

31534

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

Vol. m83 Page 21277

STATE OF OREGON, County of Multnomah, ss:

I, GEORGE C. REINMILLER

, 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
Mary J. Maricle
Herbert Maricle

ADDRESS
3979 Alahambra Ave # 325
Martinez, California 94553

Lawson S. Powers
Filomena S. Powers

1777 Gary Street
Klamath Falls, Oregon 97601

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 James Esterkin, 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 Portland, Oregon, on June 1, 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.

GEORGE C. REINMILLER - Successor-Trustee

Subscribed and sworn to before me this 1st day of December, 1983.

Notary Public for Oregon. My commission expires 2-22-87.

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

LAWSON S. POWERS
FILOMENA C. POWERS

Grantor

TO
TRANSAMERICA TITLE INSURANCE
COMPANY

Trustee

AFTER RECORDING RETURN TO
GEORGE C. REINMILLER
ATTORNEY AT LAW
1015 OREGON NATIONAL BUILDING
810 S.W. ALDEN
PORTLAND, OREGON 97205

(DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUN-
TIES 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 fee/file/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By NAME TITLE Deputy

83 DEC 13 PM 7 37

ck 16.02

890A

TRUSTEE'S NOTICE OF SALE

21278

Reference is made to that certain trust deed made by LAWSO S. POWERS and FILOMENA C. POWERS, husband and wife Transamerica Title Insurance Company, as grantor, to in favor of First Interstate Bank of Oregon, N.A., fka First National Bank*, as trustee, dated September 11, 19 78, recorded September 11, 19 78, in the mortgage records of Klamath County, Oregon, in book/~~rec~~/~~volume~~ No. M78, at page 20053, fee/file/instrument/microfilm/reception No. --- (indicate which), covering the following described real property situated in said county and state, to-wit:

The Northerly 60 feet of Lot 8, Block 63, NICHOLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

*Beneficial interest was assigned to the HOUSING DIVISION, DEPARTMENT OF COMMERCE, STATE OF OREGON, by Assignment dated November 6, 1978 and recorded November 9, 1978 in Book M-78 at page 25311 in Klamath County Records.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes; the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly installments of \$225.39 each, commencing with the payment due January 1, 1983 and continuing each month until this trust deed is reinstated or goes to Trustee's Sale; plus accrued late charges of \$58.80 as of May 16, 1983 and further late charges of \$11.76 on each delinquent payment after the 16th day of June, 1983; plus all other fees, costs and expenses associated with this foreclosure and less the escrow account reserve balance of \$58.80.

By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due and payable, said sums being the following, to-wit: The sum of \$31,486.68 with interest thereon at the rate of 7.25% per annum from December 1, 1982, until paid; plus all other fees, costs and expenses associated with this foreclosure and less the loan trust fund reserve balance of \$58.80.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 16, 19 83, at the hour of 1:00 o'clock, P.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at front door Klamath 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 to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred) together with costs and trustee's and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

In construing this notice, 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; the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED June 1, 19 83
 GEORGE C. REINMILLER
 610 S.W. Alder Street - 1015
 Portland, Oregon 97205 222-1331
 State of Oregon, County of Multnomah, ss:

GEORGE C. REINMILLER - Successor-Trustee
 Trustee

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

If the foregoing is a copy to be served pursuant to ORS 86.740(2) or ORS 86.750(1), fill in opposite the name and address of party to be served.

SERVE:

Attorney for said Trustee

OL

21279

TRUSTEE'S AFFIDAVIT AS TO NON-OCCUPANCY

STATE OF OREGON,

County of Multnomah

SS.

I, GEORGE C. REINMILLER

being first duly sworn, depose, say and certify that:

I am the Successor-

trustee in that certain trust deed executed and delivered by
LAWSON S. POWERS and FILOMENA C. POWERS, husband and wife as grantor
to Transamerica Title Insurance Company as trustee,
in which First Interstate Bank of Oregon, N.A., fka First National Bank
is beneficiary, recorded on September 11, 1983, in the mortgage records of Klamath
County, Oregon, in book/reel/volume No. M78, at page 20053 or as fee/file/instrument/microfilm/recep-
tion No. (indicate which), covering the following described real property situated in said county:

The Northerly 60 feet of Lot 8, Block 63, NICHOLS ADDITION TO THE
CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

I hereby certify that on June 1, 1983, the above described real property was not occupied by
any of the persons named in subsection 1 of Section 86.750, Oregon Revised Statutes.
The word "trustee" as used in this affidavit means any successor-trustee to the trustee named in the trust deed
first mentioned above.

GEORGE C. REINMILLER

Trustee

Subscribed, sworn to and acknowledged before me this 2nd day of December, 1983.

