

37866

Vol. 184 Page 10219

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

STATE OF OREGON, County of COOS, ss:

I, Sandra K. Davis

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. That Coos County Title & Escrow 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

Raymond M. Gray Jr.

P.O. Box 308  
Tahoe Vista, Ca. 95732

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 Richard Mensinger, Assistant Secretary 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 January 24, 1984. 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 18

(SEAL)

Sandra K. Davis, Secretary  
Coos County Title & Escrow Co.,  
day of JUNE, 1984

Notary Public for Oregon. My commission expires 8-30-87

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

Grantor

TO

Trustee

AFTER RECORDING RETURN TO

Coos County Title & Escrow Co.  
220 S. 4th St.  
Coos Bay, Ore. 97420

(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/instru-  
ment/microfilm/reception No.  
Record of Mortgages of said County.  
Witness my hand and seal of  
County affixed.

NAME

TITLE

By Deputy

## TRUSTEE'S NOTICE OF SALE

10220

Reference is made to that certain trust deed made, executed and delivered by Raymond M. Gray, Sr. and Raymond M. Gray, Jr., as grantor, to Transamerica Title #1, as trustee, to secure certain obligations in favor of Mattco Property Investment Corporation, a Texas Corp., as beneficiary, dated 13 April, 1983, recorded 9 June, 1983, in the mortgage records of Klamath County, Oregon, in ~~book~~ volume No. M83 at page 9095, or as document/fee/file/instrument/microfilm No. \_\_\_\_\_ (indicate which), covering the following described real property situated in said county and state, to-wit:

## SEE ATTACHED EXHIBIT "A"

- \*1 Coos County Title & Escrow Co. has been appointed successor Trustee, 220 South 4th St., Coos Bay, Ore. 97420.
- \*2 The Beneficiary interest was assigned to Klamath Falls Investment Group, Howard V. Mathews General Partner. Said assignment was recorded in Vol M84 Page 971 and recorded on January 18, 1984. 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 for the months of November, December (1983) and January (1984) in the amount of \$14,257.81 together with monthly late fees from October (1983) of \$712.89 per month; and subsequent installments of like amounts; subsequent amounts for assessments due 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: \$937,500.00 plus interest thereon from October 9, 1983 at the rate of eighteen and onequarter (18.25%) per cent 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 January 18, 1984, in book M84 at page 974 of said mortgage records, reference thereto hereby being expressly made.

WHEREFORE, NOTICE HEREBY IS GIVEN That the undersigned trustee will on Monday 25 day of June, 1984, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at front entrance of 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 Coos Bay, Oregon, JAN 24, 1984.

ESTI TITLE & ESCROW, INC. DBA COOS COUNTY TITLE & ESCROW CO.

Trustee RICHARD MENSINGER  
SECRETARY

State of Oregon, County of Coos Assistant Secretary

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 Coos Bay, Oregon, this 11th day of June, 1984.

Sandra K. Davis  
Assistant Secretary for said Trustee

PARCEL 1

A tract of land situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at the intersection of the Southerly line of Pine Street and the Easterly line of Eleventh Street in the City of Klamath Falls, Oregon; thence Northeasterly along said Southerly line of Pine Street 170 feet to a point thereon distant 50 feet Southwesterly along said Pine Street from the most Westerly corner of Lot 5, Block 3, Hot Springs Addition to the City of Klamath Falls, Oregon; thence Southeasterly and parallel with said Easterly line of Eleventh Street 112 feet; thence Southwesterly parallel to said Pine Street, 50 feet; thence Southeasterly parallel with Eleventh Street 8 feet; thence Northeasterly and parallel with the Northerly line of Main Street in the City of Klamath Falls, Oregon, 125 feet; thence Southeasterly and parallel with said Easterly line of Eleventh Street 120 feet to said Northerly line of Main Street at a point thereon distant 50 feet Southwesterly from the Southwest corner of Lot 6, Block 3, Hot Springs Addition to the City of Klamath Falls, Oregon; thence Southwesterly along said Northerly line of Main Street 245 feet to the Northeast corner of Main Street and Eleventh Street; thence Northwesterly along the Easterly line of Eleventh Street to the point of beginning.

PARCEL 2

A tract of land situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Commencing at the point on the Southerly line of Pine Street which is distant 50 feet Southwesterly along said Pine Street from the most Westerly corner of Lot 5, Block 3, Hot Springs Addition to the City of Klamath Falls, Oregon, and thence running Southeasterly and parallel with the Easterly line of Eleventh Street a distance of 112 feet to the true point of beginning of this description; thence Southwesterly and parallel to said Pine Street 50 feet; thence Southeasterly and parallel with Eleventh Street 8 feet; thence Northeasterly and parallel with the Northerly line of Main Street a distance of 50 feet; thence Northwesterly and parallel with Eleventh Street a distance of 8 feet, more or less, to said true point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 19th day of June, A.D., 19 84 at 10:26 o'clock A M, and duly recorded in Vol. M84, of Mortgages on page 10219

EVELYN BIEHN, COUNTY CLERK

by: Ann Smith, Deputy

Fee: \$ 12.00