

67984 K-38604

**AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE**

STATE OF OREGON, County of Multnomah, ss.

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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 25, 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 nos. P132883488/  
P132883489/P132883490

Subscribed and sworn to before me this 25th day of July, 1986.

William L. Larkins, Jr., Trustee

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

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

Richard A. Gelhardt and Linda Sager

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 .....

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/file/instrument/microfilm/reception No. .... Record of Mortgages of said County. Witness my hand and seal of County affixed.

NAME

TITLE

By ..... Deputy

Exhibit "A"

20384

to

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Name

Richard A. Gelhardt

Linda Sager

Occupant/Tenant in Possession

Address

2650 Sheridan, North Bend, OR 97459

2650 Sheridan, North Bend, OR 97459

1904 Orchard Avenue, Klamath Falls,  
OR 97601



20385

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Richard A. Gelhardt, an unmarried person,  
and Linda E. Sagers, an unmarried person as grantor, to  
Transamerica Title Insurance Company\* as trustee,  
 in favor of Peoples Mortgage Company, a Washington corporation\*\* as beneficiary,  
 dated March 14, 1979, recorded \*\*\* March 28, 1979, in the mortgage records of  
Klamath County, Oregon, in ~~book~~ free volume No. M79 at page 6835,  
 fee ~~file/instrument/microfilm/reception No.~~ (indicate which), covering the following described real  
 property situated in said county and state, to-wit: The Northerly 79 feet of Lots 30, 31 and 32, Block  
7, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of  
Oregon.

\*The beneficiary has appointed William L. Larkins, Jr. as successor trustee.  
 \*\*Said Trust Deed was assigned to the Housing Division, Department of Commerce, State of Oregon  
 by Assignment dated April 9, 1979, recorded April 23, 1979, in Volume M79, page 9144, Mort-  
 gage Records of Klamath County, Oregon, and re-recorded August 28, 1979, in Volume M79, page  
 20426, Mortgage 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 de-  
 fault for which the foreclosure is made is grantor's failure to pay when due the following sums: The monthly payments  
 of principal and interest due December 1, 1985, and on the first (1st) day of each month  
 thereafter in the sum of \$309 each, plus late charges totalling \$366.44, all totalling  
\$2,838.44.

\*\*\*re-recorded April 13, 1979, in Volume M79, page 8161, Mortgage Records of Klamath County,  
 Oregon, and re-recorded August 28, 1979, in Volume M79, page 20420, Mortgage Records of  
 Klamath County, Oregon.

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 due in the  
 sum of \$29,220.17, plus interest accruing at the rate of 7.25% per annum from November 1,  
 1985 until paid in full, plus late charges totalling \$366.44, plus the cost of a foreclosure  
 report in the sum of \$215.00, and plus 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 10:15 o'clock, A. M., in accord with the standard of time established by ORS 187.110, at  
Klamath County Courthouse, 316 Main Street

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 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 per-  
 formance required under the obligation or trust deed, and in addition to paying said sums or tendering the perform-  
 ance 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 obli-  
 gation, 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 21, 1986

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

Trustee

State of Oregon, County of Multnomah ss:

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.

WLL  
 Attorney for said Trustee

## SERVE:

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:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 10th day  
 of November, A.D., 1986 at 11:11 o'clock A M., and duly recorded in Vol. M86,  
 of \_\_\_\_\_ Mortgages \_\_\_\_\_ on Page 20383

Evelyn Biehn, County Clerk  
 By Sam Smith

FEE \$13.00