

**RECORDING COVER SHEET
FOR NOTICE OF SALE PROOF
OF COMPLIANCE, PER ORS 205.234**

Vol MQ1 Page 649

**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON
PRESENTING THE ATTACHED INSTRUMENT FOR
RECORDING. ANY ERRORS IN THIS COVER SHEET
DO NOT AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.**

*This Space For County Recording Use Only
as of 8-1-98*

AFTER RECORDING RETURN TO

Jerry M. Molatore
426 Main
Klamath Falls, OR 97601

K55897

MARK NAME(S) OF ALL THE TRANSACTION(S) described in the attached instrument. Fill in the Original Grantor on Trust Deed and the Beneficiary as indicated. Each Affidavit of Mailing Notice of Sale or Affidavit of Publication Notice of Sale or Proof of Service will be considered a transaction.

- ✓ AFFIDAVIT OF MAILING NOTICE OF SALE
- ✓ AFFIDAVIT OF PUBLICATION NOTICE OF SALE
- ✓ PROOF OF SERVICE

2001 JUN -8 AM 11:11

Original Grantor on Trust Deed

Mike L. Reynolds and Jena Reynolds Pike H&W

Beneficiary

Cyrus L Smith and Nell E. Smith

NE

K55897

650



AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of KLAMATH, ss:

I, PATRICIA M. JOHNSON, 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	ADDRESS
MIKE L. REYNOLDS	PO BOX 1722, KLAMATH FALLS, OR 97601 1148 FRONT STREET, KLAMATH FALLS, OR 97601
JENA REYNOLDS PIKE	PO BOX 1722, KLAMATH FALLS, OR 97601 1148 FRONT STREET, KLAMATH FALLS, OR 97601

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.....
JERRY M. MOLATORE....., attorney for 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 KLAMATH FALLS....., Oregon, on SEPTEMBER 15....., ~~XX~~2000. 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.

Patricia M. Johnson
.....
PATRICIA M. JOHNSON

Subscribed and sworn to before me on SEPTEMBER 15....., ~~XX~~2000.



Marcie M. Lyman
.....
Notary Public for Oregon. My commission expires Jan 3, 2004

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

MIKE L. REYNOLDS AND JENA REYNOLDS PIKE

Grantor

TO
KLAMATH COUNTY TITLE COMPANY, NKA,
FIRST AMERICAN TITLE INS COMPANY

Trustee

AFTER RECORDING RETURN TO

JERRY M. MOLATORE
426 MAIN STREET
KLAMATH FALLS OR 97601

(DON'T USE THIS SPACE: RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON, } ss.
County of

I certify that the within instrument was received for record on the..... day of, 19....., at o'clockM., and recorded in book/reel/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.

.....
NAME TITLE
By Deputy

* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.
PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

ON

651



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by MIKE L. REYNOLDS AND JENA REYNOLDS PIKE, HUSBAND AND WIFE, as grantor, to KLAMATH COUNTY TITLE COMPANY NKA FIRST AMERICAN TITLE INSURANCE COMPANY, as trustee, in favor of CYRUS L. SMITH AND NELL E. SIMTH, as beneficiary, dated JUNE 15, 19 94, recorded JUNE 17, 19 94, in the mortgage records of KLAMATH County, Oregon, in book/reel/volume No. M94 at page 19103, or as by the instrument of the following description (XXXXXX), covering the following described real property situated in said county and state, to-wit:

SEE EXHIBIT "A" ATTACHED

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:

DELINQUENT MONTHLY PAYMENTS IN THE TOTAL AMOUNT OF \$7,246.90

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, to-wit: AS OF SEPTEMBER 8, 2000

PRINCIPAL & INTEREST:	\$168,007.26	TRUSTEE'S SALE GUARANTEE:	\$617.50
ATTORNEY'S FEES:	\$ 904.50	TOTAL:	\$169,581.26
RECORDING FEES:	\$ 52.00		

WHEREFORE, notice hereby is given that the undersigned trustee will on JANUARY 25, 2000, at the hour of 10 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at THE FRONT STEPS OF THE GOVERNMENT CENTER, 305 MAIN STREET

in the City of 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 grantor of the said trust deed, together with any interest which the grantor or grantor's 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 not exceeding the amounts provided by said ORS 86.753.

In construing this notice, 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 SEPTEMBER 15, 2000, XXXX.