(SEAL)

Notary Public for Oregon

My Commission expires: 2-22-87

TRUSTEE'S AFFIDAVIT
AS TO NON-OCCUPANCY

RE: Trust Deed from
LAWSON S. POWERS
FILOMENA C. POWERS
Grantor

to
TRANSAMERICA TITLE INSURANCE
COMPANY
Trustee

AFTER RECORDING RETURN TO

GEORGE C. REINMILLER

ATTORNEY AT LAW

1015 OREGON NATIONAL BUILDING

810 S.W. ALDER

PORTLAND, OREGON 97206

(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 fee/file/instru-
ment/microfilm/reception No.
Record of Mortgages of said County.

Witness my hand and seal of
County affixed.

NAME

TITLE

By Deputy

Affidavit of Publication

21280

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

#284 Trustee's Sale-Powers

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

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

Oct. 13, 1983

Oct. 20, 1983

Oct. 27, 1983

Nov. 3, 1983

Total Cost: \$195.00

Sarah L. Parsons

Subscribed and sworn to before me this 3rd
day of November 1983

Leta Bucka
Notary Public of Oregon

My commission expires Jan 15 86

STATE OF OREGON: COUNTY OF KLAMATH: ss
I hereby certify that the within instrument was received and filed for
record on the 13th day of December A.D., 1983 at 1:37 o'clock PM,
and duly recorded in Vol M83, of Mortgages on page 21277.

Fee \$ 16.00

EVELYN BIEHN, COUNTY CLERK
by Ann Smith, deputy

(COPY OF NOTICE TO BE PASTED HERE)

TRUSTEE'S NOTICE OF SALE
Reference is made to that certain
trust deed made by LAWSON S.
POWERS AND FILOMENA C.
POWERS, husband and wife, as
grantors to Transamerica Title
Insurance Company, as trustee,
in favor of First Interstate Bank
of Oregon, N.A., fka. First Na-
tional Bank, as beneficiary,
dated September 11, 1978, re-
corded September 11, 1978 in the
mortgage records of Klamath
County, Oregon in book No. M78
at page 20053, covering the
following described real property
situated in said county and state,
to-wit: The Northerly 60 feet of Lot 8,
Block 63, NICHOLS ADDITION
TO THE CITY OF KLAMATH
FALLS, in the County of
Klamath, State of Oregon.
Beneficial interest was assigned
to the HOUSING DIVISION,
DEPARTMENT OF COM-
MERCE, STATE OF OREGON,
by Assignment dated November
6, 1978 and recorded November 9,
1978 in Book M-78 at page 25311 in
Klamath County Records.
Both the beneficiary and the
trustee have elected to sell the
said real property to satisfy the
obligations secured by said trust
deed and a notice of default has
been recorded pursuant to Section
86.375(3) of Oregon Revised Stat-
utes; the default for which the
foreclosure is made is grantor's
failure to pay when due the
following sums: Monthly in-
stallments of \$325.39 each, com-
mencing with the payment due
January 1, 1983 and continuing
each month until this trust deed is
reinstated or goes to Trustee's
Sale; plus accrued late charges of
\$58.80 as of May 16, 1983 and
further late charges of \$11.76 on
each delinquent payment after
the 16th day of June, 1983; plus
all other fees, costs and expenses
associated with this foreclosure
and less the escrow account
reserve balance of \$58.80.
By reason of said default the
beneficiary has declared all ob-
ligations secured by said trust
deed immediately due and pay-
able, said sums being the follow-
ing, to-wit:
The sum of \$31,486.68 with inter-
est thereon at the rate of 7.25%
per annum from December 1,
1982, until paid; plus all other
fees, costs and expenses
associated with this foreclosure
and less the loan trust fund
reserve balance of \$58.80.
WHEREFORE notice hereby is
given that the undersigned trust-
ee will on December 16, 1983, at
the hour of 1:00 o'clock PM
Standard Time, as established by
Section 187.110, Oregon Revised
Statutes, at front door Klamath
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 suc-
cessors in interest acquired after

the execution of said trust deed,
to satisfy the foregoing obliga-
tions 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 to the beneficiary of the
entire amount then due (other
than such portion of said prin-
cipal as would not then be due
had no default occurred),
together with costs, trustee's and
attorney's fees as provided by
law, at any time prior to five
days before the date set for said
sale.
In construing this notice, 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, the word
"trustee" and "beneficiary" in-
cludes their respective successors
in interest, if any.
DATED at June 1, 1983.
GEORGE C. REINMILLER
Successor Trustee
610 S.W. Alder Street - 1015
Portland, Oregon 97205
#284 Oct. 13, 20, 27, Nov. 3, 1983