71602 K-38993 AFFIDAVIT OF VACANCY Vol M87 Page 2771 STATE OF OREGON COUNTY OF MULTNOMAH SS I, <u>CLARKE McCANCE, Process Server</u>, b duly sworn, do hereby depose, say, and certify that: At all times hereinafter mentioned I was and now am a resident of the state where service is made, a competent person resident of the state where service is made, a competent person 18 years of age or older, and not the beneficiary of its successor in interest of the trustee of successor trustee of a proceeding described in the attached party to the foreclosure proceeding described in the attached party to the foreclosure proceeding described in the attached original trustee's notice of sale given under the terms of that certain trust deed described in said notice, or an officer, director, or employee of, or attorney for, any party, corporate 02 \sim F On the <u>17th</u> day of November, 1986, I personally attempted service of the attached trustee's notice of sale 53 Certified to be a true copy by Richard A. Canaday, Trustee; on FE0 certified to be a true copy by kicnard A. Canaday, frustee tenants of location No. <u>2605*</u> of the Washburn Plaza, located at the intersection of Washburn and Crosby Avenue, within the city of Viewath Falls County of Viewath and s Jocated at the intersection of washburn and crosby Avenue, within the city of Klamath Falls, County of Klamath, and state of Oregon. The location was vacant and not occupied by any of the persons referred to in Subsection 1 of Section 86 750 of 87 or oregon. The location was vacant and not occupied by any the persons referred to in Subsection 1 of Section 86.750 of *KLAMATH HEALTH FOODS STATE OF OREGON ance COUNTY OF MULTINOT CLARKE MCCANCE SS Process Server The foregoing affidavit was acknowledged before me this 312 S. Rogers HOTARY 1.00 C UDLIC / N - 3 Notary Public for Oregon My commission expires: 87-90 $\frac{1}{2}$ OF GUESS Manna Manna

Filed for record at request of

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STATE OF OREGON. COUNTY OF KLAMATH.

PORTLANS, OREGON URSON COOR IN BAY WELLY WRENDS

Reference is made to that certain trust deed made, executed, and delivered by COMAC Trustee, to secure certain obligations in favor of STATE FEDERAL SAVINCS AND LOAN ASSOCIATION of Corvallis, Oregon, successor in interest to State Savings and Loan Association, as Reference is made to that certain trust deed made; executed, and delivered by COMAC TES. INC., an Oregon corporation, as Grantor, to TICOR TITLE INSURANCE COMPANY as TRUSTEE'S NOTICE OF SALE

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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 Reneficiary dated Anril 11, 1983, and recorded April 21, 1983, in Volume M83, Page 6135, of the 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 Mortaage Records of Klamath County. Oregon, covering the following described real property Beneficiary, dated April 11, 1983, and recorded April 21, 1983, in Volume M83, Page 6135, of the situated county of Klamath County, Oregon, covering the following described real property of 53% 2428, to wit: Monewper, 11 (380, the following described real property) belacu jureleareq ju (jula 2016 sug ushing described real property). Internet of the southwest corner of said Marin Scharon (Nucleic Constitution)

Tibed as follows: A second provide Liner good Sug (Dell Strongson (Dellawson (Dellawson

Beginning at the Southwest corner of said Lot I; thence North 00° 04' 50" East 195:00 feet to the Northwest corner of said Lot I; thence continuing North 00° 04' 50" East 195:00 the Northeast corner of said Lot I; thence continuing South 00° 04' 50" West 57.80 feet to the Northeast corner of said Lot I; thence continuing South 00° 04' 50" West 57.80 feet to The Northeast corner of said Lot 1; thence South 00° 04' 50" West 57.80 feet to the Southeast corner of said Lot 1; thence North 89° 25" 10" West 57.80 feet to the south 89° 25" 10" West 300.00 feet to the point the Northeast corner of said Lot 15 thence continuing South 00° 04* 50" West 195.00 feet to of beginning. of beginning. EXCEPTING THEREFROM that portion for the burger of the bur EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and the Volume M-76 at bade 1264/ Microfilm Records of Klamath County, Oregon, 1976 in PARCEL

through its Department of Transportation, Highway Division, recorded August 1 Deed Volume M-76 at page 1264, Microfilm Records of Klamath County, Oregon. A tract of land situated in Lot 2, Block 3, Tract 1080, WASHBURN PARK, in the Beginning at a point of the Easterly right of way line of Washburn Way, said point the fast of the true point of Washburn Way, said point the test 300.00 feet to the true point of beginning; thence South A tract of land situated in Lot 2, Block 3, Tract 1080, WASHBURN PARK, in the

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 50 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 17511; thence South 0° 04* 50" West along the West 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 17511; thence South 0° 04 50" West along the Williams line of last mentioned parcel a distance of 253:26 feet to the North line of Crosby Avenue, thence North Rgo 25' 10" West along said North line a distance of 151.76 feet to the