JERRY M. MOLATORE

Trustee

State of Oregon, County of KLAMATH ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE:

EXHIBIT "A"
DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon.

PARCEL 1:

Beginning at a point on the Southerly side of Front Street, said point described as being situate South 14°27' East 496.7 feet; thence South 58°41' East 374.3 feet; and thence South 39°31' East 147.5 feet from the Southeasterly corner of Lot 92 in Block 3, First Addition to Buena Vista Addition to the City of Klamath Falls, Oregon; thence from the point of beginning herein described, South 39°31' East, along the Southwesterly line of Front Street, 152.5 feet to a point; thence South 52°35' East, along the Southwesterly line of Front Street, 50 feet to a point; thence South 37°25' West to the shore of Upper Klamath Lake; thence Northwesterly along said shore of Upper Klamath Lake to a point which bears South 45°41' West from the point of beginning; thence North 45°41' East to the point of beginning; being a portion of Lot 10, Section 30, Township 38 South, Range 9 East of the Willamette Meridian.

PARCEL 2:

Beginning at a point on the Southerly side of Front Street, Buena Vista Addition to The City of Klamath Falls, Oregon, said point being situate South 14°27' East 496.7 feet; thence South 58°41' East 374.3 feet; thence South 39°31' East 300.0 feet; and thence South 52°35' East 50.0 feet from the Southeasterly corner of Lot 92 Block 3, First Addition to Buena Vista Addition to the City of Klamath Falls, Oregon; thence from said point of beginning herein described, South 52°35' East, along the Southwesterly line of Front Street, 50.0 feet to a point; thence South 37°25' West 50 feet, more or less, to the shore of Upper Klamath Lake; thence Northwesterly along said shore of Upper Klamath Lake to a point which bears South 37°25' West from the point of beginning; thence North 37°25' East 65 feet, more or less to the point of beginning, being a portion of Lot 10, Section 30, Township 38 South, Range 9 East of the Willamette Meridian.

And

Beginning at a point on the Southerly line of Front Street which is 399.0 feet westerly along said southerly line from the west line of Lot 27, Block 41, Buena Vista Addition to the City of Klamath Falls, extended southerly; said beginning point also being the northwest corner of parcel described in that certain Easement Deed from Klamath Falls Land and Transportation Co., to J. T. Totton and H. E. Hansberry, recorded in Volume 21 page 195, Deed Records of Klamath County, Oregon; thence southerly along the westerly line of last mentioned parcel to the shoreline of Upper Klamath Lake; thence westerly along said shoreline to the southeasterly corner of parcel conveyed to Hugh B. Currin, et ux by Deed recorded December 30, 1958, in Volume 308 page 256, Deed Records of Klamath County, Oregon; thence along the southeasterly line of last mentioned parcel North 37°25' East a distance of 50.0 feet, more or less, to the southerly line of Front Street; thence South 52°35' East along said southerly line a distance of 60.0 feet to the point of beginning.

EXHIBIT "A"
DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon.

PARCEL 1:

Beginning at a point on the Southerly side of Front Street, said point described as being situate South 14°27' East 496.7 feet; thence South 58°41' East 374.3 feet; and thence South 39°31' East 147.5 feet from the Southeasterly corner of Lot 92 in Block 3, First Addition to Buena Vista Addition to the City of Klamath Falls, Oregon; thence from the point of beginning herein described, South 39°31' East, along the Southwesterly line of Front Street, 152.5 feet to a point; thence South 52°35' East, along the Southwesterly line of Front Street, 50 feet to a point; thence South 37°25' West to the shore of Upper Klamath Lake; thence Northwesterly along said shore of Upper Klamath Lake to a point which bears South 45°41' West from the point of beginning; thence North 45°41' East to the point of beginning; being a portion of Lot 10, Section 30, Township 38 South, Range 9 East of the Willamette Meridian.


PARCEL 2:

Beginning at a point on the Southerly side of Front Street, Buena Vista Addition to The City of Klamath Falls, Oregon, said point being situate South 14°27' East 496.7 feet; thence South 58°41' East 374.3 feet; thence South 39°31' East 300.0 feet; and thence South 52°35' East 50.0 feet from the Southeasterly corner of Lot 92 Block 3, First Addition to Buena Vista Addition to the City of Klamath Falls, Oregon; thence from said point of beginning herein described, South 52°35' East, along the Southwesterly line of Front Street, 50.0 feet to a point; thence South 37°25' West 50 feet, more or less, to the shore of Upper Klamath Lake; thence Northwesterly along said shore of Upper Klamath Lake to a point which bears South 37°25' West from the point of beginning; thence North 37°25' East 65 feet, more or less to the point of beginning, being a portion of Lot 10, Section 30, Township 38 South, Range 9 East of the Willamette Meridian.

