

OC

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AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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STATE OF OREGON, County of Multnomah, ss:

I, David E. Fennell

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:

James A. Sutherland

122 Third Street, Chiloquin, Oregon 97624

Rowene Sutherland

122 Third Street, Chiloquin, Oregon 97624

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

Mark C. Rutzick, 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 May 27, 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.

David E. Fennell

Subscribed and sworn to before me this

day of May, 1987.

(SEAL)

PUBLIC

Notary Public for Oregon. My commission expires 2/12/90.

* More than one form of this 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

Sutherland

Grantor

TO

Fennell

Trustee

AFTER RECORDING RETURN TO

Mr. David E. Fennell

PRESTON, THORGRIMSON, ELLIS & HOLMAN

3200 US Bancorp Tower, 111 SW Fifth Ave.
Portland, OR 97204

(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

OT

TRUSTEE'S NOTICE OF SALE

17246

Reference is made to that certain trust deed made by James A. Sutherland and Rowena J. Sutherland

Aspen Title and Escrow Company, as grantor, to
in favor of Town and Country Mortgage Inc., as trustee,
dated April 17, 1984, recorded April 20, 1984, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M-84 at page 6563, or
as fee/title/instrument/microfilm/reception No. (indicate which), covering the following described real
property situated in said county and state, to-wit:

Lots 16, 17 and 18, Block 4 of Chiloquin, according to the official plat thereof on file in the office of
the County Clerk, Klamath County, Oregon.

Property address: 122 Third Street, Chiloquin, Oregon 97624

**Beneficial interest under said Deed of Trust was assigned to Cenlar Federal Savings Bank by instrument
recorded February 24, 1986 as M-86 on Page 3176.

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 payments of \$610.00 beginning August 1, 1986 to December 1, 1986, then monthly payments of \$619.54
beginning January 1, 1987 to May 1, 1987; plus late charges of \$24.40 each month beginning August 16, 1986
to December 16, 1986 then late charges of \$24.79 each month beginning January 16, 1987 to May 16, 1987;
together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said
default; and any further sums advanced by the beneficiary for the protection of the above described real
property and its interest therein.

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: \$49,646.83 with interest thereon at the
rate of 13 percent per annum beginning July 1, 1986 until paid; plus late charges of \$24.40 each month beginning
August 16, 1986 to December 16, 1986 then late charges of \$24.79 each month beginning January 16, 1987; together
with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and
any further sums advanced by the beneficiary for the protection of the above described real property and its

** WHEREFORE, notice hereby is given that the undersigned trustee will on October 1, 1987,
at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at
inside door to the main lobby of the 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 be due had no default
occurred) and by curing any other default complained of herein that is capable of being cured by tendering the perform-
ance 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 May 19, 1987
**interest therein.

David E. Fennell

David E. Fennell 3200 US Bancorp Tower
111 SW Fifth Avenue Portland, OR 97204
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.

Attorney for said Trustee

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:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Company the 22nd
of September A.D., 1987 at 1:44 o'clock P.M., and duly recorded in Vol. M87
of Mortgages on Page 17245

FEE \$9.00

Evelyn Biehn, County Clerk
By [Signature]