

State of Oregon, County of Klamath
Recorded 08/08/2002 10:14 a m.
Vol M02, Pg 44698-03
Linda Smith, County Clerk
Fee \$ 46.00 # of Pgs 6

☐ TRUSTEE'S NOTICE OF DEFAULT AND ELECTION TO SELL

or

☒ TRUSTEE'S NOTICE OF SALE

Reference is made to that Trust Deed wherein Robert L. Hodges & Jewel A. King, with full rights of survivorship, is grantor; Aspen Title & Escrow, Inc., an Oregon Corporation is Trustee; and Bruce E. Brink and Helen Wolter, son and mother with full rights of survivorship, is Beneficiary, recorded in Official/Microfilm Records, Vol. M98, page 44047, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon:

All that portion of Lot 594, Block 108, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point 55 feet East from the Southwest corner of Lot 595, Block 108 of said Addition; thence East along the North line of Darrow Avenue 45 feet to the Southwest corner of Lot 593 of said Block and Addition; thence North at right angles to Darrow Avenue, and between the lot line of Lots 593 and 594 of said Block, 70 feet; thence West and parallel with Darrow Avenue 45 feet; thence South at right angles to Darrow Avenue 70 feet to the place of beginning.

Code 1 MAP 3809-33AC TL 16300-000 - Key No. R479789

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: Pymt in the amount of \$410.76 + \$5.00 buyer's escrow fee due December 10, 2001 and a like pymt due on the 10th day of each month thereafter; failure to pay real property taxes for the years 1999-00, 2000-01 and 2001-02.

The sum owing on the obligation secured by the trust deed is: \$38,864.60 plus interest at the rate of 12.% per annum from November 13, 2001, plus all applicable late charges, plus trustee's fees, attorney's fees, foreclosure costs, all applicable late charges, and any sums advanced by beneficiary pursuant to the terms of said trust deed.

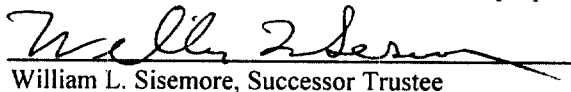
Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on August 8, 2002 at 10:00 o'clock a.m. based on standard of time established by ORS 187.110 at 803 Main Street., #201, 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.

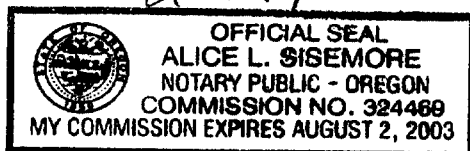
Dated: March 28, 2002.


William L. Sisemore, Successor Trustee

STATE OF OREGON, County of Klamath) ss

The foregoing was acknowledged before me on March 28, 2002, by William L. Sisemore,

, Notary Public for Oregon-My Commission Expires: 08/02/2003



Certified to be a true copy:

Attorney for Trustee

AL
Rt: Sisemore
OC

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
AND PROOF OF PERSONAL SERVICE ON OCCUPANTS

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 Trustee's Notice of Default and Election to Sell and Trustee's Notice of Sale given under the terms of that certain deed described in said notice.

 X (1) I gave notice of the sale of the real property described in the attached Notice of Default and Election to Sell and Trustee's Notice of Sale by mailing a copy thereof, certified by William L. Sisemore, to be a true copy of the original notice, by both first class and certified mail with return receipt requested by placing the notices in a sealed envelope, with postage thereon, fully prepaid, and deposited in the United States Mail at Klamath Falls, Oregon, on March 19, 2002, which was after the Trustee's Notice of Default and Election to Sell was recorded, to each of the following named persons. Said persons include (a) The grantor of the trust deed; (b) Any successor-in-interest to the grantor whose interest appears of record, or of whose interest the trustee or 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 lien or interest; (d) Any person requesting notice as required by ORS 86.785 (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

Linda Smith, Klamath County Clerk, 305 Main Street, Klamath Falls, OR 97601

Carter-Jones Collection, LLC, 1143 Pine Street, Klamath Falls, OR 97601

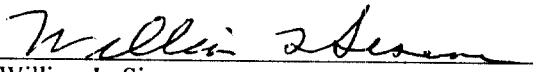
 X (2) The following persons were personally served as shown by Exhibit 1 attached hereto.