And

Beginning at a point on the Southerly line of Front Street which is 399.0 feet westerly along said southerly line from the west line of Lot 27, Block 41, Buena Vista Addition to the City of Klamath Falls, extended southerly; said beginning point also being the northwest corner of parcel described in that certain Easement Deed from Klamath Falls Land and Transportation Co., to J. T. Totton and H. E. Hansberry, recorded in Volume 21 page 195, Deed Records of Klamath County, Oregon; thence southerly along the westerly line of last mentioned parcel to the shoreline of Upper Klamath Lake; thence westerly along said shoreline to the southeasterly corner of parcel conveyed to Hugh B. Currin, et ux by Deed recorded December 30, 1958, in Volume 308 page 256, Deed Records of Klamath County, Oregon; thence along the southeasterly line of last mentioned parcel North 37°25' East a distance of 50.0 feet, more or less, to the southerly line of Front Street; thence South 52°35' East along said southerly line a distance of 60.0 feet to the point of beginning.

EE

655 

INSTRUCTIONS FOR SERVICE OF TRUSTEE'S NOTICE OF SALE UPON OCCUPANT PURSUANT TO ORS 86.750 (1) AND PROOF OF SERVICE (120-Day Notice)

RE: Trust Deed from
MIKE L. REYNOLDS AND JENA REYNOLDS
PIKE

To Grantor
KLAMATH COUNTY TITLE COMPANY, NKA,
FIRST AMERICAN TITLE INS COMPANY

Trustee

After recording, return to (Name, Address, Zip):
JERRY M. MOLATORE
426 MAIN STREET
KLAMATH FALLS OR 97601

STATE OF OREGON, } ss.
County of _____

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

SPACE RESERVED FOR RECORDER'S USE

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy.

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON, } ss.
County of KLAMATH

I, the undersigned, being first duly sworn, depose and say:

I am the Trustee or attorney for the Trustee in the trust deed described in the attached Trustee's Notice of Sale.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7 D(2) and 7 D(3) upon the occupant of the property described in the Notice of Sale.

The name of the person to be served, if known, and the property address of the property described in the trust deed are as follows:

Name of person to be served (If unknown, so state)	Property Address
MIKE L. REYNOLDS	1148 FRONT STREET KLAMATH FALLS OR 97601
JENA REYNOLDS PIKE	1148 FRONT STREET KLAMATH FALLS OR 97601

If the occupant is indicated as "unknown," or if you find the property at this address to be occupied by someone other than the person named, then you are to serve the person or persons whom you find to be occupying the property.

Service should be made by SEPTEMBER 27, 2000, which is 120 days before the date fixed for the sale in the attached notice. If you have not made service by that date, and the property appears occupied, persist in attempting to make service until it has been accomplished.

As used herein, the singular includes the plural, "trustee" includes any successor trustee, and "person" includes a corporation or any other legal or commercial entity.

(ATTORNEY FOR) TRUSTEE

SIGNED AND SWORN TO before me on SEPTEMBER 15, 2000.



Notary Public for Oregon

My commission expires 6-17-2002

PROOF OF SERVICE

656



STATE OF Oregon, County of Klamath ss.

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state where- in the service hereinafter set forth was made, and that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor a succes- sor to either, nor an officer, director, employee of, or attorney for, the beneficiary or trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities named below by delivering true copies of the Notice of Sale, certified to be such by the attorney for the trustee or successor trustee, as follows:

Personal Service Upon Individual(s)

Upon Mike L. Reynolds, by delivering such true copy to him/her, personally and in person, at 1148 Front St., on 9-20-00, at 9:00 o'clock A.M. Upon _____, by delivering such true copy to him/her, personally and in person, at _____, on _____, at _____ o'clock _____M.

Substituted Service Upon Individual(s)

Upon Jena Reynolds Pike, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: 1148 Front St., to Mike L. Reynolds, who is a person 14 years of age or older and a member of the household of the person served on 9-20-00, at 9:00 o'clock A.M. Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, to _____, who is a person 14 years of age or older and a member of the household of the person served on _____, at _____ o'clock _____M.

