

41877
Vol. 1484 Page 17131
STATE OF OREGON, County of Multnomah, ss:
SUCCESSOR IN INTEREST TO GRANTOR AND PERSON REQUESTING NOTICE

I, ANDREW H. WINFREE, 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
James R. Adair	12543 S. E. Linwood, Milwaukie, Oregon
James H. Spurlock	3846 LaMirada, Klamath Falls, Oregon
Mary Ann Spurlock	26923 Sand Canyon Road, Canyon Country, California

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 Andrew H. Winfree, ~~attorney for the trustee~~ 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 5, 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.

Andrew H. Winfree
Successor Trustee

Subscribed and sworn to before me this 28th day of September, 1984.
(SEAL) Notary Public for Oregon. My commission expires 12/7/87

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
JAMES R. ADAIR
Grantor
TO
KLAMATH COUNTY TITLE COMPANY
Trustee

AFTER RECORDING RETURN TO

Andrew H. Winfree
421 S. W. Sixth Avenue
Portland, Oregon 97204

(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/instrument/microfilm/reception No. _____.
Record of Mortgages of said County.
Witness my hand and seal of County affixed.

By _____ TITLE _____ Deputy

890A 13.00

TRUSTEE'S NOTICE OF SALE

17132

Reference is made to that certain trust deed made by JAMES R. ADAIR, as grantor, to
KLAMATH COUNTY TITLE COMPANY, as trustee,
in favor of ESTATE OF B. MARGUERITE WHYDAL, as beneficiary,
dated March 6, 1981, recorded March 18, 1981, in the mortgage records of
Klamath County, Oregon, in Book 181, at page 4972,
~~and in the mortgage records of the County of Klamath, Oregon, in Book 181, at page 4972,~~
property situated in said county and state, to-wit: (Indicate which), covering the following described real

SEE EXHIBIT "A" ATTACHED HERETO.

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: The entire principal balance and accrued interest thereon which became due and payable on April 1, 1984.

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: \$181,000.00, plus interest from March 4, 1981 through March 31, 1984 in the sum of \$20,278.06, plus interest on the sum of \$181,000.00 at the rate of 12% per annum from April 1, 1984, until paid, plus late charges in the amount of \$20.12.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 11, 1984, at the hour of 10:00 o'clock, AM., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at the 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 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 5, 1984

421 S. W. Sixth Avenue - Suite 1100
Portland, Oregon 97204
Successor 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.~~
By: BAUER, WINFREE, ANDERSON, FOUNTAIN & SCHAUB, P.C.
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:~~

DESCRIPTION

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PARCEL 1:

Beginning at the most Westerly corner of a parcel of land conveyed by Kincaid to Lillard as described in a deed recorded in Klamath County Deed Records, Volume 114 page 586, which point of beginning, is on the Northerly right of way line of Lakeshore Drive and is South 75°29' East a distance of 118.42 feet from the most Northerly corner of Lot 26 in Ouse Kila Homesites, thence South 45°03' East a distance of 36.78 feet; thence Southeasterly along the arc of a curve which designates the Northerly right of way line of said Lakeshore Drive, whose radius is 380.9 feet in length, a distance of 163.22 feet; thence North 25°0' East a distance of 200 feet, more or less, to the shore-line of Upper Klamath Lake; thence Westerly along said shore-line a distance of 150 feet, more or less, to a point which is North 48°43' East from the point of beginning; thence South 48°43' West a distance of 136 feet, more or less, to the point of beginning, being a parcel of land in the NE¼NE¼ of Section 26, Township 38 South, Range 8 East of the Willamette Meridian.

PARCEL 2:

Beginning at a point on the East right of way line of Secondary Highway No. 421 which lies North 89°59' East (this bearing is South 89°57' East in Lakewood Heights) a distance of 1375.08 feet and South 44°08' East along the East right of way line of the Highway a distance of 78.29 feet from the iron pin which marks the quarter section corner common to Sections 23 and 26, Township 38 South, Range 8 East of the Willamette Meridian in Klamath County, Oregon, (note this point of beginning marks the most Westerly corner of the tract described on page 531, Volume 164, Deed records of Klamath County, Oregon) and running thence North 48°43' East along the Northwesterly line of the above noted tract a distance of 138.5 feet to a point on the shore line of Upper Klamath Lake; thence North 66°17' West along the shore line of Upper Klamath Lake a distance of 12.76 feet to an iron pin; thence South 43°45' West a distance of 133.6 feet, more or less, to the point of beginning, said parcel being in Section 23, Township 38 South, Range 8 East of the Willamette Meridian and Section 26, Township 38 South, Range 8 East of the Willamette Meridian.

EXHIBIT "A"

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 October A.D., 1984 at 2:15 o'clock P M, and duly recorded in Vol M84, of Mortgages on page 17131.

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith, Deputy

Fee: \$ 12.00 Index: \$1.00