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OCT 21 1998

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.

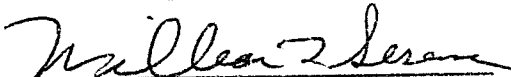
Non-Judicial Relief from the Automatic Stay of 11 U.S.C. §362(a) has been received from Boyd Yaden, Bankruptcy Trustee.

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.

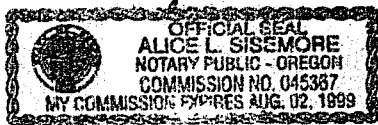
Dated: October 20, 1998.


William L. 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

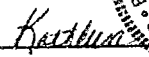


Certified to be a true copy:

Attorney for Trustee

STATE OF OREGON, County of Klamath, ss

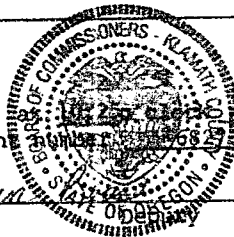
Filed for record on October 21, 19 98, at 11:27 a.m. and recorded in M98 page 38473 or as file/reel/document/instrument number 11111111 of mortgages.

Barnetha G. Letsch, Klamath County Clerk, by 

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

INDEXED
D L

Fee: \$10.00



30
10 CK

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
) SS
County of Klamath)

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	James H. Patton	James H. Patton
Dale E. Hobbs	Margie G. Patton	Margie G. Patton
2455 Redwood Drive	4480 S. 6th St.	11630 Hwy 39
Klamath Falls, OR 97601	Klamath Falls, OR 97603	Klamath Falls, OR 97603

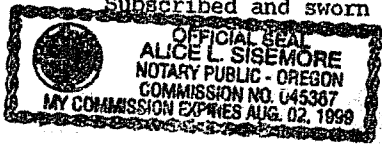
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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 entity.

William L. Sisemore
William L. Sisemore

Subscribed and sworn to before me on October 27, 1998.



Alice L. Sisemore
Notary Public for Oregon
My Commission Expires: 08/02/99

STATE OF OREGON)
) SS
County of Klamath)

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock ____M, and recorded in book/real/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

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

BY _____ Deputy

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON)
) SS
 County of Klamath)

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	Boyd Yaden	Candace Amborn
Shirley Maurer, Trustee	P.O. Box 606	Attorney at Law
26461 Huevos Lane	Klamath Falls, OR 97601	707 Main Street
Mission Viejo, CA 92691		Klamath Falls, OR 97601
Rodney D. Miller	Paul J. Garrick	
Kelly A. Miller	US Trustee	
8212 Teal Drive	211 E. 7th St., #285	
Bonanza, OR 97623	Eugene, OR 97401	

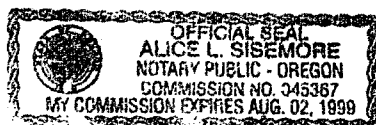
Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or 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.

William L. Sisemore
 William L. Sisemore

Subscribed and sworn to before me on October 22, 1998.



Alice L. Sisemore
 Notary Public for Oregon
 My Commission Expires: 08/02/99

STATE OF OREGON)
) SS

County of Klamath) I certify that the within instrument was received for record on the
) day of _____, 19____, at _____ o'clock ____ M., and recorded in
 book/real/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No.
 _____, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

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

BY _____
 Deputy

NOTICE OF SUBSTITUTE SERVICE

TO: Pam Barnett

You are hereby notified that you have been served with:

☒ Trustee's Notice of Default and Election to Sell and Trustee's Notice of 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 beneficiary(ies), recorded in Mortgage Records of Klamath County, Oregon, Volume M97, page or document no. 13533, certified copy of which is attached hereto.

By Substitute Service on Ericka Perrenoud, a person over the age of 14 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.

William L. Sisemore
Attorney for Plaintiff(s)/Trustee

STATE OF OREGON)
) SS
County of Klamath)

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 envelope, plainly addressed to:

Pam Barnett
105 Pine Street
Klamath Falls, OR 97601

with postage fully prepaid, and deposited the same in the U. S. Mail at Klamath Falls, Oregon, on October 28, 1998.

William L. Sisemore
William L. Sisemore
Attorney/Trustee for Albert Marzilli

Subscribed and Sworn to before me this 28th day of October, 1998.

Alice L. Sisemore
Notary Public for Oregon
My Commission Expires: 08/02/99



PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

7093

STATE OF OREGON
COUNTY OF

Klamath

COURT CASE NO. _____

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- | | | | | |
|---|------------------------------------|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons | <input type="checkbox"/> Small Claim | <input type="checkbox"/> Motion | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Judgment | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Order | <input type="checkbox"/> Decree | <input type="checkbox"/> Notice | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena | |
| <input checked="" type="checkbox"/> <u>Trustee's Notice of Sale</u> | | | | |

For the within named: Occupants of 105 Pine St.

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: ERICKA Perrenoud at the address below.

☒ SUBSTITUTE SERVICE: By delivering an Original or True Copy to ERICKA Perrenoud, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: PAM BARNETT

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, leaving such true copy or Original with _____, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.

Upon _____, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.

to: _____ who is a/the _____ thereof, or
(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ thereof.

☐ OTHER METHOD: _____ By leaving an Original or True Copy with _____

☐ NOT FOUND: I certify that I received the within document for service on _____ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, _____ within _____ County.