Office Service Upon Individual(s)

Upon _____, at the office which he/she maintains for the conduct of business at _____, by leaving such true copy with _____, the person who is apparently in charge, on _____, during normal working hours, at _____ o'clock, _____M.

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, to _____ who is a/the _____ (Specify registered agent, officer (by title), director, general partner, managing agent, etc.) thereof; OR (b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____ (Specify registered agent, officer (by title), director, general partner, managing agent, etc.) thereof; at _____, on _____, at _____ o'clock _____M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

[Handwritten signature]

SIGNED AND SWORN TO before me on 9-20-00



[Handwritten signature of Marcie M. Lyman] Notary Public for Oregon My commission expires Jan 3, 2004

PUBLISHER'S NOTE: ORS 86.750 (1) requires the Notice of Sale to be served upon the occupant in the manner in which a summons is served pursuant to ORCP 7 D(2) and 7 D(3). The Proof of Service above contains most, but not all, of the permissible methods of service. For example, this form does not include proof of service upon a minor, an incapacitated person, or tenant(s) of a mail agent. See ORCP 7 D(2) and 7 D(3) for permissible service methods with respect to particular parties. Also, an attorney who serves the Notice of Sale by mail, in accordance with law, should delete "or attorney for," from the first paragraph above before this document is recorded.

ON

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by MIKE L. REYNOLDS AND JENA REYNOLDS PIKE, HUSBAND AND WIFE, as grantor, to KLAMATH COUNTY TITLE COMPANY NKA FIRST AMERICAN TITLE INSURANCE COMPANY, as trustee, in favor of CYRUS L. SMITH AND NELL E. SMITH, as beneficiary, dated JUNE 15, 1994, recorded JUNE 17, 1994, in the mortgage records of KLAMATH County, Oregon, in book/reel/volume No. M94 at page 19103, covering the following described real property situated in said county and state, to-wit:

SEE EXHIBIT "A" ATTACHED

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:

DELINQUENT MONTHLY PAYMENTS IN THE TOTAL AMOUNT OF \$7,246.90

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, to-wit: AS OF SEPTEMBER 8, 2000

PRINCIPAL & INTEREST: \$168,007.26 TRUSTEE'S SALE GUARANTEE: \$617.50
ATTORNEY'S FEES: \$ 904.50 TOTAL: \$169,581.26
RECORDING FEES: \$ 52.00

WHEREFORE, notice hereby is given that the undersigned trustee will on JANUARY 25, 2000, at the hour of 10 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at THE FRONT STEPS OF THE GOVERNMENT CENTER, 305 MAIN STREET in the City of 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 grantor of the said trust deed, together with any interest which the grantor or grantor's 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 not exceeding the amounts provided by said ORS 86.753.

In construing this notice, 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 SEPTEMBER 15, 2000, XXXX.

JERRY M. MOLATORE

Trustee

State of Oregon, County of KLAMATH ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE: _____

EXHIBIT "A"
DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon.

PARCEL 1:

Beginning at a point on the Southerly side of Front Street, said point described as being situate South 14°27' East 496.7 feet; thence South 58°41' East 374.3 feet; and thence South 39°31' East 147.5 feet from the Southeasterly corner of Lot 92 in Block 3, First Addition to Buena Vista Addition to the City of Klamath Falls, Oregon; thence from the point of beginning herein described, South 39°31' East, along the Southwesterly line of Front Street, 152.5 feet to a point; thence South 52°35' East, along the Southwesterly line of Front Street, 50 feet to a point; thence South 37°25' West to the shore of Upper Klamath Lake; thence Northwesterly along said shore of Upper Klamath Lake to a point which bears South 45°41' West from the point of beginning; thence North 45°41' East to the point of beginning; being a portion of Lot 10, Section 30, Township 38 South, Range 9 East of the Willamette Meridian.

PARCEL 2:


Beginning at a point on the Southerly side of Front Street, Buena Vista Addition to The City of Klamath Falls, Oregon, said point being situate South 14°27' East 496.7 feet thence South 58°41' East 374.3 feet; thence South 39°31' East 300.0 feet; and thence South 52°35' East 50.0 feet from the Southeasterly corner of Lot 92 Block 3, First Addition to Buena Vista Addition to the City of Klamath Falls, Oregon; thence from said point of beginning herein described, South 52°35' East, along the Southwesterly line of Front Street, 50.0 feet to a point; thence South 37°25' West 50 feet, more or less, to the shore of Upper Klamath Lake; thence Northwesterly along said shore of Upper Klamath Lake to a point which bears South 37°25' West from the point of beginning thence North 37°25' East 65 feet, more or less to the point of beginning, being a portion of Lot 10, Section 30, Township 38 South, Range 9 East of the Willamette Meridian.

