

6135

## TRUSTEE'S NOTICE OF SALE

Vol. M81 Page 19239

Reference is made to that certain trust deed made, executed and delivered by Paul A. Montgomery, as grantor, to Transamerica Title Insurance Company, as trustee, to secure certain obligations in favor of Max V. Anderson and Violet R. Anderson, as beneficiary, dated June 15, 1979, recorded July 3, 1979, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M79 at page \_\_\_\_\_, or as document/fee/file/instrument/microfilm No. 15764 (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 13, Block 4, WEST CHILOQUIN, in the  
County of Klamath, State of 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:

Payment due June 15, 1981 in the sum of \$700.00

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:

\$3,800 with interest thereon at the rate of  
9-1/2% per annum from June 15, 1980

A notice of default and election to sell and to foreclose was duly recorded November 3, 1981, in book M81 at page 19190 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Friday, the 12th day of March, 1982, at the hour of 9:30 o'clock, A. M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at 540 Main Street, Suite 204 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 so requires, 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, November 4, 1981.

Trustee

State of Oregon, County of Klamath, ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee; that I have carefully compared the foregoing copy of trustee's notice of sale with the original thereof and that the foregoing is a true, correct and exact copy of the original trustee's notice of sale and of the whole thereof.

DATED at Klamath Falls, Oregon, this \_\_\_\_\_ day of November, 1981.

Attorney for said Trustee

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AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,  
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE

19240

STATE OF OREGON, County of Klamath, ss:

I, DONALD R. CRANE, 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 eighteen 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.

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:

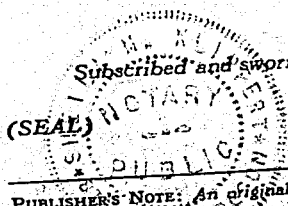
NAME  
Paul A. Montgomery

ADDRESS  
3725 Mayette Avenue, #7  
Santa Rosa, CA 95405

Said persons include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any person requesting notice as provided in ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Donald R. Crane, 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 November 4, 1981. 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.

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



Subscribed and sworn to before me this 4th day of November, 1981.

Shields M. Klepper  
Notary Public for Oregon. My commission expires 6-15-88

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 TO GRANTOR, SUCCESSOR IN INTEREST TO  
GRANTOR, AND PERSON REQUESTING NOTICE

RE: Trust Deed from

Paul A. Montgomery

Grantor

TO  
Transamerica Title Ins. Company

Trustee

AFTER RECORDING RETURN TO

Donald R. Crane  
540 Main St., Suite 204  
Klamath Falls, OR 97601

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

STATE OF OREGON,

County of Klamath, ss.

I certify that the within instru-  
ment was received for record on the  
4th day of November, 1981,  
at 3:52 o'clock P.M., and recorded  
in book/reel/volume No. M81 on  
page 19239 or as document/file/  
instrument/microfilm No. 6135,  
Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

Evelyn Biehn County Clerk  
By Benneth A. Petock Deputy  
Fee: \$8.00