

K-38335

63132

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah, ss:

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I, William Larkins, Jr., 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.

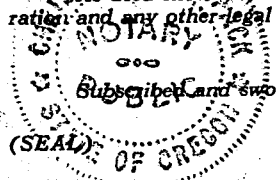
I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME	ADDRESS
James T. Connell	5413 Brentwood Drive Klamath Falls, Oregon 97601
Margaret S. Connell	5413 Brentwood Drive Klamath Falls, Oregon 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.....
William Larkins, Jr., 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 March 4, 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.



Subscribed and sworn to before me this 4th day of March, 1986.

William Larkins, Jr.
Christine E. Kelpack
 Notary Public for Oregon. My commission expires 4/6/89.

* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.

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

RE: Trust Deed from
Connell
 Grantor
 TO
Transamerica Title
 Trustee

AFTER RECORDING RETURN TO

William Larkins, Jr.
2300 U.S. Bancorp Tower
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/tile/instrument/microfilm/reception No. _____, Record of Mortgages of said County.
 Witness my hand and seal of County affixed.

NAME _____ TITLE _____
 By _____ Deputy

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11380

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by James T. Connell and Margaret S. Connell, husband and wife Transamerica Title Insurance Company in favor of Peoples Mortgage Company, a Washington corporation dated March 5, 1979, recorded April 9, 1979, in the mortgage records of Klamath County, Oregon, in book No. M79, at page 7756, fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in said county and state, to-wit:

See attached Exhibit A.

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 Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

Delinquent monthly installments of \$286.08 due September 1, 1985 through December 1, 1985 and delinquent installments of \$288.08 due January 1, 1986 through February 1, 1986; plus monthly late charges of \$11.28 each due September 16, 1985 through December 16, 1985 and late charges of \$11.36 due January 16, 1986 through February 16, 1986.

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:

Unpaid principal balance of \$29,575.84, plus interest thereon at the rate of 7.25% per annum from August 2, 1985 until paid; plus late charges of \$67.84; plus a reserve overdraft of \$51.69.

WHEREFORE, notice hereby is given that the undersigned trustee will on July 31, 1986, at the hour of 9:30 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at The front entrance of the 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 of 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 ORS 86.753 has the right, at any time prior to five days before the date last set for 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 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 ORS 86.753.

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 March 3, 1986

William Larkins, Jr.

William Larkins, Jr.
Trustee

State of Oregon, County of Multnomah
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.

William Larkins, Jr.
Attorney for said Trustee

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.

SERVEX William Larkins, Jr.
2300 U.S. Bancorp Tower
Portland, Oregon 97204
(503) 241-2300

EXHIBIT A

11381

A portion of Lots 5 and 6, Block 60, Nichols Addition to the Town of Linkville, now City of Klamath Falls, Oregon, more particularly described as follows: Beginning at the most Westerly corner of Lot 5, Block 60, Nichols Addition to the Town of Linkville, now City of Klamath Falls, Oregon; thence Southeasterly along the Easterly line of Eleventh Street 40 feet; thence Northeasterly at right angles to Eleventh Street 130 feet; thence Northwesterly parallel with Eleventh Street 40 feet to the Southerly line of Grant Street (formerly Franklin Street); thence Southwesterly along the Southerly line of Grant Street to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
 of June A.D., 19 86 at 11:23 o'clock A M., and duly recorded in Vol. 30th day
 of Mortgages on Page 11379 M86

FEE \$13.00

Evelyn Biehn,
 By _____

County Clerk

Ann Smith