And

Beginning at a point on the Southerly line of Front Street which is 399.0 feet westerly along said southerly line from the west line of Lot 27, Block 41, Buena Vista Addition to the City of Klamath Falls, extended southerly; said beginning point also being the northwest corner of parcel described in that certain Easement Deed from Klamath Falls Land and Transportation Co., to J. T. Totton and H. E. Hansberry, recorded in Volume 21 page 195, Deed Records of Klamath County, Oregon; thence southerly along the westerly line of last mentioned parcel to the shoreline of Upper Klamath Lake; thence westerly along said shoreline to the southeasterly corner of parcel conveyed to Hugh B. Currin, et ux by Deed recorded December 30, 1958, in Volume 308 page 256, Deed Records of Klamath County, Oregon; thence along the southeasterly line of last mentioned parcel North 37°25' East a distance of 50.0 feet, more or less, to the southerly line of Front Street; thence South 52°35' East along said southerly line a distance of 60.0 feet to the point of beginning.

NS

THIS IS TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL

659 

**NOTICE OF DEFAULT
AND ELECTION TO SELL**

SEP 11 PM 2:02

[Signature]
ATTORNEY FOR Trustee

RE: Trust Deed from
MIKE L. REYNOLDS and JENA REYNOLDS
PIKE

Vol M00 Page 33146

To Grantor
KLAMATH COUNTY TITLE COMPANY nka
FIRST AMERICAN TITLE INSURANCE
COMPANY

SPACE RESERVED
FOR
RECORDER'S USE

Trustee
After recording, return to (Name, Address, Zip):
JERRY M. MOLATORE
426 Main Street
Klamath Falls OR 97601

R-55877

Reference is made to that certain trust deed made by MIKE L. REYNOLDS and JENA REYNOLDS PIKE,
husband and wife, as grantor, to
KLAMATH COUNTY TITLE COMPANY nka FIRST AMERICAN TITLE INSURANCE COMPANY, as trustee,
in favor of CYRUS L. SMITH and NELL E. SMITH, as beneficiary,
dated June 15, 1994, recorded June 17, 1994, in the Records of
Klamath County, Oregon, ~~in book No.~~ volume No. M94 at page 19103, and/or as
~~fee/file/instrument/microfilm/reception No.~~ (indicate which), covering the following described real property
situated in the above-mentioned county and state, to-wit:

See attached Exhibit A

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor trustee have been made, except as recorded in the Records of the county or counties in which the above-described real property is situated. Further, no action has been instituted to recover the debt, or any part thereof, now remaining secured by the trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by grantor or other person owing an obligation, performance of which is secured by the trust deed, or by the successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is grantor's failure to pay when due the following sums:

Delinquent monthly payments in the total amount of \$7,246.90

By reason of the default, the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, those sums being the following, to-wit:

Principal and Interest:	\$168,007.26
Attorney's Fees:	\$ 904.50
Recording Fees:	\$ 52.00
Trustee's Sale Guarantee:	\$ 617.50
TOTAL:	\$169,581.26

(OVER)



Notice hereby is given that the beneficiary and trustee, by reason of the default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which grantor had, or had the power to convey, at the time of the execution by grantor of the trust deed, together with any interest grantor or grantor's successor in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

The sale will be held at the hour of 10 o'clock, A.M., in accord with the standard of time established by ORS 187.110 on January 25, 2000, at the following place: Front steps of the Government Center, 305 Main Street in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place last set for the sale.

Other than as shown of record, neither the beneficiary nor the trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to grantor or of any lessee or other person in possession of or occupying the property, except:

Name and Last Known Address

Nature of Right, Lien or Interest

NONE

NONE

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 the 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 fees not exceeding the amounts provided by ORS 86.753.