Robert Hodges, 2111 Darrow St., Klamath Falls, OR 97601

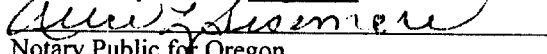
 (3) Personal service of Trustee's Notice of Sale was not required because the property is not occupied as shown by Exhibit attached hereto.

 X (4) The grantor(s) of the trust deed was/were not in the military service as shown by Exhibit 2 attached hereto.

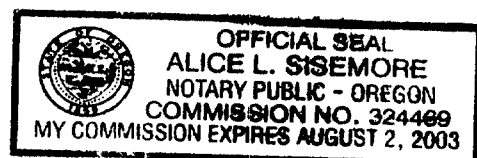
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.


William L. Sisemore

Subscribed and sworn to before me by the above-named person on August 8, 2002.


Notary Public for Oregon
My Commission Expires: 08/02/2003

After recording, return to:
William L. Sisemore
Attorney at Law
803 Main Street, #201
Klamath Falls, OR 97601



**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 # 4727

Notice of Sale/Hodges & King

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: (4)

Four

Insertion(s) in the following issues:

April 8, 15, 22, 29, 2002

Total Cost: \$486.00

Subscribed and sworn

before me on: April 29, 2002

Notary Public of Oregon

My commission expires March 15, 2004

**TRUSTEE'S
NOTICE OF SALE**

Reference is made to that Trust Deed wherein Robert L. Hodges & Jewel A. King, with full rights of survivorship, is grantor; Aspen Title & Escrow, Inc., an Oregon Corporation is Trustee; and Bruce E. Brink and Helen Wolter, son and mother with full rights of survivorship, is Beneficiary, recorded in Official/Microfilm Records, Vol. M98, page 44047, Klamath County, Oregon, covering the following described real property in Klamath County, Oregon: All that portion of Lot 594, Block 108, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point 55 feet East from the Southwest corner of Lot 595, Block 108 of said Addition; thence East along the North line of Darrow Avenue 45 feet to the Southwest corner of Lot 593 of said Block and Addition; thence North

Darrow Avenue, and between the lot line of Lots 593 and 594 of said Block, 70 feet; thence West and parallel with Darrow Avenue 45 feet; thence South at right angles to Darrow Avenue 70 feet to the place of beginning. Code 1 MAP 3809-33AC TL 16300-000-Key No. R479789.

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

The obligation se-

cured by the trust deed is in default because the grantor has failed to pay the following: Payment in the amount of \$410.76 + \$5.00 buyer's escrow fee due December 10, 2001 and a like payment due on the 10th day of each month thereafter; failure to pay real property taxes for the years 1999-00, 2000-01 and 2001-02.

The sum owing on the obligation secured by the trust deed is: \$38,864.60 plus interest at the rate of 12.9% per annum from November 13, 2001, plus all applicable late charges, plus trustee's fees, attorney's fees, foreclosure costs, all applicable late charges, and any sums advanced by beneficiary pursuant to the terms of said trust deed.

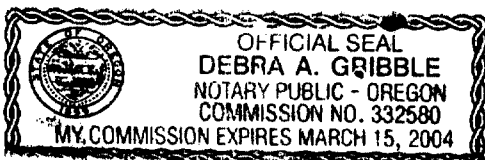
Beneficiary has and does elect to sell the property to satisfy the obligation pursuant to ORS 86.705 to 86.795.

The property will be sold as provided by law on August 8, 2002 at 10:00 o'clock AM based on standard of time established by ORS 187.110 at 803 Main Street, #201, 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: March 28, 2002. William L. Simmore, Successor Trustee. #4727 April 8, 15, 22, 29, 2002.