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 '0° 0% 50" East a distance of 151.76 feet to the more of less to the point of beginning decliped blobelly foderned distance of 252.8 feet blobelly foderned distance of 252.8 feet PARCEL 33 212 roduction and later and states and glaphics works where proceedings of the target of t PARCEL 37 12 Longitud Mill Millicer fueloou st fue Lore of the back of the bac

(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 no° n3' 3n" West Inn nn feet: thence North 89° 25' 10" West 400108 feet to the true point of feet; thence South 89° 56' 30" East 400.07 feet to the East line of said Lot 2; thence South 89° 03' 30" West 100.00 feet; thence North 89° 25' 10" West 400108 feet to the true South 810' 30' creation of the true Point of 210' 310' and 200' and the true Point of 210' 310' and 200' and 20

The real property is known as the Washburn Way Plaza Shopping Center, located at straight of Washburn Way and Cross V Avenue. In Klamath Falls Oregon: So log The real property is known as the Washburn Way Plaza Shopping Center, the intersection of Washburn Way and Crosby Avenue, in Klamath Falls, Oregon, and Crosby Avenue, in Klamath Falls, Oregon, and Cosby Avenue, in Klamath Falls, oregon, and Avenue, in Klamath Falls, or go, and

The FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION has been appointed receiver for State Federal Savings and Loan Association of Corvality of the seen appointed I2 USC §§ 1464 and 1729 and has thereby succeeded to all rights and entitlements of said association RICHARD 14. CANADAY and attorney who is an active member of the Oregon's pursuant to October 8, 1986, in Volume, M-86, Page 18424, of the Records of Klamath County, Oregon, and is now was appointed successor trustee' point October 8, 1986, in Volume M-86, Page 18424, of the Records of Klamath County, 1986, and recorded vested with all the powers of Trustee us 18424, of the Records of Klamath County, Oregon, and is now Was arrowning October 8, 1986, in Volume M-86, Page 18424, of the Records of Mamau Journal Company vested with all the powers of Trustee of Angle 18424, of the Records of Mamau Journal Company of the Powers of Trustee of Angle 18424, of the Records of Mamau Journal Company of the Powers of Trustee of Angle 18424, of the Records of Mamau Journal Company of the Powers of Trustee of Angle 18424, of the Records of Mamau Journal Company of the Powers of Trustee of Angle 18424, of the Records of Mamau Journal Company of the Powers of Trustee of Angle 18424, of the Records of Mamau Journal Company of the Powers of Trustee of Angle 18424, of the Records of Mamau Journal Company of the Powers of Trustee of the Powers of Trustee of the Records of the Recor

Boneficiary has alacted to sell said real property to salialy the obligations escurato by card Baneficiary has alacted to sell said real property to salialy the obligations escurato by card ganding homenon and sale; the default for which the for closery

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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

trust deed and to foreclose said deed by advertisement of following sums: is made is the failure of Grantor to pay when due the following sums: is made is the failure of Grantor to pay when due the following sums:

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feat; thance South 89° 56' 50" Cost 400.01 feet to the East line of said t obligations secured by said trust deed, together with interest thereon, immediately due, owing and obligations secured by said trust deed, together with interest thereon, immediately due, owing and payable, said sums being the following, to but point work but of 1020. MAZHODINE the payable is and the secure of the secure o 00.01. 10. Mear 100'00

\$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 disbursementing gas a garance of the second success of the second s 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. Deft thence Senth 00- 04. 20- 04 and by curing any other defaults stated herein. Set upons guilt 00% 04, 20 Adding a word "Grantor" In construing this notice and whenever the context hereof so requires, the word "Grantor" 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 "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,

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Legal Assistant, at 224-3638. Hourded DATED at Portland, Oregon, November 11, 1986. Hourded Bacorda of Klouesty Condia, Diedon, constructive following dominant pensitipaty, dated April 1, 1983, and recorded April 21, 1985, in Volume 1, ASSOCIATION of Constills, Oregon, Market 11, 1986. Association of Constillation of Milling RIG LEN ALLighton of Richard A. Canaday, Trustee BOIL STORE WERE TO STORE RECORDING BETURN TO Portland, Oregon 97204-3699 5:1-5 MILLER, NASH, WIENER, HAGER & CARLSEN TE 111 S.W. FIFTH AVENUE PORTLAND, OREGON 97204-3699

STATE OF OREGON: COUNTY	OF KLAMATH: ss. the <u>20th</u> day
t -t -roquest Of	P. M. and duly recorded in Vol
Filed for record at request of	19 07 al
of	Evelyn Biehn, John Smith
\$13.00	By