

K-38756

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67964

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Multnomah, ss:

I, William L. 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

See attached Exhibit "A".

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 L. 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 July 23, 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.

certified mail receipt nos. P132883484 and P132883485

William L. Larkins, Jr., Trustee  
July 23rd day of July, 1986

Subscribed and sworn to before me this 23rd day of July, 1986

Notary Public for Oregon. My commission expires June 5, 1988

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  
William W. Miller and  
Wanda D. Miller Grantor  
TO  
William L. Larkins, Jr. Trustee

AFTER RECORDING RETURN TO  
William L. Larkins, Jr.  
Weiss, DesCamp, Botteri & Huber  
2300 U.S. Bancorp Tower  
111 S.W. Fifth 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 1986, 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 attixed.

NAME TITLE  
By Deputy

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Exhibit "A"

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE  
OF SALE

Name

Address

William W. Miller

527 Roosevelt Street, Klamath Falls, OR 97601

Wanda D. Miller

527 Roosevelt Street, Klamath Falls, OR 97601



TRUSTEE'S NOTICE OF SALE

20347

Reference is made to that certain trust deed made by William W. Miller and Wanda D. Miller, husband and wife

in favor of Aspen Title & Escrow Company\*, as grantor, to Town & Country Mortgage, Inc., an Oregon corporation\*\*, as trustee, dated January 25, 1985, recorded February 5, 1985, as beneficiary, Klamath County, Oregon, in M-85, in the mortgage records of fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real property situated in said county and state, to-wit: Lot 9, Block 13, First Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk. Mobile Home - 1984 Fleetwood, Serial No. ORFL2AE244803243

\*The beneficiary has appointed William L. Larkins, Jr. as successor trustee.  
\*\*The beneficial interest was assigned to Peoples Mortgage Company by Assignment of Deed of Trust recorded 2/5/85 in M-85, page 1857, and re-recorded 8/16/85 in M-85, page 12929, Records 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 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: The payments of principal and interest due February 1, 1986 and on the first (1st) day of each month thereafter in the sum of \$437 each, plus late charges totalling \$104.88, all totalling \$2,726.88.

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: The principal balance owing in the sum of \$37,268.80, plus interest accruing on the unpaid principal balance at the rate of 13% per annum from January 1, 1986 until paid in full, plus late charges totalling \$104.88, plus the cost of a foreclosure report in the sum of \$247, and plus other costs and disbursements incurred in the course of this proceeding.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 10, 1986, at the hour of 10:30 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at Klamath County Courthouse, 316 Main Street 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 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 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 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 July 16, 1986

William L. Larkins, Jr.  
William L. Larkins, Jr., Trustee

State of Oregon, County of Multnomah

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.

William L. 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.

SERVE:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of November of A.D., 1986 at 9:27 o'clock A.M., and duly recorded in Vol. M86 of Mortgages on Page 20345

FEE \$13.00

Evelyn Biehn, County Clerk  
By [Signature]