

I, WENDY YOUNG, being first duly sworn, depose, say and certify that:  
At all times hereinafter mentioned, I was a resident of the State of Oregon.

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of twenty-one 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, recorded January 8, 1985 in Klamath County, Oregon at Page 341-342, Volume No. M85, Microfilm No. 44782

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by certified mail to each of the following named persons at their respective last known addresses, to-wit:

Name \_\_\_\_\_

Name  
Daniel T. Briggs

Chester Sullivan

**Address**

700 Brussell Street  
San Francisco CA 94134

2091 Lakeshore Drive  
Klamath Falls OR 97601

Each of the notices so mailed was certified to be a true copy of the original notice of sale by Michael C. Miller, 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 October 15, 1985. 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.

STATE OF OREGON, County of Klamath) ss.  
Personally,

Personally appeared the above-named  
who subscribed and swore to the foregoing affidavit and  
acknowledged the foregoing instrument to be ~~his~~ her voluntary act  
and deed.

My Commission Expires: 11/5/89

STATE OF OREGON, County of Klamath) ss.  
I Certify

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ M., and recorded in Volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as Microfilm No. \_\_\_\_\_, Record of Mortgages of said County. Witness my hand and seal of County affixed.

AFTER RECORDING, RETURN TO \_\_\_\_\_

AFTER RECORDING, RETURN TO:  
Michael C. Miller  
601 Main Street, Suite 210  
Klamath Falls OR 97601

~~Evelyn Biehn, County Clerk~~

By: \_\_\_\_\_ Deputy

845

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by DANIEL T. BRIGGS and CHESTER SULLIVAN MOUNTAIN TITLE CO., INC., DOLORES GLEE KERNS

in favor of January 8, 1985, recorded January 8, 1985, in the mortgage records of Klamath County, Oregon, in Book No. M85, at page 341-342, as grantor, to as trustee, as beneficiary, in the mortgage records of property situated in said county and state, to-wit: (indicate which), covering the following described real

Lot 20, OUSE KILA HOMESITES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, 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

- August 1985 payment of \$325 with interest at 10%
- September 1985 payment of \$325 with interest at 10%
- October 1985 payment of \$325 with interest at 10%
- any and all monthly payments due thereafter

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

\$35,791.93 together with interest thereon at the rate of 10% per annum from July 5, 1985

WHEREFORE notice hereby is given that the undersigned trustee will on February 21, 1986, at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes, at 316 Main Street, 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 86.753 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 October 11, 1985

Michael C. Miller

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.

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.

SERVE

Attorney for said Trustee

STATE OF OREGON COUNTY OF KLAMATH

Filed for record at request of January 36, A.D. 19 36 at 12:51 o'clock P.M. and duly recorded in Vol. 136 of Mortgages on Page 844

By Evelyn Biehn, County Clerk

FEE \$2.00