

A-22544

77328

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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STATE OF OREGON)
) SS
COUNTY OF MULTNOMAH)

I, Robert C. Hunter, 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 Deed of Trust made, executed and delivered by JOHN D. MURPHY and ELLA F. MURPHY, husband and wife, as Grantor, to KLAMATH COUNTY TITLE COMPANY, as Trustee, to secure certain obligations in favor of FIRST NATIONAL BANK OF OREGON, as Beneficiary, dated December 9, 1971, recorded December 13, 1971, in Book M71, at Page 13050, of the Record of Mortgages 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 copies thereof by registered or certified mail to the following-named persons at their respective last-known addresses, to wit:

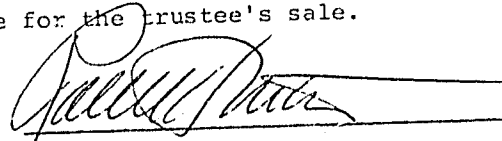
John D. Murphy
4213 Pepperwood Drive
Klamath Falls, Oregon

Ella F. Murphy
4213 Pepperwood Drive
Klamath Falls, Oregon


The notices so mailed were certified to be true copies of the original notice of sale by RICHARD A. EDWARDS, attorney for the trustee named in said notice; such copies were contained in sealed envelopes with postage thereon fully prepaid, and were deposited by me in the United States post office at Portland,

Oregon, on February 12, 1973. Said notices were 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.

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Robert C. Hunter

SUBSCRIBED and sworn to before me this 12th day of
February, 1973.


Notary Public for Oregon
My commission expires: 1-10-74

TRUSTEE'S NOTICE OF SALE

ORIGINAL 7742

Reference is made to that certain Deed of Trust made, executed and delivered by JOHN D. MURPHY and ELLA F. MURPHY, husband and wife, as Grantor, to KLAMATH COUNTY TITLE COMPANY, as Trustee, to secure certain obligations in favor of FIRST NATIONAL BANK OF OREGON, as Beneficiary, dated December 9, 1971, recorded December 13, 1971, in Book M71, at Page 13050, of the Record of Mortgages of Klamath County, Oregon, covering the following-described real property situated in said county and state, to wit:

Lot 7, Block 6, WINCHESTER No. 1025,
according to the official plat thereof
on file in the office of the County Clerk
of Klamath County, Oregon

PIONEER NATIONAL TITLE INSURANCE COMPANY was appointed successor trustee by a certain instrument dated January 23, 1973, and recorded January 26, 1973, in Book M73, at Page 928, of the Record of Mortgages of Klamath County, Oregon, and is now vested with all the powers of said former Trustee.

Both Beneficiary and Trustee have elected to sell said real property to satisfy the obligations secured by said Deed of Trust and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is the failure of Grantor to pay when due the following sums owing on said obligations:

\$167.00 due on Sep. 1, 1972
\$167.00 due on Oct. 1, 1972
\$167.00 due on Nov. 1, 1972
\$167.00 due on Dec. 1, 1972
\$167.00 due on Jan. 1, 1973
\$167.00 due on Feb. 1, 1973

and a like amount due on the first day of each month thereafter, which sums are now past due, owing and delinquent according to the terms of the promissory note described in said Deed of Trust. By reason of said default Beneficiary has declared the entire unpaid balance of all obligations secured by said Deed of Trust

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together with the interest thereon immediately due, owing and payable, said sums being the following to wit:

\$19,434.89, together with interest thereon at the rate of 7 percent per annum from August 1, 1972, until paid, less balance, if any, in loan trust fund account at time of sale.

A notice of default and election to sell and to foreclose was duly recorded on February 7, 1973, in Book M73, at Page 1389, of said Record of Mortgages, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN that the undersigned Trustee will, on Tuesday, the 3rd day of July, 1973, at the hour of 1:30 p.m., at the office of Klamath County Title Company, 422 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 said Grantor had or had power to convey at the time of the execution by Grantor of said Deed of Trust, together with any interest which said Grantor or the successors in interest to Grantor acquired after the execution of said Deed of Trust, 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 Deed of Trust 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 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 ⁷⁷⁴⁴
so requires, the word "Grantor" includes any successor in interest
to Grantor as well as any other person owing an obligation, the
performance of which is secured by said Deed of Trust and their
successors in interest; the word "Trustee" includes any successor
trustee and the word "Beneficiary" includes any successor in inter-
est of Beneficiary named in the Deed of Trust.

DATED at Portland, Oregon, February 12 1973.

PIONEER NATIONAL TITLE INSURANCE
COMPANY Trustee

By [Signature]
Assistant Secretary

STATE OF OREGON, }
County of Klamath } ss.

Filed for record at request of:
Klamath County Title
on this 19th day of June A. D., 1973
at 4:19 o'clock P. M. and duly
recorded in Vol. M73 of Mortgages
Page 7746

WM. D. MILNE, County Clerk

By [Signature] Deputy.
Fee \$10.00