately preceding the day of said sale and the real property described in and covered by said trust, owned by a person in the military service as defined in ad Sailors' Civil Relief Act of 1940," as amended. If it is the masculine includes the feminine, the singular grantor" includes any successor in interest to the grantor, a successor trustee, and the word "beneficiary" includes any beneficiary named in said trust deed. William L. Sisemore, Successor Trustee
	William L. Sisemore, Successor Trustee
STATE OF OREGON)) SS County of Klamath) This instrument was ackn	owledged before me on March 1, 1999, by William L. Sisemore
ALICE L. SISEMORE ALICE L. SISEMORE NOTARY PUBLIC - OREGON COMMISSION RO. 045387 NY COMMISSION EXPIRES AUG. 02, 1999	Notary Public for Oregon My Commission Expires: 08/02/99
After recording, return to: William L. Sisemore 110 N. 6th Street #205 Klamath Falls, OR 97601	STATE OF OREGON County of Klamath) 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 on page . or as fee/file/instrument/microfilm/reception No. Records of said county.
	Name Title
	ВУ
	Deputy

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Larry L. Wells, Business Manager, being first duly sworn, despose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that the LEGAL #1788 TRUSTEE'S NOTICE..... a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for FOUR $(\underline{4})$ insertion(s) in the following issues: NOVEMBER 2/9/16/23, 1998 Subscribed and sworn before me this 23RD day of NOVEMBER

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Non-Judietall Retref- from the Automatic Stay of 19 S.C. \$352(a) has been received from Box (1988m. Bankrup) CV, IVIII (1988). The property will be sold as provided by law of Marchia Uses and 10 Objects and Uses 13 Stayloung of Ingential Stayloung of Ingential Stayloung of Ingential Stayloung of			



My commission expires____

3-15 20 00

own of overgott : COO	INTY OF KLAMATH: SS.	
Filed for record at request of of March	William L Sisemore the list A.D., 1999 at 2:45 o'clock P M., and duly recorded in Vol. of Mortgages on Page 7089	1199da
FEE \$50.00	by Kathlun Kuss	erk