

71597

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE
AND COMPLIANCE WITH ORS 57.075

STATE OF OREGON)
) SS
COUNTY OF MULTNOMAH)

I, RICHARD A. CANADAY, being first duly sworn, depose, say, and certify that:

At all times hereinafter mentioned I was and now am the trustee of the trust deed referred to in the attached original notice of sale. I am the person initiating the proceeding for foreclosure of said trust deed by advertisement and sale. COMAC Properties, Inc. ("CORPORATION") is a dissolved Oregon corporation. It has been less than five years since the issuance of a notice or certificate of dissolution, or the filing of a decree of dissolution, regarding CORPORATION. I gave notice of the sale of the real property described in the attached notice of sale by mailing copies thereof by both first class and certified mail with return receipt requested to each of the following-named persons at his respective last-known address, to wit:

- (a) Oregon Corporation Commissioner
Agent for COMAC Properties, Inc.
a Dissolved Corporation
Commerce Building
158 12th Street, N.E.
Salem, Oregon 97310
- (b) The last-registered office of CORPORATION as shown by the records on file in the office of the Oregon Corporation Commissioner, to wit:

COMAC Properties, Inc.
c/o Mr. Thomas Coleman, President
1081 Hyde Park
Santa Anna, California 92705
- (c) The address or addresses of use which I, on the basis of reasonable inquiry, have reason to believe is or are most likely to result in actual notice, to wit:

COMAC Properties, Inc.
c/o Mr. Thomas Coleman, President
617 West Orion
Santa Anna, California 92707

Enclosed in the certified envelope addressed to the Oregon Corporation Commissioner was a check payable to the order of the Oregon Corporation Commissioner in the amount required by law. Enclosed in each of the envelopes addressed as stated in (b) and (c) above was a copy of this executed affidavit. The notices of sale so mailed were certified to be true copies of the original notice of sale by me. Said notices of sale were contained in sealed envelopes with postage thereon fully prepaid and were deposited in the United States post office at Portland, Oregon, on November 17th 1986. Said notices of sale were mailed after the notice of default and election to sell described in said notice of sale was recorded at least 120 days before the day of the sale.

Richard A. Canaday
Richard A. Canaday, Trustee

The foregoing affidavit was subscribed, sworn to, and acknowledged before me this 17th day of November, 1986, by Richard A. Canaday.

Penney Bynolds
Notary Public for Oregon
My commission expires 12-19-86

87 FEB 20 PM 2 02

TRUSTEE'S NOTICE OF SALE

2749

Reference is made to that certain trust deed made, executed, and delivered by COMAC PROPERTIES, INC., an Oregon corporation, as Grantor, to TICOR TITLE INSURANCE COMPANY, as Trustee, to secure certain obligations in favor of STATE FEDERAL SAVINGS AND LOAN ASSOCIATION of Corvallis, Oregon, successor in interest to State Savings and Loan Association, as Beneficiary, dated April 11, 1983, and recorded April 21, 1983, in Volume M83, Page 6135, of the Mortgage Records of Klamath County, Oregon, covering the following described real property situated in said county and state, to wit:

PARCEL 1

A tract of land being Lot 1 and a portion of Lot 2 in Block 3 of Tract 1080, WASHBURN PARK, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Lot 1; thence North 00° 04' 50" East 195.00 feet to the Northwest corner of said Lot 1; thence continuing North 00° 04' 50" East 57.80 feet; thence South 89° 25' 10" East 300.00 feet; thence South 00° 04' 50" West 57.80 feet to the Northeast corner of said Lot 1; thence continuing South 00° 04' 50" West 195.00 feet to the Southeast corner of said Lot 1; thence North 89° 25' 10" West 300.00 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division, recorded August 16, 1976 in Deed Volume M-76 at page 1264, Microfilm Records of Klamath County, Oregon.

PARCEL 2

A tract of land situated in Lot 2, Block 3, Tract 1080, WASHBURN PARK, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the Easterly right of way line of Washburn Way, said point being North 00° 04' 50" East 57.80 feet from the Northwest corner of Lot 1, Block 3; thence South 89° 25' 10" East 300.00 feet to the true point of beginning; thence South 89° 25' 10" East a distance of 100.08 feet to a point; thence South 89° 56' 30" East a distance of 51.67 feet to the Northwest corner of parcel conveyed to Ronald T. Williams, et ux., by Deed Volume M-77 at page 1751; thence South 00° 04' 50" West along the West line of last mentioned parcel a distance of 253.26 feet to the North line of Crosby Avenue; thence North 89° 25' 10" West along said North line a distance of 151.76 feet to the Southeast corner of Lot 1, Block 3; thence North 00° 04' 50" East a distance of 252.8 feet, more or less, to the point of beginning.

