

40381

VOL. 27 PAGE 3122

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF OREGON }  
COUNTY OF MULTNOMAH } SS

I, DONALD R. BURGESS, being first duly sworn, depose, 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 twenty-one years and not the beneficiary or his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed made, executed and delivered by Gertrude L. Wright, an unmarried woman, as grantor, to Oregon Title Company of Klamath County, as trustee, to secure certain obligations in favor of First National Bank of Oregon, a national banking association, as beneficiary, dated November 27, 1964, recorded November 30, 1964, in Mortgage Volume 227, page 422, of the Mortgage Records of Klamath County, Oregon, and more fully 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 registered or certified mail to each of the following-named persons at their respective last-known addresses, to wit:

- Gertrude L. McWhinney (formerly Gertrude L. Wright) 948 Ravenscourt, Apartment 4, San Jose, California 95128
  - Robert B. McWhinney, 948 Ravenscourt, Apartment 4, San Jose, California 95128
  - San-Car, Inc., 2486 Stevens Creek Boulevard, San Jose, California 95128
- By also sending a copy to:  
P. O. Box 1056, San Jose, California 95128

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AFFIDAVIT OF MAILING

STATE OF OREGON }  
COUNTY OF MULTNOMAH } SS

I, DONALD R. BURGESS, be and certify that:

At all times hereinafter resident of the State of Oregon, of twenty-one years and not the interest named in the attached the terms of that certain trust by Gertrude L. Wright, an unmar Title Company of Klamath Count obligations in favor of First banking association, as benef recorded November 30, 1964, of the Mortgage Records of K fully described in said not

I gave notice of in the attached notice of registered or certified ma at their respective last-

- Gertrude L. McWhinney (formerly Gertrude L. Wright) 948 Ravenscourt, Apartment 4, San Jose, California 95128
  - Robert B. McWhinney, 948 Ravenscourt, Apartment 4, San Jose, California 95128
  - San-Car, Inc., 2486 Stevens Creek Boulevard, San Jose, California 95128
- By also sending a copy to:  
P. O. Box 1056, San Jose, California 95128

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and also by sending a copy to:  
William J. Crowell, Resident Agent for  
San-Car, Inc., 402 N. Carson Street,  
Carson City, Nevada 89701

Transamerica Title Insurance Company  
David A. McClements  
Resident Agent  
315 S. W. Fourth Avenue  
Portland, Oregon 97204  
and also:

Larry Kerr  
Assistant Vice-President  
Transamerica Title Insurance Company  
600 Main Street  
Klamath Falls, Oregon 97601

Terry Klawitter, 703 N. 9th Street,  
Klamath Falls, Oregon 97601

Jackie Klawitter, 703 N. 9th Street,  
Klamath Falls, Oregon 97601

Mike Kent, 703 N. 9th Street,  
Klamath Falls, Oregon 97601

Nancy Kent, 703 N. 9th Street, Klamath  
Falls, Oregon 97601

Ron Carter, 703 N. 9th Street, Klamath  
Falls, Oregon 97601

Peggy Carter, 703 N. 9th Street, Klamath  
Falls, Oregon 97601

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Richard A. Edwards, 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 Portland, Oregon, on December 16, 1969. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

*Donald R. Burgess*

SUBSCRIBED and sworn to before me, this 22nd day of

December, 1969



*Betty Ann Egger*  
Notary Public for Oregon

My commission expires: 10-5-73

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Richard A. Edwards, 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 Portland, Oregon, on December 16, 1969. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

Terry Klawitter  
703 N. 9th Street  
Klamath Falls, Oregon 97601

Larry Kerr  
Assistant Vice-President  
Transamerica Title Insurance Company  
600 Main Street  
Klamath Falls, Oregon 97601

Terry Klawitter  
703 N. 9th Street  
Klamath Falls, Oregon 97601

Jackie Klawitter  
703 N. 9th Street  
Klamath Falls, Oregon 97601

Mike Kent  
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Klamath Falls, Oregon 97601

Nancy Kent  
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Klamath Falls, Oregon 97601

