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PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

STATE OF OREGON
COUNTY OF KLAMATH

CASE #

mtc 52836

Vol M01 Page 17580

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:

*Trustee's Notice of Sale
For Occupants of 2020 Bronco Lane*

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

☒ **SUBSTITUTE SERVICE:** By delivering an Original or True Copy to Bob Terrell a person over the age of 14 who resides at the place of abode of the within named at said abode shown below for: Sherry Miller (sister), Mark Green (brother-in-law) + Yoneko Akatschi

☐ **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 of 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.

2020 Bronco Lane, Chilquín, OR. 97624

ADDRESS OF SERVICE

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

Jan. 19, 2001 9:00 am
DATE OF SERVICE TIME OF SERVICE

☐ or not found

By: _____

Dave Shuck

Dated this *19th* day of *January*, 2001.

Subscribed and sworn before me, *January 19, 2001*
date

Margaret A. Nielsen

Notary Public for Oregon



State of Oregon, County of Klamath
Recorded 04/20/01, at *2:29 p.m.*
In Vol. M01 Page *17580*
Linda Smith,
County Clerk Fee \$ *46.00*

EE

**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

Sherry A. Miller

To

Grantor

AmeriTitle

Trustee

After recording, return to (Name, Address, Zip):

SPACE RESERVED
FOR
RECORDER'S USE

17581



STATE OF OREGON,

County of _____

} ss.

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.

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,

County of Josephine

} ss.

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 fol-
lows:

Name of person to be served
(If unknown, so state)

Property Address

Sherry A. Miller

2020 Bronco Lane, Chiloquin, OR
97624

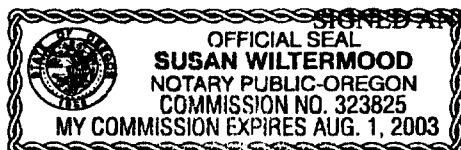
Occupants

2020 Bronco Lane, Chiloquin, OR 97624

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 JANUARY 24, 2001, 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.



SIGNED AND SWORN TO before me on

(ATTORNEY FOR) TRUSTEE

January 10th, 2001

Notary Public for Oregon

My commission expires 08/01/2003

PROOF OF SERVICE

17582



STATE OF _____, County of _____ 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 successor 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 _____, by delivering such true copy to him/her, personally and in person,
at _____, on _____, at _____ o'clock ____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 _____, 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.

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
(NAME OF CORPORATION, LIMITED PARTNERSHIP, ETC.)

(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.

SIGNED AND SWORN TO before me on _____

Notary Public for Oregon

My commission expires _____

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.

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: SHERRY A. MILLER**

Trustee: **AMERITITLE**

Successor Trustee: **MICHAEL J. BIRD**

Beneficiary: **ROBERT J. O'ROURKE AND ARLENE O'ROURKE, husband and wife or the survivor thereof**

2. **Property covered by the trust deed:**

See Exhibit "A" attached hereto and made a part hereof.

**Property Address:
2020 BRONCO LANE
CHILOQUIN, OR 97624**

3. The trust deed was dated October 10, 1997, and recorded October 17, 1997, in the mortgage records of Klamath County, Oregon, as Document No. 97-47116, Volume No. M97, page 34167, Official Records of Klamath County, Oregon;

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

(a) Monthly payments of \$668.00 each commencing July 16, 2000, and thereafter.

(b) Late penalty charge of 5% on each monthly payment thereafter not made within 15 days of due date.

(c) 2000/2001 delinquent real property taxes in the amount of \$21.22, plus interest thereon; 2000/2001 delinquent real property taxes in the amount of \$1,080.22, plus interest;

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

(a) The principal sum of \$49,828.41, plus accrued interest thereon at the rate of 16.000 percent per annum beginning 6/5/00, until paid.

(b) Late penalty charge of 5% on each monthly payment thereafter not made within 15 days of due date.

(c) 2000/2001 delinquent real property taxes in the amount of \$21.22, plus interest thereon; 2000/2001 delinquent real property taxes in the amount of \$1,080.22, plus interest;

(d) 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.

(e) Any other defaults which may exist prior to the foreclosure sale not hereinabove mentioned 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 December 22, 2000, as Volume No. M00, Page 46023, and re-recorded on January 3, 2001, as Volume No M01, Page 268, Official Records of Klamath County, Oregon.

7. The property will be sold in the manner prescribed by law on May 7, 2001, at 10:00 O'clock, A.M., standard time as established by ORS 187.110, at the front steps of AmeriTitle, 222 South Sixth Street, Klamath Falls, Oregon 97601, 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 10th day of January, 2001.