PARCEL 3

A tract of land being a portion of Lot 2, Block 3, of Tract 1080, WASHBURN PARK, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at the Southwest corner of said Lot 2; thence North 00° 04' 50" West (East) 57.80 feet to the true point of beginning; thence North 00° 04' 50" West (East) 96.35 feet; thence South 89° 56' 30" East 400.07 feet to the East line of said Lot 2; thence South 00° 03' 30" West 100.00 feet; thence North 89° 25' 10" West 400.08 feet to the true point of beginning.

The real property is known as the Washburn Way Plaza Shopping Center, located at the intersection of Washburn Way and Crosby Avenue, in Klamath Falls, Oregon.

The FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION has been appointed receiver for State Federal Savings and Loan Association of Corvallis, Oregon, pursuant to 12 USC §§ 1464 and 1729 and has thereby succeeded to all rights and entitlements of said association.

RICHARD A. CANADAY, an attorney who is an active member of the Oregon State Bar, was appointed successor trustee by a certain instrument dated September 17, 1986, and recorded October 8, 1986, in Volume M-86, Page 18424, of the Records of Klamath County, Oregon, and is now vested with all the powers of Trustee.

Beneficiary has elected to sell said real property to satisfy the obligations secured by said trust deed and to foreclose said deed by advertisement and sale; the default for which the foreclosure is made is the failure of Grantor to pay when due the following sums:

\$14,810.90	due August	26, 1984	\$14,810.90	due June	26, 1985
\$14,810.90	due September	26, 1984	\$14,810.90	due July	26, 1985
\$14,810.90	due October	26, 1984	\$14,810.90	due August	26, 1985
\$14,810.90	due November	26, 1984	\$14,810.90	due September	26, 1985
\$14,810.90	due December	26, 1984	\$14,810.90	due October	26, 1985
\$14,810.90	due January	26, 1985	\$14,810.90	due November	26, 1985
\$14,810.90	due February	26, 1985	\$14,810.90	due December	26, 1985
\$14,810.90	due March	26, 1985	\$14,810.90	due January	26, 1986
\$14,810.90	due April	26, 1985	\$14,810.90	due February	26, 1986
\$14,810.90	due May	26, 1985	and the remaining balance due		
			March 26, 1986		

By reason of said default, Beneficiary has declared the entire unpaid balance of all obligations secured by said trust deed, together with interest thereon, immediately due, owing and payable, said sums being the following, to wit:

\$1,246,293.15, together with interest thereon at the rate of 14 percent per annum from July 26, 1984, until paid, plus late charges and disbursements made by Beneficiary to protect its interest in the above-described property, together with interest thereon at above-described rate from the date of each disbursement.

A notice of default and election to sell and to foreclose was duly recorded on November 10, 1986, in Volume M86, Page 20340, of the Records of Klamath County, Oregon.


NOTICE HEREBY IS GIVEN that the undersigned Trustee or Trustee's attorneys will, on Thursday the 2nd day of April, 1987, at the hour of 11 a.m., Standard Time as established by ORS 187.110, at the main entrance to the 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 said real property which Grantor had or had power to convey at the time of the execution by Grantor of said trust deed, together with any interest which Grantor or the successors in interest to Grantor acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including the cost of a title search, a reasonable charge by Trustee, and reasonable attorney fees for Trustee's attorneys.

NOTICE IS FURTHER GIVEN that Grantor and certain other persons named in Chapter 86 of Oregon Revised Statutes have the right at any time prior to five days before Trustee conducts the sale to require that the foreclosure proceeding be dismissed and the trust deed reinstated by the payment of the entire amount due (other than such portion of the principal as would not be due had no default occurred) under the terms of said trust deed and the obligations secured thereby, including all costs and expenses actually incurred and Trustee's and attorney fees as provided by ORS Chapter 86 and by curing any other defaults stated herein.

In construing this notice and whenever the context hereof so requires, the word "Grantor" includes any successor in interest of Grantor as well as any other person owing an obligation the performance of which is secured by said trust deed and their successors in interest; the word "Trustee" includes any successor Trustee; and the word "Beneficiary" includes any successor in interest of Beneficiary named in trust deed.

Any person interested in this sale and having questions should contact Deborah Lewis, Legal Assistant, at 224-5858.

DATED at Portland, Oregon, November 11, 1986.


