

OC

69513

ASPEN F-29996

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

STATE OF OREGON, County of Klamath, ss:

I, Sandra Handsaker

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
Roy Emerick

ADDRESS

Linda Emerick

1563 Lee Street
Oroville, CA 95965

1563 Lee Street
Oroville, CA 95965

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 _____, Assistant Secretary, _____, 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 August 6, 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 18th day of December, 1986.

Notary Public for Oregon. My commission expires 1-15-90

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

Roy Emerick

Linda Emerick

Grantor

TO
Aspen Title & Escrow, Inc.

Successor Trustee

AFTER RECORDING RETURN TO
Aspen Title & Escrow, Inc.
600 Main Street
Klamath Falls, Oregon 97601

(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/file/instrument/microfilm/reception No. _____ Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

ASPEN F-29996
TRUSTEE'S NOTICE OF SALE

STEVENS-NESS LAW PUB. CO., PORTLAND, OR. 97204

23451

Reference is made to that certain trust deed made by ROY EMERICK and LINDA EMERICK, as grantor, to
in favor of MOUNTAIN TITLE COMPANY, as trustee,
dated September 15, 1981, recorded September 17, 1981, in the mortgage records of
Klamath County, Oregon, in book/entry No. M-81, at page 16615,
property situated in said county and state, to-wit:

Lot 15, Block 4, Tract 1021, WILLIAMSON RIVER KNOLL, in the County of
Klamath, State of Oregon, TOGETHER WITH an undivided 1/80th interest
in and to the following described property: The Easterly 60 feet of that
portion of Government Lots 40, 41, 44 and 45 lying South of the Williamson
River Knoll Subdivision and North of the Williamson River.

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: Monthly installments
of principal and interest due for the months of September, October, November, and December
of 1983, January thru December, inclusive, of 1984, January thru December, inclusive, of
1985, and January, February, March, April, May, June and July of 1986, in the amounts of
\$95.15 each; and subsequent installments of like amounts; Subsequent amounts for
assessments due under the terms and provisions of the Note and Trust Deed.

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:
\$6,312.65 plus interest and late charges, thereon from August 15, 1983, at the
rate of TEN (10%) PER CENT PER ANNUM until paid and all sums expended by the
Beneficiary pursuant to the terms and provisions of the Note and Deed of Trust.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 19, 1986,
at the hour of 10:15 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
ASPEN TITLE & ESCROW, INC., 600 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 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 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 31, 1986

ASPEN TITLE & ESCROW, INC.

BY [Signature]
Successor Trustee

State of Oregon, County of Klamath

I, the undersigned, certify that I am the Assistant Secretary for the above named trustee and that
the foregoing is a complete and exact copy of the original trustee's notice of sale.

Assistant Secretary [Signature] 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
of December

A.D., 19 86 at 4:14 o'clock P.M., and duly recorded in Vol. M86 day
of Mortgages on Page 23451

FEE \$9.00

EVELYN BIEHN, County Clerk
By [Signature]