

70797

Vol. 187 Page 1298

STATE OF OREGON, County of Multnomah, ss:

I, George C. Reinmiller

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 A. Floyd	1112 Tamera Drive, Klamath Falls, OR 97601
Carole A. Floyd	1112 Tamera Drive, Klamath Falls, OR 97601
James D. Beddingfield	260 Duchess Court, Copperopolis, CA 95228
Marlon Jannuzzi	3522 Onyx, PO Box 5222, Klamath Falls, OR 97601
Lois Jannuzzi	3522 Onyx, PO Box 5222, Klamath Falls, OR 97601
Flemming Foods Of California	
Phelan, Stuppi, Sorenson	
Attorneys at Law	
Henry J. Caldwell, Jr.	1 California #2220, San Francisco, CA 94109
Deborah L. Caldwell	7990 Hill Road, Klamath Falls, OR 97603-9714
Ben A. Bruno	7990 Hill Road, Klamath Falls, OR 97603-9714

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 George C. Reinmiller, 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 September 3, 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 16th day of December, 1986.

George C. Reinmiller, Successor-Trustee

Notary Public for Oregon. My commission expires 11-2-90

\* 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  
JAMES A. FLOYD and  
CAROLE A. FLOYD  
Grantor  
TO  
Mountain Title Company  
Trustee

AFTER RECORDING RETURN TO  
George C. Reinmiller  
521 S. W. Clay  
Portland, Oregon 97201

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

OK

## TRUSTEE'S NOTICE OF SALE

1299



Reference is made to that certain trust deed made by JAMES A. FLOYD and CAROLE A. FLOYD

Mountain Title Co. \_\_\_\_\_, as grantor, to  
 in favor of First Interstate Bank of Oregon, N.A., fka First Nat'l Bank of Oregon \_\_\_\_\_, as trustee,  
 dated December 1, 1976, recorded December 2, 1976, in the mortgage records of  
 Klamath County, Oregon, in Book \_\_\_\_\_/volume No. M76 \_\_\_\_\_ at page 19368  
 fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), covering the following described real  
 property situated in said county and state, to-wit:

Lots 4 and 5 Block 10, Buena Vista 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.  
 (738, 740, 742, 744 W. Oregon Avenue -- Klamath Falls OR 97601)

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 \$801.51 each, commencing with the payment due October 1, 1985 and continuing each month until this  
 trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$991.36 as of August 11, 1986 and  
 further late charges of \$32.06 on each delinquent payment thereafter; plus all fees, costs and expenses associated  
 with this foreclosure, all sums expended by beneficiary to protect the property or its interest therein during the  
 pendency of this proceeding, evidence that taxes are paid as provided by terms of the Trust Deed, and plus the deficit\*

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 sum of \$69,432.63 with interest thereon at the rate of 8.00% per annum from September 1, 1985, until paid; plus  
 all fees, costs and expenses associated with this foreclosure, all sums expended by beneficiary to protect the  
 property or its interest therein during the pendency of this proceeding, evidence that taxes are paid as provided  
 by terms of the Trust Deed, and plus the deficit reserve account balance of \$508.58.

WHEREFORE, notice hereby is given that the undersigned trustee will on January 30, 1987,  
 at the hour of 1:00 o'clock, P.M., in accord with the standard of time established by ORS 187.110, at  
 front door - 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 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.

\*reserve account balance of \$508.58.

DATED August 21, 1986

GEORGE C. REINMILLER  
 521 SW Clay, Suite 2000  
 Portland, OR 97201 226-3607  
 State of Oregon, County of Multnomah ss:

GEORGE C. REINMILLER - Successor-Trustee  
 Trustee

I, the undersigned, certify that I am an attorney  
 the foregoing is a complete and exact copy of the original trustee's notice of sale.

and that

Attorney

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:

1063 201-385475-9

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 27th day  
 of January A.D., 19 87 at 10:22 o'clock A.M., and duly recorded in Vol. M87  
 of Mortgages on Page 1298

FEE \$9.00

Evelyn Biehn, County Clerk  
 By \_\_\_\_\_