 Richard A. Canaday, Trustee
 111 S.W. Fifth Avenue
 Portland, Oregon 97204-3699
 Telephone: (503) 224-5858

ORIGINAL

RECEIVED NOTICE OF SALE

5113

2751

MILLER, NASH, WIENER, HAGER & CARLSEN
ATTORNEYS AND COUNSELORS AT LAW
3500 U.S. BANCORP TOWER
III S. W. FIFTH AVENUE
PORTLAND, OREGON 97204-3699

ROBERT S. MILLER
FRANK E. NASH
NORMAN J. WIENER
ORVAL O. HAGER
CLIFFORD N. CARLSEN, JR.
JOHN W. HILL
CURTIS W. CUTSFORTH
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STEVEN O. ROSEN
KEVIN D. PADRICK
JOHN W. OSBURN
JOHN F. NEUPERT
MARY ANN FRANTZ
DONALD P. BOURGEOIS

TELEPHONE (503) 224-5858
TELEX 364462 KINGMAR PTL
TELECOPY (503) 224-0155

COUNSEL
JOHN D. BURNS
JAMES B. RUYLE

SEATTLE OFFICE
6500 COLUMBIA CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7075
TELEPHONE (206) 622-8484

November 17, 1986

MARK A. ANDERSON*
JEFFREY D. AUSTIN
SYBIL R. BARRIER
JOYCE M. BERNHEIM*
PAUL SLAYLOCK, M.D.
RECE BLY
DAVID W. BROWN
STEPHEN K. BUSHONG
GREGORY A. CHAIMOV
BRIAN S. DOHERTY
JEFFREY J. DRUCKMAN
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FRANCIS L. VAN DUSEN, JR.*
WILLIAM H. WALTERS
CAROLYN E. WELLS*
REBECCA S. WILSON
DAVID WU

* ADMITTED IN OREGON AND WASHINGTON
** ADMITTED IN WASHINGTON ONLY

Oregon Corporation Commissioner
Agent for COMAC Propertis, Inc.
a dissolved corporation
Commerce Building
158 12th Street, N.E.
Salem, Oregon 97310

Subject: FSLIC as Receiver for State Fed
Trust Deed Foreclosure Proceedings
against COMAC Properties, Inc.
State Fed Loan No. 155005844

Gentlemen:

The enclosed notice of trustee's sale is given to you pursuant to the provisions of ORS 86.740(1) which require such notice of sale to be mailed by registered or certified mail to the last-known address of the following persons, or their legal representatives, if any:

- (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 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 provided in ORS 86.785.

If you have any questions concerning this foreclosure, please contact Deborah Lewis at (503) 224-5858.

Very truly yours,

RICHARD A. CANADAY

Richard A. Canaday
Trustee

2752

MILLER, NASH, WIENER, HAGER & CARLSEN
ATTORNEYS AND COUNSELORS AT LAW
 3500 U.S. BANCORP TOWER
 III S. W. FIFTH AVENUE
 PORTLAND, OREGON 97204-3699

ROBERT S. MILLER
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COUNSEL
 JOHN D. BURNS
 JAMES S. RUTLE

SEATTLE OFFICE
 6500 COLUMBIA CENTER
 701 FIFTH AVENUE
 SEATTLE, WASHINGTON 98104-7075
 TELEPHONE (206) 622-8484

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* ADMITTED IN OREGON AND WASHINGTON
 ** ADMITTED IN WASHINGTON ONLY

November 17, 1986

COMAC Properties, Inc.
 c/o Mr. Thomas Coleman, President
 1081 Hyde Park
 Santa Anna, California 92705

Subject: FSLIC as Receiver for State Fed
 Trust Deed Foreclosure Proceedings
 against COMAC Properties, Inc.
 State Fed Loan No. 155005844

Gentlemen:

The enclosed notice of trustee's sale is given to you pursuant to the provisions of ORS 86.740(1) which require such notice of sale to be mailed by registered or certified mail to the last-known address of the following persons, or their legal representatives, if any:

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- (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 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 provided in ORS 86.785.

If you have any questions concerning this foreclosure, please contact Deborah Lewis at (503) 224-5858.

Very truly yours,

RICHARD A. CANADAY

Richard A. Canaday
 Trustee

2753

MILLER, NASH, WIENER, HAGER & CARLSEN
ATTORNEYS AND COUNSELORS AT LAW
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COUNSEL
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November 17, 1986

COMAC Properties, Inc.
 c/o Mr. Thomas Coleman, President
 617 West Orion
 Santa Anna, California 92707

Subject: FSLIC as Receiver for State Fed
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 against COMAC Properties, Inc.
 State Fed Loan No. 155005844

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- (d) Any person requesting notice as provided in ORS 86.785.

If you have any questions concerning this foreclosure, please contact Deborah Lewis at (503) 224-5858.

Return to: Miller, Nash, Wiener, Hager & Carlsen
 111 SW Fifth Ave.
 Portland, Oregon 97204
 Attn: Deborah Lewis

Very truly yours,
RICHARD A. CANADAY
 Richard A. Canaday
 Trustee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 20th day
 of February A.D., 19 87 at 2:02 o'clock P. M., and duly recorded in Vol. M87,
 of Mortgages on Page 2748

FEE \$25.00

Evelyn Biehn, County Clerk
 By _____