

70-544

45034

PAGE 8383

## AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF OREGON, County of Klamath, ss:

I, Gwen Schlumbohm

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 described in said notice; which notice of default and election to sell was recorded April 27, 1970 in M-70 at page 3295.

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:

NAME

ADDRESS

Grover C. Clark

3811 Kelley Drive  
Klamath Falls, Oregon  
3811 Kelley Drive  
Klamath Falls, Oregon

Feret J. Clark

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Quentin D. Steele, 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 May 14, 1970. 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.

Gwen Schlumbohm

STATE OF OREGON, County of Klamath, ss: September 21, 1970

Personally appeared the above named Gwen Schlumbohm who subscribed and swore to the foregoing affidavit and acknowledged the foregoing instrument to be his (her) voluntary act and deed.

Before me:

(SEAL)

SHERMAN E. HOLT  
NOTARY PUBLIC — OREGON

Notary Public for Oregon

My commission expires 4-14-74

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

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from

Grantor

TO

Trustee

AFTER RECORDING RETURN TO

RANSAMERICA TITLE INSURANCE CO.  
600 MAIN STREET  
KLAMATH FALLS, OREGON 97601

(DON'T USE THIS  
SPACE, RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

STATE OF OREGON,

County of } ss.

I certify that the within instru-  
ment was received for record on the  
day of , 19 ,  
at o'clock M., and recorded  
in book on page  
Record of Mortgages of said County.  
Witness my hand and seal of  
County affixed.

County Clerk—Recorder.

By

Deputy.

RETURN—SUBS

Reference  
FEREL J. C.  
Transamerica  
obligations in fav  
dated Octob  
page 8801  
described real pro

Lot J

Both the beneficiary  
said trust deed and to  
grantor's failure to p  
and delinquent:

\$3,184.  
per ann

By reason of said defau  
trust deed together with  
to-wit:

\$3,184.00  
per annum

A notice of default an  
M70 at page 3295  
WHEREFORE, NOT  
24th day of Sep  
as established by Section 137.  
in the City of Klamath  
auction to the highest bidder  
power to convey at the time of  
grantor or his successors in int  
thereby secured and the costs  
given that any person named in  
ceeding dismissed and the trust  
said principal as would not then  
any time prior to five days befo  
In construing this notice  
feminine and the neuter, the sin  
grantor as well



## TRUSTEE'S NOTICE OF SALE

8384

Reference is made to that certain trust deed made, executed and delivered by GROVER C. CLARK and FEREL J. CLARK, husband and wife, as grantor, to Transamerica Title Insurance Co., 600 Main Street, as trustee, to secure certain obligations in favor of EVELYN F. McATEE, a married woman, as beneficiary, dated October 14, 1969, recorded October 15, 1969, in book M69 at page 8801 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

Lot 13, Odessa Summer Home Sites, Klamath County, Oregon.

Both the beneficiary and the trustee have elected to sell the 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:

\$3,184.00 plus interest thereon at the rate of seven percent per annum from October 14, 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:

\$3,184.00 plus interest thereon at the rate of seven percent per annum from October 14, 1969.

A notice of default and election to sell and to foreclose was duly recorded April 27, 1970, in book M70 at page 3295 of said mortgage records, reference thereto hereby being expressly made. WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Thursday, the 24th day of September, 1970, at the hour of 11:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at 600 Main Street, Transamerica Title Insurance Co., 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 him of the said trust deed, together with any interest which the grantor or his 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 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 no default occurred) together with costs, trustee's and attorney's fees at any time prior to five days before the date set for said sale.

In construing this notice and whenever the context hereof, the masculine gender includes the feminine and the neuter, 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 their 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 Klamath Falls, Oregon, May 14, 1970.

TRANSAMERICA TITLE INSURANCE COMPANY, TRUSTEE

BY: *Jerry R.* Assistant Secretary  
Trustee

State of Oregon, County of

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Company

this 22nd day of September A. D., 1970 at 3:45 o'clock P. M., and duly recorded in Vol. M70 of Mortgages on Page 8383

fee \$3.00

WM. D. MILNE, County Clerk  
By *Phyllis Bettelge*

34

RETURN-RECEIPT

STATE OF  
County of

I HERE

day of

able to

and \$

I

day

of

1970

3:45 P.M.

that I am the

lisher of the

a newspaper of

finied by Chapter 1

published at Klamath

county and state; that the

notice

a printed copy of which is hereto

was published in the entire issue

newspaper for four

and consecutive week a

tion s) in the following issue s:

August 10, 17, 24, 31, 1970