In construing this notice, 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 the trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

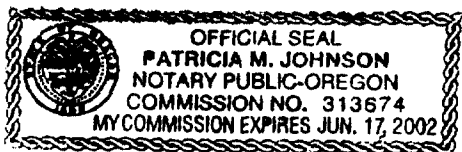
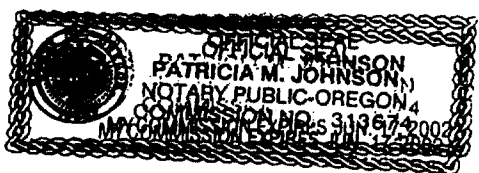
Dated September 8, 2000

Jerry M. Molatore
JERRY M. MOLATORE

Trustee Beneficiary (indicate which)

STATE OF OREGON, County of Klamath ss.
This instrument was acknowledged before me on September 8, 2000,
by Jerry M. Molatore
This instrument was acknowledged before me on _____, 19____,
by _____
as _____
of _____

Patricia M. Johnson
Notary Public for Oregon
My commission expires 6-17-2002



EE

661



In the Circuit Court of the State of Oregon

For the County of Klamath

JERRY M. MOLATORE

Successor Trustee, ~~PHILIP PIKE~~

vs. JENA REYNOLDS PIKE

Grantor, ~~Defendant/Respondent~~

Case No. _____

NOTICE OF SUBSTITUTED
OR OFFICE SERVICE, OR NOTICE OF SERVICE
UPON TENANT(S) OF A MAIL AGENT*

TO: JENA REYNOLDS PIKE, 1148 Front Street, Klamath Falls, Oregon 97601

You are hereby notified that you have been served with a ~~Subpoena~~ and** Trustee's Notice of Sale and Notice of Default & Election to Sell (hereafter called documents) in the above-titled court and cause, a true copy of which is attached hereto and enclosed herewith.

Service was made by delivering a true copy of the documents at your dwelling or usual place of abode, to-wit: 1148 Front Street, Klamath Falls Oregon, 97601, to Mike L. Reynolds, who is a person fourteen years of age or older and a member of your household, on September 20, 2000, at 9:06 o'clock A.M.

OR

Service was made by leaving a true copy of the documents with _____, the person who is apparently in charge of the office which you maintain for the conduct of your business at _____ on _____, during normal working hours, at _____ o'clock _____M.

Service was made by delivering a true copy of the documents to _____, a person apparently in charge of _____, a place where the business just named receives mail for you, its address being _____, on _____, at _____ o'clock _____M.

SIGNATURE OF ATTORNEY/AUTHOR FOR PLAINTIFF/PETITIONER
JERRY M. MOLATORE 70099
ATTORNEY'S/AUTHOR'S NAME (TYPE OR PRINTED) BAR NO. (IF ANY)
426 Main Street
ADDRESS
Klamath Falls OR 97601 (541) 884-773
CITY STATE ZIP PHONE

TRIAL ATTORNEY IF OTHER THAN ABOVE (TYPED OR PRINTED) BAR NO.

(OVER)

* ORCP 7 D(2) requires this notice and its enclosures be sent by first class mail.
** Specify: Complaint, Third Party Complaint, Petition for Dissolution of Marriage, etc.
PUBLISHER'S NOTE: A copy of the documents served by substituted service should be attached to this Notice.

AFFIDAVIT OF MAILING

STATE OF OREGON, County of Klamath) ss.

I, Patricia Johnson, being first duly sworn, depose, say and certify that:

I mailed an original Notice of Substituted or Office Service or Notice of Service Upon Tenant(s) of a Mail Agent, an exact and complete copy of which appears on the reverse, together with a true copy of the documents referred to therein and attached hereto, which documents were certified to be an exact and complete copy of the originals thereof by Jerry M. Molatore, attorney for the* Beneficiaries, to the person and to the address first appearing on page one of this notice.

The Notice set forth on page one and true copies of the documents were placed in a sealed envelope with first class postage thereon fully prepaid, and deposited by me in the United States Post Office at Klamath Falls, Oregon, on September 22, 2000, addressed as aforesaid.

Patricia Johnson

SUBSCRIBED AND SWORN TO before me on September 22, 2000



Marcie M. Lyman

Notary Public for Oregon

My commission expires Jan 3, 2004

UNOFFICIAL COPY

* Specify: Plaintiff, Third Party Plaintiff or Petitioner.

