

71614

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol. 1481

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STATE OF OREGON, County of Klamath, ss:

I, Nancy L. Doane

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

Brian Eric Smith

233 High Street
Klamath Falls, OR 97601

Stephen Speer

233 High Street
Klamath Falls, OR 97601

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 is certified to be a true copy of the original notice of sale by

Richard N. Belcher

....., 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 Klamath Falls, Oregon, on February 20, 1987. 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 20th day of February, 1987

(SEAL)

PUBLIC

Notary Public for Oregon. My commission expires 10-3-90

* 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

Brian Eric Smith

Stephen Speer

Grantor

TO

Klamath County Title Co.

Trustee

AFTER RECORDING RETURN TO

Zamsky & Belcher

601 Main Street

Klamath Falls, OR 97601

(DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUN-
TIES 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

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Brian Eric Smith and Stephen Speer **2789**
Mountain Title Company, as grantor, to
 in favor of Roy O. Johnson, as trustee,
 dated December 5, 1985, recorded December 6, 1985, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M85 at page 19913
 fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real
 property situated in said county and state, to-wit:

Lot 3 in Block 3 of ORIGINAL TOWN OF KLAMATH FALLS, according to the
 official plat thereof on file in the office of the County Clerk 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 Section 86.735(3) of Oregon Revised Statutes;
 the default for which the foreclosure is made is grantor's failure to pay when due the following sums:

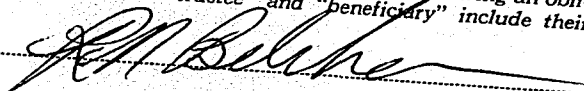
\$13,216.13, together with interest thereon from February 28, 1986, at the
 rate of 10 percent per annum.

By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due
 and payable, said sums being the following, to-wit:

\$13,216.13, together with interest thereon from February 28, 1986, at the
 rate of 10 percent per annum.

WHEREFORE, notice hereby is given that the undersigned trustee will on June 23, 1987,
 at the hour of 10 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes,
 at Klamath County Courthouse, 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 Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure
 proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other
 than such portion of said principal as would not then be due had no default occurred) together with costs and trustee's
 and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.
 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; the words "trustee" and "beneficiary" include their
 respective successors in interest, if any.

DATED February 18, 1987



Trustee

State of Oregon, County of _____, 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.

If the foregoing is a copy to be served pursuant to
 ORS 86.740(2) or ORS 86.750(1), fill in opposite
 the name and address of party to be served.

SERVE:

Attorney for said Trustee

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of February A.D., 1987 at 4:10 o'clock P M., and duly recorded in Vol. M87 day
 of Mortgages on Page 2788

FEE \$9.00

Evelyn Biehn, County Clerk
 By 