

25342

MTC 1903

Vol. 183 Page 10507

AFFIDAVIT OF MAILING NOTICE OF SALE
STATE OF OREGON, County of Lane, ss:

I, William S. Wiley, 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;

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof certified mail to each of the following named persons at their respective last known addresses:

NAME	ADDRESS	DATE OF MAILING
C. William Benson	5843 Mack Avenue Klamath Falls, OR 97601	March 1, 1983
	Meadow Wood Mall Reno, NV	March 1, 1983
Gail Rae Benson	1375 Evelyn, No. 6 Reno, NV 89502	March 1, 1983
Tenants in Possession	2616 View Drive Missoula, MT 59801	March 1, 1983
Carter Jones Credit Service	5843 Mack Avenue Klamath Falls, OR 97601	March 1, 1983
	c/o Leonard D. Jones, Reg. Agent 533 South 8th Street Klamath Falls, OR 97601	March 1, 1983

Each of the notices so mailed was certified to be a true copy of the original notice of sale by William S. Wiley, 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 Eugene, Oregon, on the date shown above. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded and in accordance with statutory requirements for the number of days before the day fixed in said notice by the trustee for the trustee's sale.

William S. Wiley
March 1, 1983.

STATE OF OREGON, County of Lane, ss:

the foregoing appeared the above named William S. Wiley, who subscribed and swore to the foregoing affidavit and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Norma M. Millard
Notary Public for Oregon. My commission expires: 8/16/86

After recording return to:
William S. Wiley
Attorney at Law
P. O. Box 1147
Eugene, OR 97440

AFFIDAVIT OF MAILING NOTICE OF SALE
STATE OF OREGON, County of Lane, ss:

10508

I, William S. Wiley, 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;

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof certified mail to each of the following named persons at their respective last known addresses:

NAME	ADDRESS	DATE OF MAILING
C. William Benson	1540 Lorena Street Sparks, NV 89431	March 17, 1983

Each of the notices so mailed was certified to be a true copy of the original notice of sale by William S. Wiley, 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 Eugene, Oregon, on the date shown above. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded and in accordance with statutory requirements for the number of days before the day fixed in said notice by the trustee for the trustee's sale.

STATE OF OREGON, County of Lane, ss:

Personally appeared the above named William S. Wiley, who subscribed and swore to the foregoing affidavit and acknowledged the foregoing instrument to be his voluntary act and deed.

William S. Wiley
March 17, 1983.

Before me:
Notary Public for Oregon. My commission expires: 8/16/86

After recording return to:
William S. Wiley
Attorney at Law
P. O. Box 1147
Eugene, OR 97440

10509



TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by C. WILLIAM BENSON and GAIL R. BENSON, husband and wife, as grantor, to PIONEER NATIONAL TITLE INSURANCE COMPANY, as trustee, to secure certain obligations in favor of PEOPLES MORTGAGE COMPANY, a Washington corporation, dated December 18, 1979, recorded January 10, 1980, in the mortgage records of Klamath County, Oregon, in ~~book 100~~ volume No. M80 at page 542, ~~XXXX~~ covering the following described real property situated in said county and state, to-wit:

Lot 4, POOLE HOME SITES, according to the official plat thereof on file in the office of the County Clerk of 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:

Monthly principal and interest payments in the amount of \$342.00 each for the months of July through December, 1982, and \$365.00 each for the months of January and February, 1983, plus late charges of \$13.68 each for the months of July through December, 1982, and \$14.60 each for the months of January and February, 1983.

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:

Principal amount of \$27,683.85, together with interest thereon at the rate of 11.5% per annum from June 1, 1982, plus accumulated late charges of \$38.80 and reserve overdraft of \$382.45.

A notice of default and election to sell and to foreclose was duly recorded February 22, 1983, ^{volume} ~~XXXX~~ M83 at page 2652 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Wednesday, the 20th day of July, 1983, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at main door of the Klamath County Cths., in the City of Klamath Falls, County of Oregon, 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 Eugene, Oregon, March 1, 1983

WILLIAM S. WILEY

Successor Trustee

P. O. Box 1147, Eugene, OR 97440

State of Oregon, County of _____, 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.

STATE OF OREGON: COUNTY OF KLAMATH ;ss

I hereby certify that the within instrument was received and filed for record on the 5th day of July A.D., 1983 at 11:39 o'clock A.M. and duly recorded in Vol. M83, of Mortgages on page 10507

EVELYN BIEHN COUNTY CLERK

by [Signature] Deputy

FEE \$12.00