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

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

Legal#3607
Trustee's Notice of Sale
Mike L. Reynolds

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

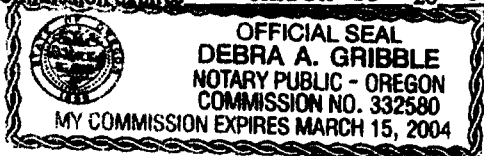
(4) insertion(s) in the following issues:
November 12, 19, 26, 2000
December 3, 2000

Total Cost: \$972.00
Larry L Wells

Subscribed and sworn before me this 3rd day of December 2000

Debra A Gribble
Notary Public of Oregon

My commission expires March 15 20 04



TRUSTEE'S NOTICE OF SALE

...the point of be...
...being a portion...
...of the...
...South...
...Klamath County, Or...
...the southerly...
...the westerly line...
...mentioned par...
...of the shore line of...
...Klamath Lake...
...the westerly line...
...shoreline to the...
...northeasterly corner of...
...conveyed to...
...B. Currying et ux...
...Deed recorded De...
...of 30, 1958 in Vo...
...page 256 Deed...
...of Klamath...
...the southeasterly...
...mentioned...
...North 37°25' East...
...distance of 50.0 feet...
...to the...
...the southerly line of Front...
...thence South...
...East along said...
...the southerly line a dis...
...distance of 60.0 feet to the...
...point of beginning.

Both the benefici...
...and the trustee...
...agreed to sell the...
...real property to...
...satisfy the obligations...
...secured by said trust...
...and a notice of de...
...has been recorded...
...to Oregon Re...
...Statutes...
...the default...
...made is gran...
...affidavit to pay...
...the following

LEGAL NOTICE
MONTHLY PAYMENTS IN THE TOTAL
AMOUNT OF \$7,243.96
By reason of said...
...the beneficiary...
...declared all sums...
...on the obligation...
...secured by said trust...
...to immediately be...
...payable said sums...
...the following to...
...OF SEPTEMBER 8...
...ING ALL INTER...
...2000

...Upper 1...
...Klamath...
...and Tran

AFFIDAVIT OF MAILING NOTICE TO VACATE

REYNOLDS FORECLOSURE
SALE DATE: January 25, 2001 @ 10:00 a.m.

STATE OF OREGON)
) ss.
County of Klamath)

I, PATRICIA M. JOHNSON, depose and say:

That I mailed a letter Notice to Vacate to the tenants as follows:

Mike Reynolds and
All Occupants of the Property at
1148 Front Street
Klamath Falls OR 97601

Jena Reynolds Pike
All Occupants of the Property at
1148 Front Street
Klamath Falls OR 97601

Mike Reynolds
Jena Reynolds Pike and
All Occupants of the Property at
1148 Front Street
Klamath Falls OR 97601

by mailing First Class and Certified Mail with Return Receipt Requested to each said person a true copy thereof, contained in a sealed envelope, with postage paid, addressed to each said person at their last known address, and deposited in the post office at Klamath Falls, Oregon, on this 27th day of December, 2000.

Patricia M. Johnson

PATRICIA M. JOHNSON

SUBSCRIBED AND SWORN to before me this 27 day of December, 2000.



Marcie M. Lyman

Notary Public for Oregon
My Commission Expires: Jan 3, 2004

JERRY M. MOLATORE
Attorney at Law

426 Main Street
Klamath Falls, OR 97601-6084

(541) 884-7731
FAX (541) 882-9828

Certified Mail with Return Receipt Requested and
First Class Mail

December 27, 2000

Mike Reynolds
Jena Reynolds Pike and
All Occupants of the Property at
1148 Front Street
Klamath Falls OR 97601

RE: NOTICE TO VACATE PREMISES

Dear Mr. Reynolds, Mrs. Reynolds Pike and All Occupants of the Property Known as
1148 Front Street, Klamath Falls Oregon 97601:

You are aware that I represent Cyrus Smith regarding foreclosure of the trust deed on the property located at 1148 Front Street. The foreclosure sale has been set for January 25, 2001. You are hereby notified that Mr. Smith, or a buyer at the sale, will be entitled to possession of the property on the 10th day following the sale. Mr. Smith, or a buyer at the sale, intends to remove all occupants of the property immediately upon their entitlement to possession.

Very truly yours,



JERRY M. MOLATORE

JMM:pmj

cc: Cy Smith

State of Oregon, County of Klamath
Recorded 01/08/01, at 11:11a. m.
In Vol. M01 Page 649
Linda Smith,
County Clerk Fee \$ 116⁰⁰