



27308

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made, executed and delivered by BENJAMIN DAVIS and BETTY DAVIS, husband and wife, as grantor, to Mountain Title Company, as trustee, to secure certain obligations in favor of Forest Products Federal Credit Union, as beneficiary, dated April 12, 1982, recorded April 12, 1983, in book M82 at page 4520 of the mortgage records of Klamath County, Oregon, covering the following described real property situated in said county and state, to-wit:

The South 60 feet of Lot 4, Block 3, of ALTAMONT ACRES, 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 payments of \$646.22, principal and interest, the last such payment being made October 1, 1982.

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:

\$22,000 principal balance  
2,140.31 accrued interest to 3/28/83, and further accruing at rate of \$10.55 per day since that date

A notice of default and election to sell and to foreclose was duly recorded April 5, 1983, in book M83 at page 5130 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Thursday, the 25th day of August, 1983, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at 540 Main St., Ste. 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, April 20, 1983.

Successor

Trustee

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.

DATED at \_\_\_\_\_, Oregon, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Attorney for said Trustee

1983 AUG 23 PM 2 46

8.00 ch.

STATE OF OREGON, County of Klamath, ss:  
AFFIDAVIT OF MAILING NOTICE OF SALE TO GRANTOR,  
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE

14165

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  
Benjamin Davis & Betty Davis

ADDRESS  
P. O. Box 233  
Bonanza, Oregon 97623

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, Oregon, on April 20, 1983. 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 23 day of August, 1983  
(SEAL) Terrie L Stouffer  
Notary Public for Oregon. My commission expires 3-14-87

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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
TO \_\_\_\_\_ Grantor  
\_\_\_\_\_  
\_\_\_\_\_  
Trustee

AFTER RECORDING RETURN TO  
Crane & Bailey  
540 Main St.  
KFO 97601

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

STATE OF OREGON,  
County of Klamath } ss.

I certify that the within instrument was received for record on the 23 day of August, 1983, at 2:46 o'clock P.M., and recorded in book/reel/volume No. M83 on page 14164 or as document/fee/file/instrument/microfilm No. 27308, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn County Clerk  
NAME TITLE

By [Signature] Deputy  
8.00