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 Robert L. Hodges and Jewel A. King, with full rights of survivorship, as grantor, conveyed to Aspen Title & Escrow, Inc., an Oregon Corporation, as trustee, certain real property in Klamath County, Oregon; which said trust deed was dated November 27, 1998, and recorded December 2, 1998, in the mortgage records of said county, in book/reel/volume M98, page 44047; thereafter a notice of default with respect to said trust deed was recorded March 29, 2002, in book/reel/volume M02, at page 18733, 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 August 8, 2002; 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.

STATE OF OREGON)
) SS
 County of Klamath)

 William L. Sisemore, Trustee

This instrument was acknowledged before me on August 8, 2002, by William L. Sisemore.

 Notary Public for Oregon
 My Commission Expires: 08/02/2003

After recording, return to:
William L. Sisemore
803 Main St., #201
Klamath Falls, OR 97601

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

44702

STATE OF OREGON
COUNTY OF

Klamath

COURT CASE NO.

0

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"/> Small Claim | <input type="checkbox"/> Order | <input type="checkbox"/> Subpoena | <input type="checkbox"/> Order to Show Cause |
| <input type="checkbox"/> Summons | <input type="checkbox"/> Motion | <input type="checkbox"/> Notice | <input checked="" type="checkbox"/> Trustee's Notice of Sale |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Petition | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Letter | <input type="checkbox"/> Writ of Continuing Garnishment |
| <input type="checkbox"/> | | <input type="checkbox"/> | |

For the within named: Occupants of 2111 Darrow St.
Klamath Falls, OR 97601

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

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

☐ 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: _____

☐ 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.

2111 Darrow
ADDRESS OF SERVICE STREET
Klamath Falls OR 97601
CITY STATE 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.

April 9, 2002 1:16 a.m. ☐ p.m. ☒ Ed Focanum
DATE OF SERVICE TIME OF SERVICE SIGNATURE

or not found
PRINTED IN OREGON

NOTICE OF SUBSTITUTE SERVICE

TO: Jewel A. King

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 Robert L. Hodges and Jewel A. King, with full rights of survivorship is/are grantor(s), to Aspen Title and Escrow, Inc., an Oregon Corporation, as Trustee, and Bruce E. Brink and Helen Wolter, son and mother with full rights of survivorship is/are beneficiary(ies), recorded in Mortgage Records of Klamath County, Oregon, Volume M98, page or document no. 44047, certified copy of which is attached hereto.

By Substitute Service on Robert L. Hodges, a person over the age of 14 years of age who resides at your place of abode on April 9, 2002, at 1:16 o'clock, p.m. at 2111 Darrow Ave., Klamath Falls, OR 97601.

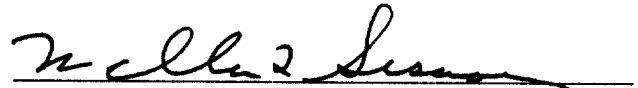

Attorney for Plaintiff(s)/Trustee

STATE OF OREGON)
County of Klamath) ss

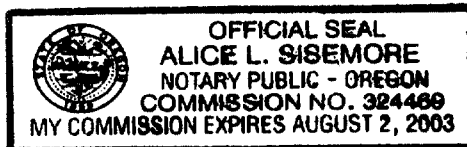
I, William L. Sisemore, certify that I am attorney for Plaintiff; I served a copy of Complaint and Summons together with the above notice of substitute service in a sealed envelope, plainly addressed to:

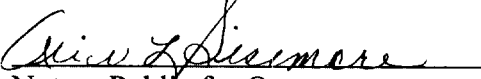
Jewel A. King
2111 Darrow Avenue
Klamath Falls, OR 97601

with postage fully prepaid, and deposited the same in the U. S. Mail at Klamath Falls, Oregon, on April 9, 2002.


William L. Sisemore
Attorney/Trustee for Bruce E. Brink

Subscribed and Sworn to before me this 9th day of April, 2002.




Notary Public for Oregon
My Commission Expires: 08/02/03