

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

STATE OF OREGON, County of Klamath, ss:

I, Julie Beebe

, 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

ADDRESS

Jerry L. Weller

P. O. Box 1962  
Grants Pass, OR 97526

Coni L. Weller

P. O. Box 1962  
Grants Pass, OR 97526

Lot 39, Block 32 of Tract 1184-Oregon Shores-Unit 2-1st Addition, in the County of Klamath, State of Oregon.

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 Andrew A. Patterson, Assistant Secretary ~~xxxxxxx~~ 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 August 3, 1982. 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.

Julie Beebe

Subscribed and sworn to before me this 3rd day of August, 19 82.

Notary Public for Oregon. My commission expires 11-12-84

(SEAL)

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

Jerry L. & Coni L. Weller

Grantor

TO  
Transamerica Title Insurance Co.

Trustee

AFTER RECORDING RETURN TO

T/A - Julie

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

STATE OF OREGON,

County of \_\_\_\_\_

I certify that the within instru-  
ment was received for record on the  
\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded  
in book/reel/volume No. \_\_\_\_\_ on  
page \_\_\_\_\_ or as document/fee/file/  
instrument/microfilm No. \_\_\_\_\_  
Record of Mortgages of said County.

Witness my hand and seal of  
County affixed.

NAME

TITLE

By \_\_\_\_\_

Deputy

## TRUSTEE'S NOTICE OF SALE

16106

Reference is made to that certain trust deed made, executed and delivered by Jerry L. Weller and Coni L. Weller as grantor, to Transamerica Title Insurance Company, Inc. as trustee, to secure certain obligations in favor of Wells Fargo Realty Services, Inc., a California Corporation, as beneficiary, dated August 28, 19 79, recorded October 30, 19 79, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M-79 at page 25558, or as document/fee/file/instrument/microfilm No. 76201 (wherein), covering the following described real property situated in said county and state, to-wit:

Lot 39 in Block 32 of Tract 1184-Oregon Shores-Unit 2-1st Addition as shown on the map filed on November 8, 1978 in Volume 21, Page 29 of Maps in the office of the County Recorder of said County.

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: monthly installments of principal and interest due February, March, April, May, June and July 1982 in the amount of \$65.85 each; and subsequent installments in like amounts; and subsequent installments of assessment dues under the terms and provisions of the Note and Deed of Trust.

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: \$4,438.88 plus interest thereon from January 30, 1982 at the rate of (8.5%) EIGHT AND ONE HALF PERCENT PER ANNUM UNTIL PAID, and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Deed of Trust

A notice of default and election to sell and to foreclose was duly recorded August 3, 19 82, in book M-82 at page 9959 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Tuesday, the 30th day of November, 19 82, at the hour of 10:00 o'clock, A.M., Standard Time, in the City of Klamath Falls, Oregon Revised Statutes, at the front entrance of the County Courthouse as established by Section 187.110, Oregon Revised Statutes, 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, August 3, 19 82.

TRANSAMERICA TITLE INSURANCE COMPANY INC.

BY: [Signature] Trustee

State of Oregon, County of Klamath

I, the undersigned, certify that I am the Assistant Secretary 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 3rd day of August, 19 82.

TRANSAMERICA TITLE INSURANCE COMPANY INC.

BY: [Signature] Attorney for said Trustee

# Affidavit of Publication

16107

STATE OF OREGON,  
COUNTY OF KLAMATH

ss.

I, Sarah L. Parsons, Office Manager

being first duly sworn, depose and say that

I am the principal clerk of the publisher of  
the Herald and News

a newspaper of general circulation, as  
defined by Chapter 193 ORS, printed and  
published at Klamath Falls in the aforesaid  
county and state; that the

#120 Trustee's Sale-Weller

a printed copy of which is hereto annexed,  
was published in the entire issue of said  
newspaper for four

~~consecutive~~ consecutive week s ~~day~~  
(4 insertion s) in the following issue s: —

October 19, 1982

October 26, 1982

November 2, 1982

November 9, 1982

Total Cost: \$202.80

Sarah L. Parsons

Subscribed and sworn to before me this 9th  
day of November 19 82

[Signature]  
Notary Public of Oregon

My commission expires Jan 15 86

(COPIES OF THIS AFFIDAVIT MUST BE FILED WITH THE CLERK OF THE COURT IN THE COUNTY WHERE)

TRUSTEE'S NOTICE OF SALE.  
Reference is made to that certain  
trust deed made, executed and  
delivered by Jerry L. Weller and  
Constance L. Weller, as grantor, to  
Transamerica Title Insurance  
Company, Inc., as trustee, to  
secure certain obligations in favor  
of Wells Fargo Realty Services,  
Inc., a California Corporation, as  
beneficiary, dated August 20, 1979,  
recorded October 30, 1979, in the  
mortgage records of Klamath  
County, Oregon, in book No. M-79  
at page 25358, or as docu-  
ment/file/instrument/  
microfilm No. 76201, covering the  
following described real property  
situated in said county and state,  
to-wit:  
Lot 39 in Block 22 of Tract 1184-  
Oregon Shores Unit 3-1st Addition  
as shown on the map filed on  
November 18, 1979 in Volume 21,  
Page 29 of Maps in the office of the  
County Recorder of said County.  
Both the beneficiary and the  
trustee have elected to sell the said  
real property to satisfy the obliga-  
tions secured by said trust deed  
and to foreclose said deed by  
advertisement and sale; the de-  
fault 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: monthly installments  
of principal and interest due  
February, March, April, May,  
June, and July, 1982 in the amount  
of \$45.85 each; and subsequent  
installments in like amounts; and  
subsequent installments of  
assessment dues under the terms  
and provisions of the Note and  
Deed of Trust.  
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 pay-  
able, said sums being the follow-  
ing, to-wit: \$4,439.88 plus interest  
thereon from January 30, 1982 at  
the rate of (8.5%) EIGHT AND  
ONE HALF PERCENT PER  
ANNUM UNTIL PAID; and all  
sums expended by the beneficiary  
pursuant to the terms and pro-  
visions of the Note and Deed of  
Trust.  
A notice of default and election to  
sell, and to foreclose, was duly  
recorded August 3, 1982, in book  
M-82 at page 9959 of said mortgage  
records, reference thereto hereby  
being expressly made.  
WHEREFORE NOTICE  
HEREBY IS GIVEN that the  
undersigned trustee will, on Tues-  
day, the 30th day of November,  
1982, at the hour of 10:00 o'clock,  
A.M., Standard Time, as  
established by Section 187.110,  
Oregon Revised Statutes, at the  
front entrance to the County  
Courthouse, 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  
84.760 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 at-  
torney'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" in-  
cludes 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 suc-  
cessor in interest of the  
beneficiary named in the trust  
deed.  
DATED at Klamath Falls, Oregon,  
August 3, 1982.  
TRANSAMERICA TITLE IN-  
SURANCE COMPANY, INC.  
BY: Andrew A. Patterson, Trustee  
[22 Oct. 19, 26, Nov. 2, 9, 1982]

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

this 30 day of Nov A. D. 1982 at 9:54 o'clock A. M.

duly recorded in book M 82 of Meigs on file 16105

Fee \$12.00

By [Signature] EV. BYN BERN, Clerk