105
ADDRESS OF SERVICE

Pine
STREET

UNIT / APT / SPC#

Klamath Falls
CITY

OR
STATE

97601
ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service 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

10:19 a.m. ☒ p.m. ☐
TIME OF SERVICE

ED Foreman
SIGNATURE

PROOF OF SERVICE **JEFFERSON STATE ADJUSTERS**

STATE OF OREGON
 COUNTY OF

Klamath

COURT CASE NO. _____

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- | | | | | |
|---|------------------------------------|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons | <input type="checkbox"/> Small Claim | <input type="checkbox"/> Motion | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Judgment | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Order | <input type="checkbox"/> Decree | <input type="checkbox"/> Notice | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena | |

☒ Trustee's Notice of Sale

For the within named: Occupants of 109 Pine St

☒ **PERSONALLY SERVED:** Original or True Copy to within named, personally and in person to: Billy Bradford and Audrey Bradford at the address below.

☐ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to _____, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: _____

☐ **OFFICE SERVICE:** At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with _____, the person who is apparently in charge.

☐ **SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.**

Upon _____, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.

to: _____ who is a/the _____ thereof, or
 (b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ thereof.

☐ **OTHER METHOD:** _____ By leaving an Original or True Copy with _____

☐ **NOT FOUND:** I certify that I received the within document for service on _____ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, _____ within _____ County.

109
 ADDRESS OF SERVICE

Pine
 STREET

UNIT / APT / SPC#

Klamath Falls
 CITY

OR
 STATE

97601
 ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service 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 (a.m.) p.m. ☐
 TIME OF SERVICE

ED Foreman
 SIGNATURE

PROOF OF SERVICE JEFFERSON STATE ADJUSTERS

STATE OF OREGON
COUNTY OF

Klamath

COURT CASE NO. _____

I hereby certify that I served the foregoing individuals or other legal entities to be served, named below, by delivering or leaving true copies or original, certified to be such by the Attorney for the Plaintiff/Defendant, as follows:

- | | | | | |
|--|------------------------------------|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Summons | <input type="checkbox"/> Small Claim | <input type="checkbox"/> Motion | <input type="checkbox"/> Answer |
| <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Judgment | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Order | <input type="checkbox"/> Decree | <input type="checkbox"/> Notice | <input type="checkbox"/> Citation |
| <input type="checkbox"/> Notice of Small Claims | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Subpoena | |
| <input checked="" type="checkbox"/> <u>Trustees Notice of Sale</u> | | | | |

For the within named: occupants of 107 Pine st.

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Charles Barney at the address below.

☐ SUBSTITUTE SERVICE: By delivering an Original or True Copy to _____, a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for:

☐ OFFICE SERVICE: At the office which he/she maintains for the conduct of business as shown at the address below, by leaving such true copy or Original with _____, the person who is apparently in charge.

☐ SERVICE ON CORPORATIONS, LIMITED PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS SUBJECT TO SUIT UNDER A COMMON NAME.

Upon _____, by (a) delivering such true copy personally and in person, Corporation, Limited Partnership, etc.

to: _____ who is a/the _____ thereof, or
(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ thereof.

☐ OTHER METHOD: _____ By leaving an Original or True Copy with _____

☐ NOT FOUND: I certify that I received the within document for service on _____ and after due and diligent search and inquiry, I hereby return that I have been unable to find, the within named respondent, _____ within _____ County.

107
ADDRESS OF SERVICE

Pine
STREET

UNIT / APT / SPC#

Klamath Falls
CITY

OR.
STATE

97601
ZIP

I further certify that I am a competent person 18 years of age or older and a resident of the state of service 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

10:16 a.m. ☒ p.m. ☐
TIME OF SERVICE

Ed Foreman
SIGNATURE

CERTIFICATE OF NON-MILITARY SERVICE

STATE OF OREGON)
) SS
County of Klamath)

THIS IS TO CERTIFY that I am the Attorney and Trustee for beneficiary in that certain trust deed in which Rodney D. Miller & Kelly A. Miller, as grantor, conveyed to Aspen Title & Escrow, Inc., as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated April 23, 1997, and recorded May 2, 1997, in the mortgage records of said county, in book/reel/volume M97, page 13533; thereafter a notice of default with respect to said trust deed was recorded October 21, 1998, in book/reel/volume M98, at page 38473, of said mortgage records; thereafter the said trust deed was duly foreclosed by advertisement and sale and the real property covered by said trust deed was sold at the trustee's sale on March 1, 1999; I reasonably believe at no time during the period of three months and one day immediately preceding the day of said sale and including the day thereof, was the real property described in and covered by said trust deed, or any interest therein, owned by a person in the military service as defined in Article I of the "Soldiers' and Sailors' Civil Relief Act of 1940," as amended.

In construing this certificate the masculine includes the feminine, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor, the word "trustee" includes any successor trustee, and the word "beneficiary" includes any successor in interest to the beneficiary named in said trust deed.

William L. Sisemore
William L. Sisemore, Successor Trustee

STATE OF OREGON)
) SS
County of Klamath)

This instrument was acknowledged before me on March 1, 1999, by William L. Sisemore.

Alice L. Sisemore
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. _____, of the _____ Mortgage Records of said county.

Name Title
BY _____
Deputy

7097

I, Larry L. Wells, Business Manager, being first duly sworn, depose 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

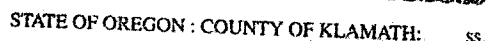
TRUSTEE'S NOTICE.....

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for FOUR

(4) insertion(s) in the following issues:
NOVEMBER 2/9/16/23, 1998

Subscribed and sworn before me this 23RD
day of NOVEMBER 1998

Debra A. Stubbs
Notary Public of Oregon

My commission expires 3-15 20 00

Filed for record at request of William L Sisemore
of March A.D., 1999 at 2:45 o'clock P M., and duly recorded in Vol. M99
of Mortgages on Page 7080

Linda Smith, County Clerk

by Kathleen Rose