Ron Carter  
703 N. 9th Street  
Klamath Falls, Oregon 97601

Peggy Carter  
703 N. 9th Street  
Klamath Falls, Oregon 97601

Nov 22, 1969  
covered  
county

ALL of Block No. 2 City of Klamath Falls, Oregon

Transamerica  
successor trustee by  
and recorded in Volume  
of Klamath County, Oregon  
or said former trustee.  
Both the beneficiary  
sell said real estate  
trust

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ORIGINAL

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by Gertrude L. Wright, an unmarried woman, as grantor, to Oregon Title Company of Klamath County, as trustee, to secure certain obligations in favor of First National Bank of Oregon, a national banking association, as beneficiary, dated November 27, 1964, recorded November 30, 1964, in Mortgage Volume 227, page 422, of the Mortgage Records of Klamath County, Oregon, covering the following-described real property situated in said county and state, to wit:

Lot A in Block A of NICHOLS ADDITION to the City of Klamath Falls, Oregon, according to the Supplemental Plat of Block A of NICHOLS ADDITION now on file in the office of the County Clerk of Klamath County, Oregon;

ALSO two (2) feet off the Scutherly side of the alley and adjoining said Lot A, Block A, NICHOLS ADDITION, same having been granted by the passing of Ordinance No. 2040 by the Common Council of the City of Klamath Falls, Oregon, said Ordinance being recorded January 9, 1930, in Deed Volume 88 at page 470, Records of Klamath County, Oregon.

Transamerica Title Insurance Company was appointed successor trustee by a certain instrument dated September 19, 1969, and recorded in Volume M-69, page 8187, in the Mortgage Records of Klamath County, Oregon, and is now vested with all the powers of said former trustee.

Both the beneficiary and the trustee have elected to sell said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is grantor's failure to pay when due the following sums owing on said obligations, which sums are now past due, owing and delinquent:

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600 Main Street, in  
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said trust deed, toget  
her successors in inter  
trust deed

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\$95 due on May 1, 1969  
\$95 due on Jun 1, 1969  
\$95 due on Jul 1, 1969  
\$95 due on Aug 1, 1969  
\$95 due on Sep 1, 1969  
\$95 due on Oct 1, 1969  
\$95 due on Nov 1, 1969  
\$95 due on Dec 1, 1969

By reason of said default the beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed together with the interest thereon immediately due, owing and payable, said sums being the following, to wit:

\$8,896.37, together with interest thereon at the rate of 5 1/4 percent per annum from April 1, 1969, until paid, less balance, if any, in loan trust funds account at the time of sale.

A notice of default and election to sell and to foreclose was duly recorded in Volume M-69, page 10144, of said Mortgage Records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will, on Monday, the 4th day of May, 1970, at the hour of 11 a.m., at the office of Transamerica Title Insurance Company, 600 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 said described real property which the grantor had or had power to convey at the time of the execution by her of said trust deed, together with any interest which the grantor or her 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 the cost of a title search, a reasonable charge by the trustee and a reasonable attorneys' fee for trustee's attorneys. Notice is further given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment of the entire amount due (other than such portion of said principal as would not then be due had

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no default occurred) together with costs, trustee's and attorneys' fees at any time prior to five days before the date set for said sale.

In construing this notice and whenever the context hereof so requires, 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 her successors in interest; the word "trustee" includes any successor trustee and the word "beneficiary" includes any successor in interest of the beneficiary named in the trust deed.

DATED at Portland, Oregon, DECEMBER 10, 1969.

TRANSAMERICA TITLE INSURANCE COMPANY

By Donald R. Burgen

Trustee

STATE OF OREGON, }  
County of Klamath } ss.

Filed for record at request of:  
Transamerica Title Ins. Co.  
on this 21st day of April, A. D., 1970  
at 11:12 o'clock A. M. and duly  
recorded in Vol. M-70 of Mortgages  
Page 3122

WM. D. MILNE, County Clerk

By Charles S. (Hustison)  
Fee \$7.50 Deputy.

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STATE OF OREGON  
COUNTY OF KLAMATH

APR 21 11 12 AM 1970

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trustee  
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preceded