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

Vol M04 Page 00550RE: Trust Deed from
Pool/Wilson

'04 JAN 6 AM 10:04

To Grantor
AmerititleSPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath inty.
Recorded 01/06/2004 10:01 a m red.
Vol M04 Pg 550 - 53
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

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

PATRICK J. KELLY
ATTORNEY AT LAW
717 N.W. 5th ST.
SEASIDE, OR 97138

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 follows:

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

Property Address

Occupants

21527 Pinecrest Drive
Bly, OR 97622

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 4/30/2003, 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.

PATRICK J. KELLY (ATTORNEY FOR) TRUSTEE

SIGNED AND SWORN TO before me on 22nd December 2003

Kathryn L. Tobin
Notary Public for Oregon
My commission expires 12-15-06

PUBLISHER'S NOTE: An original Notice of Sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

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Rt: Throne
CC

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TRUSTEE'S NOTICE OF SALE

00551



Reference is made to that certain trust deed made by Russell L. Pool and Angie E. Wilson with the rights of survivorship, as grantor, to Amerititle, an Oregon Corporation, as trustee, in favor of Dewey L. Harrison & Alberta Harrison, Trustees of the Dewey L. and*, as beneficiary, dated May 11, 2000, ~~xxxxxx~~, recorded May 15, 2000, ~~xxxxxx~~, in the mortgage records of Klamath County, Oregon, in ~~book~~ volume No. M00 at page 17486, ~~xxxx~~ ~~sales/instrument/information/reception No. xxxxxxxxxxxxxxxx~~ (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 6 in BLOCK 3 of Tract 1093, Pinecrest, According to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

*Alberta Harrison Trust dated April 25, 1989.

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:

The February 11, 2002 monthly installment in the amount of \$646.88 and each month thereafter, plus buyer's fees of \$14.00, plus late charges in the amount of \$59.78.

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:

The unpaid principal balance of \$57,476.67 with interest thereon at 13.5% per annum from January 11, 2002.

WHEREFORE, notice hereby is given that the undersigned trustee will on August 28, 2002, ~~xxxx~~, at the hour of 11:00 o'clock, A M., in accord with the standard of time established by ORS 187.110, at Law office of Richard Fairclo, 280 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 April 30, 2002, ~~xxxxx~~

PATRICK J. KELLY

Trustee

State of Oregon, County of Josephine 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.

PATRICK J. KELLY

Attorney for said Trustee

SERVE: _____

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.

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES
ACT
15 USC SECTION 1692**

We are attempting to collect a debt and any information we obtain will be used for that purpose. The debt described in the Notice of Sale is assumed to be valid unless debtor disputes within 30 days and that, if disputed, debt collector will obtain and furnish to debtor the verification. If written request is made within 30 days by debtor, name of original lender will be given if different than the current creditor.

**WRITTEN REQUESTS SHOULD BE ADDRESSED TO: PATRICK J.
KELLY, ATTORNEY, 717 NW 5TH STREET, GRANTS PASS, OREGON
97526.**

PROOF OF SERVICE
JEFFERSON STATE ADJUSTERS

00553

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"/> 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 21527 PineCrest Drive

☒ PERSONALLY SERVED: Original or True Copy to within named, personally and in person to: Angie Pool and Russell Pool 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, 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.

<u>3949 South 6th Street</u>	<u>2nd Floor</u>
ADDRESS OF SERVICE	UNIT / APT / SPC#
<u>Klamath Falls</u>	<u>Oregon</u>
CITY	STATE
	<u>97603</u>
	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.

June 19, 2002 8:35 a.m. ☒ p.m. ☐
DATE OF SERVICE TIME OF SERVICE SIGNATURE
or not found
PRINTED IN OREGON Dave Shuck