

17623

AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR, SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE Page 16119

STATE OF OREGON, County of Klamath, ss:

I, MARY LOU AYLING, 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
MICHAEL RICHARD SMITH	788 Mokapu Blvd., Kailu, HI 96734

Lot 47 Blk 44 Tract 1184, Oregon Shores Unit 2, 1st Addition

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, Ass't Secretary, XXXX 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 July 19 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.

Mary Lou Ayling
Mary Lou Ayling

Subscribed and sworn to before me this 19th day of July 1982.

(SEAL)

Julie
 Notary Public for Oregon, My commission expires 2/14/85.

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

MICHAEL RICHARD SMITH

Grantor

Transamerica ^{TO} Title Ins. Co.

Trustee

AFTER RECORDING RETURN TO

Mary Lou / TA

Julie

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

STATE OF OREGON,

County of ss.
 I certify that the within instrument 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

OE

TRUSTEE'S NOTICE OF SALE

16120

Reference is made to that certain trust deed made, executed and delivered by MICHAEL RICHARD SMITH, a single man, as grantor, to TRANSAMERICA TITLE INSURANCE COMPANY, a Calif. corp., as trustee, to secure certain obligations in favor of WELLS FARGO REALTY SERVICES, INC., a Calif. corp., as beneficiary, dated January 25, 1979, recorded March 1, 1979, in the mortgage records of Klamath County, Oregon, in book/reel/volume No. M 79 at page 4524, or as document/fee/file/instrument/microfilm No. (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 47 in Block 44 of Tract 1184, Oregon Shores, Unit 2, 1st Addition

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 for the months of November, December, 1981, January, February, March, April, May, June, 1982 in the amount of \$87.04 each, and subsequent installments that may become due plus subsequent assessment dues.

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: \$5,736.52 plus interest thereon at the rate of 8.5% per annum from October 20, 1981 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 July 1, 1982, in book M 82 at page 8329 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, 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 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, July 19, 1982.

TRANSAMERICA TITLE INSURANCE COMPANY INC.

BY: 

Andrew A. Patterson, Trustee, Ass't Secretary

State of Oregon, County of Klamath

I, the undersigned, certify that I am the Attorney/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 19th day of July, 1982.

TRANSAMERICA TITLE INSURANCE COMPANY INC.

BY: 

XXXXXXXXXX Trustee

Affidavit of Publication

16121

STATE OF OREGON,
COUNTY OF KLAMATH

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

#114 Trustee's Sale-Michael Smith

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

~~consecutive~~ consecutive week s ~~days~~,
(4 insertion s) in the following issue s:

October 19, 1982

October 26, 1982

November 2, 1982

November 9, 1982

Total Cost: \$187.20

Sarah L. Parsons

Subscribed and sworn to before me this 9th
day of November 1982

Kate Dacka
Notary Public of Oregon

My commission expires Jan 15 83

(COPY OF NOTICE TO BE PASTED HERE)

TRUSTEE'S NOTICE OF SALE
Reference is made to that certain
trust deed made, executed and
delivered by MICHAEL RICH-
ARD SMITH, a single man, as
grantor, to TRANSAMERICA TIT-
LE INSURANCE COMPANY, a
Calif. corp., as trustee, to secure
certain obligations in favor of
WELLS FARGO REALTY
SERVICES, INC., a Calif. corp., as
beneficiary, dated January 25,
1979, recorded March 1, 1979, in the
mortgage records of Klamath
County, Oregon, in book No. M 79
at page 4324, covering the follow-
ing described real property situat-
ed in said county and state, to-wit:
Lot 47 in Block 44 of Tract 1184,
Oregon Shores, Unit 2, 1st Addition.
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 for the months of
November, December, 1981,
January, February, March, April,
May, June, 1982 in the amount of
\$87.04 each, and subsequent
installments that may become due
plus subsequent assessment dues.
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:
\$3,736.52 plus interest thereon at
the rate of 8.5% per annum from
October 20, 1981 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 July 1, 1982, in book M 82
at page 8329 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 107.110,
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
that any person named in Section
86.760 of Oregon Revised Statutes
has the right to have the
foreclosure proceeding dismissed by
payment of the entire amount due
and the trust deed reinstated by
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,
July 19, 1982.
TRANSAMERICA TITLE IN-
SURANCE COMPANY, INC.
BY: Andrew A. Patterson, Ass't
Secretary, Trustee
#114 Oct. 19, 26, Nov. 2, 9, 1982

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record

this 30 day of Nov 1982 at 9:54 o'clock AM, and
duly recorded in Vol. MB2, of mtge on a 16119

Fee \$12.00

By ELLYN BIRN, Clerk