

OC

80356

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol. 188

Page 18475



STATE OF OREGON, County of Multnomah, ss:

I, George C. Reinmiller, 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

Eldon C. Powley

762 California, 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 was certified to be a true copy of the original notice of sale by

Brad S. Chalfant

_____, 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 28, 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.

George C. Reinmiller, Successor-Trustee

Subscribed and sworn to before me this 21st day of September, 1987.

(SEAL)

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

Eldon C. Powley

Grantor

TO

D.L. Hoots

Trustee

AFTER RECORDING RETURN TO

GEORGE C. REINMILLER
521 S.W. CLAY
PORTLAND, OR 97201

(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

18476

Reference is made to that certain trust deed made by Eldon C. Powley

D.L. Hoots, as grantor, to
in favor of Security Savings and Loan Association, as trustee,
dated August 2, 1978, recorded August 2, 1978, in the mortgage records of
Klamath County, Oregon, in book 1981/volume No. M78 at page 16812, or
as fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real
property situated in said county and state, to-wit:

(762 California, Klamath Falls, OR 97601)

See Legal Description Attached as Exhibit "A"

Beneficial interest assigned to American Savings & Loan Association by instrument recorded May
22, 1981 as Vol. MB1, Page 9603, Klamath County Records.

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:

installments of \$217.00 each, commencing with the payment due November 1, 1986 and continuing each month until this
trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$20.10 as of April 28, 1987 and
further late charges of \$3.35 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, and plus the deficit reserve account balance of \$14.30.

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 \$16,330.20 with interest thereon at the rate of 9.75% per annum from October 1, 1986, 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, and plus the deficit reserve account balance
of \$14.30.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 16, 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 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.

DATED May 11, 1987

GEORGE C. REINMILLER
521 SW Clay
Portland, OR 97201

George C. Reinmiller
GEORGE C. REINMILLER - Successor-Trustee

226-3607

Trustee

State of Oregon, County of Multnomah 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:

18477

Exhibit "A"

Lot 3, Block 105, 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, EXCEPTING THEREFROM that portion conveyed to the State of Oregon for highway by Deed Recorded June 2, 1960 in Volume 321, page 550, and Deed Recorded October 5, 1956 in Volume 287, page 150, all Deed Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of George C. Reinmiller, Attorney at Law the 12th day
of October A.D., 19 87 at 9:34 o'clock A M., and duly recorded in Vol. M87,
of Mortgages on Page 18475.

FEE \$15.00

Evelyn Biehn,

County Clerk

By Phm Smith