MICHAEL J. BIRD, SUCCESSOR TRUSTEE

A parcel of land situated in Sections 14 and 15, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of the West 1/2 West 1/2 Northwest 1/4 of said Section 14; thence North along the East line of said West 1/2 West 1/2 Northwest 1/4 183 feet to a point where said East line intersects the centerline of an existing access road said point hereafter being referred to a Point "A"; thence leaving said East line West 1/2 West 1/2 Northwest 1/4 and following said existing access road in a Westerly direction through portions of said Sections 14 and 15 the following courses and distances: North 61 degrees 48' 34" West, 483.18 feet to the beginning of a curve to the left; thence along the arc of a 293.3 feet radius curve to the left, 175.30 feet (delta = 34 degrees 14' 43") to the end of curve; thence South 86 degrees 56' 43" West, 174.64 feet to the beginning of a curve to the right; thence along the arc of a 576.01 feet radius curve to the right 135.84 feet (delta = 13 degrees 30' 45") to the end of curve; thence North 82 degrees 32' 32" West 150.41 feet to an angle point; thence North 88 degrees 43' 02" West, 281.85 feet to an angle point; thence North 82 degrees 51' 42" West, 205.13 feet to the beginning of a curve to the right; thence along the arc of 278.37 feet radius curve to the right 158.59 feet (delta = 32 degrees 38' 31") to a point of reverse curve; thence along the arc of a 458.60 feet radius curve to the left 227.21 feet (delta = 28 degrees 23' 15") to the end of curve; thence North 78 degrees 36' 26" West 436.87 feet to an angle point; thence North 75 degrees 35' 04" West 131.21 feet to the beginning of a curve to the left; thence along the arc of a 262.74 feet radius curve to the left 201.07 feet (delta = 43 degrees 50' 47") to the end of curve; thence South 60 degrees 34' 09" West, 315.67 feet to an angle point; thence South 54 degrees 20' 06" West, 422.43 feet to the beginning of a curve to the right; thence along the arc of a 333.03 feet radius curve to the right 122.21 feet to a point on curve (delta = 21 degrees 01' 33") said point on curve being a point where said road centerline intersects the Easterly boundary of that certain parcel of land described in Deed recorded in Deed Volume M75, page 437, Klamath County Deed Records said point also being referred to hereinafter as Point "B" thence leaving said road centerline South 02 degrees 31' 11" East, 429.72 feet to a 3/4 inch iron pin; thence South 68 degrees West, 208 feet to a 3/4 inch iron pin on the Easterly bank of the Williamson River; thence Southerly along the Easterly bank of said Williamson River to a point where said river bank intersects the South line of Government Lot 10 of said Section 15; thence East along the South line of said Government Lot 10 to the Southeast corner thereof; thence East along the South line of the North 1/2 Northeast 1/4 Southeast 1/4 of said Section 15 to the Southeast corner thereof; thence East along the South line of the Northwest 1/4 Northwest 1/4 Southwest 1/4 of said Section 14 to the Southeast corner thereof; thence North to the point of beginning.

TOGETHER WITH a non-exclusive private roadway easement for use in common with others over and across a strip of land 30.00 feet in width lying immediately adjacent to but Northerly of the roadway centerline described above running Westerly from Point "A" to Point "B".

ALSO TOGETHER WITH a tract of land situated in the E1/2 SW1/4 NW1/4 and NE1/4 NW1/4 SW1/4, Section 14, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Beginning at a point on the West line of said NE1/4 NW1/4 SW1/4 from which the Southwest corner of same (NW SW 1/64 Section 14) bears South 00 degrees 13' 09" West 346.24 feet; thence North 00 degrees 13' 09" East 320.02 feet, to the Northwest corner of same (C-W-W 1/64 Section 14); thence North 00 degrees 12' 49" East, along the West line of said E1/2 SW1/4 NW1/4, 174.49 feet; thence South 61 degrees 47' 24" East 75.16 feet; thence South 24 degrees 53' 45" East 81.93 feet; thence South 14 degrees 56' 04" West 398.10 feet to the point of beginning.

AND EXCEPTING THEREFROM a tract of land situated in the NW1/4 NW1/4 SW1/4, Section 14, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Beginning at the Southeast corner of said NW1/4 NW1/4 SW1/4 (NW SW 1/64 Section 14); thence South 89 degrees 35' 50" West along the South line of same, 94.31 feet; thence North 15 degrees 24' 42" East 359.84 feet to East line of same; thence South 00 degrees 13' 09" West 346.24 feet to the point of beginning.