

60988

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Page 7633

540-2225/KH
LUF No. 3480/JWSTATE OF OREGON)
: ss.
County of Multnomah)

I, KATHY HANSEN, 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 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 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:

William C. Hurd

Address:820 Newcastle
Klamath Falls, OR 97601

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 Kevin W. Luby, 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 Portland, Oregon, on January 27, 1986. 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.


Kathy Hansen

Subscribed and sworn to before me this 30th day of April, 1986.


David A. Bacon

Notary Public for Oregon

My Commission Expires: 5-31-88

Reference is made to that certain trust deed made by William C. Burd, as grantor, to Mountain Title Company, as trustee, in favor of Equitable Savings and Loan Association, as beneficiary, recorded December 20, 1977, in the mortgage records of Klamath County, Oregon, as Volume M77, Page 24515, covering the following-described real property situated in said county and state, to wit:

The Northerly 66 feet of Lot 17 in Block 42 of HILLSIDE ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof, on file in the office of the County Clerk of Klamath County, Oregon.

There is a default by the grantor or other persons owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest; the default is: the failure to pay when due the following sums: Monthly installments of \$238.09 each, beginning with July, 1985, until paid, plus monthly late charges of \$8.90 each, beginning July 16, 1985, until paid; real property taxes for the years 1985-86 in the sum of \$614.85 plus penalties and interest;

By reason of said default, the beneficiary or the beneficiary's successor in interest has declared all obligations secured by said trust deed immediately due and payable, said sums being the following: \$15,634.39, with interest thereon at the rate of 10 percent per annum, from June 1, 1985, until paid, plus monthly late charges of \$8.90 each, beginning July 16, 1985, until paid; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default, and any further sums advanced by The Benj. Franklin Federal Savings and Loan Association for protection of the above-described real property and its interest in it.

NOTICE IS HEREBY GIVEN that the beneficiary and trustee or their successors in interest, have elected and do hereby elect to sell at public auction to the highest bidder for cash the interest in the above described property which the grantor had or had the power to convey at the time of the execution of said trust deed, together with any interest which the grantor or successors in interest acquired after the execution of said trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensations of the trustee or successor trustee and the reasonable attorneys fees incurred. A notice of default and election to sell has been recorded pursuant to Section 86.735(3), Oregon Revised Statutes.

Said sale will be held on May 15, 1986, at the hour of 10:00 o'clock, A.M., based on the Standard of Time as established by Section 187.110, Oregon Revised Statutes, at the following place: The front steps of the County Courthouse in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed for said sale.

NOTICE IS FURTHER GIVEN that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by curing the above-described defaults and 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 fees, at any time prior to five days before the date last set for said sale.

Dated 1/21/86


Harry M. Hanna, Successor Trustee

STATE OF OREGON)
: ss.
County of Multnomah)


I, the undersigned, certify that
neys for the above-named trustee and that
copy of the original Trustee's Notice of

STATE OF OREGON)
County of Klamath) ss.

Filed for record at request of:

AFTER RECORDING, RETURN TO:

NIEHAUS, HANNA, MURPHY,
GREEN, OSAKA & DUNN
Attention: Kevin W. Luby
Benj. Franklin Plaza, 11th Floor
One Southwest Columbia
Portland, Oregon 97258

on this 2nd day of May A.D. 19 86
at 1:26 o'clock P.M. and duly recorded
in Vol. M86 of Mages. Page 7633
Evelyn Biehn, County Clerk
By 
Fee, \$9.00 Deputy.