

56596

ASPEN F-29026

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol 1485 Page 20747

I, Sandra K. Handsaker, being first duly sworn, depose, and 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 the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME  
James N. Koehler

ADDRESS  
1362 Lance Drive  
Tustin, CA 92680

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.\*  
Each of the notices so mailed was certified to be a true copy of the original notice of sale by ANDREW A. PATTERSON, 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 August 23, 19 85. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.  
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 December, 19 85.  
(SEAL) PUBLIC

Notary Public for Oregon. My commission expires 7-31-88.  
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

RE: Trust Deed from

James N. Koehler

Grantor

TO  
Transamerica Title Insurance Company

Trustee

AFTER RECORDING RETURN TO  
Aspen Title & Escrow, Inc.  
600 Main Street  
Klamath Falls, Oregon 97601

(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 85, 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

5 DEC 23 AM 10 58

ASPEN F-289026  
TRUSTEE'S NOTICE OF SALE

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE. 97204

20748

Reference is made to that certain trust deed made by JAMES N. KOEHLER  
TRANSAMERICA TITLE INSURANCE COMPANY  
in favor of WELLS FARGO REALTY SERVICES, INC., Trustee  
dated April 15, 1978, recorded May 18, 1978, in the mortgage records of  
Klamath County, Oregon, in book/record No. M-78 at page 10398,  
property situated in said county and state, to-wit:

Lot 15, Block 21, Tract No. 1113, OREGON SHORES -  
UNIT #2, 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 June and July, 1985 in the amounts of \$66.79 each, and subsequent installments of like amounts and delinquent taxes in the amount of \$513.83 plus interest, and Subsequent amounts for assessments due under the terms and provisions of the Note and Trust Deed.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:  
\$2,734.36 plus interest and late charges, thereon from May 1, 1985, at the rate of EIGHT (8%) 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.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 26, 1985, 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, Klamath Falls, Klamath County, 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 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then to be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said Section 86.753 of Oregon Revised Statutes.

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, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED August 21, 1985, ASPEN TITLE & ESCROW, INC.

State of Oregon, County of Klamath  
I, the undersigned, certify that I am the Assistant Secretary 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 or ORS 86.750(1), fill in opposite the name and address of party to be served.

Assistant Secretary  
SERVE:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of of December A.D. 19 85 at 10:58 o'clock A.M., and duly recorded in Vol. M85 day 23rd on Page 20747.  
Evelyn Biehn County Clerk  
By

FEE \$9.00