

40826

Aspen F-27319

Vol. 1484 Page 15265

STATE OF OREGON, County of Klamath, ss:

I, Joan Graham,

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

Roger Neil Hart

4407 Witten SE
Salem, Oregon 97301

Debra Kay Hart

4407 Witten SE
Salem, Oregon 97301

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 Aspen Title & Escrow, Inc., 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 Falls, Oregon, on April 23, 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.

Joan Graham
Joan Graham

Subscribed and sworn to before me this 25 day of April, 1984.

Sandra Handsaker
Notary Public for Oregon. My commission expires 7-23-85

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

Roger Neil Hart

Debra Kay Hart

Grantor

TO
Aspen Title & Escrow, Inc.

Trustee

AFTER RECORDING RETURN TO

ASPEN TITLE & ESCROW, INC.
600 MAIN STREET
KLAMATH FALLS, OREGON 97601

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 attixed.

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

NAME

TITLE

By _____

Deputy

15266

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by DEBRA KAY HART, as grantor, to TRANSAMERICA TITLE INSURANCE COMPANY - AN OREGON CORPORATION * 1, as trustee, in favor of WELLS FARGO REALTY SERVICES, INC. - A CALIFORNIA CORP., as beneficiary, dated September 1, 1979, recorded December 17, 1979, in the mortgage records of Klamath County, Oregon, in book/ref/volume No. M-79 at page 28919 ~~of file/instrument/minutes/reception No.~~ (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 24. Block 3. Tract 1023, KLAMATH COUNTRY, in the County of Klamath. State of 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 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 principal and interest due for the months of October through December (1982), January through December (1983) and January, February, March and April, (1984) in the amount of \$41.44 each; 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 all obligations secured by said trust deed immediately due and payable, said sums being the following, to-wit:
\$2,833.57 plus interest and late charges thereon from October 1, 1982 at the rate of Nine (9%) percent per annum until paid and all sums expended by the Beneficiary pursuant to the terms and provisions of the Note and Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee will on September 7, 1984, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at ASPEN TITLE & ESCROW, INC., 600 Main Street 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 4-12, 1984 ASPEN TITLE & ESCROW, INC.

[Signature]
Trustee

State of Oregon, County of Klamath

Assistant Secretary

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.

Attorney for said Trustee

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:

1* Aspen Title and Escrow has been appointed successor Trustee, 600 Main Street, Klamath Falls, Oregon 97601. In vol. M-84 Page 5414, Klamath County

STATE OF OREGON: COUNTY OF KLAMATH:ss
I hereby certify that the within instrument was received and filed for record on the 4th day of September A.D., 1984 at 3:37 o'clock P M, and duly recorded in Vol. M84, of Mortgages on page 15265.

EVELYN BIEHN, COUNTY CLERK

by: *[Signature]*, Deputy

Fee: \$ 8.00