

K-40428

## AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

70368-02166  
LUF No. 5319STATE OF OREGON       )  
                                  ) ss.  
County of Multnomah)

I, Theresa Kempenich, 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:

| <u>Name:</u>                           | <u>Address:</u>                                       |
|--|---|
| Rocky K. Beedy                         | 2242 White Ave.<br>Klamath Falls, OR 97601            |
| Linda L. Beedy                         | 2242 White Ave<br>Klamath Falls, OR 97601             |
| City of Klamath Falls,<br>City Manager | City Hall, 500 Klamath Ave<br>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.

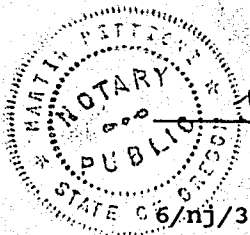
Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Ann K. Jerhoff, attorney for the trustee named in said Notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States Post Office at Portland, Oregon, on March 10, 1988. 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.

Theresa Kempenich  
Theresa Kempenich

Subscribed and sworn to before me this 29th day of June, 1988.

Les Pittman  
Notary Public for Oregon  
My Commission Expires: 5-15-92



-AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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## TRUSTEE'S NOTICE OF SALE

70368-01266  
LUF No. 5319

Reference is made to that certain trust deed made by Rocky K. Beedy and Linda L. Beedy, as husband and wife, as grantors, to Transamerica Title Insurance Company, as trustee, in favor of Equitable Savings and Loan Association, as beneficiary, recorded June 8, 1979, in the official records of Klamath County, Oregon, Volume M79, Page 13566, covering the following-described real property situated in said county and state, to wit:

Lot 3, Block 216, MILLS SECOND ADDITION TO  
THE CITY OF KLAMATH FALLS, in the County of  
Klamath, State of Oregon.

Commonly known as 2242 White Street, Klamath  
Falls, Oregon 97601.

There is a default by the grantors or other persons owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest; the default is: the failure to pay when due the following sums: monthly installments of \$271.91 each, beginning with November 1, 1987, up to and including January 1, 1988, and monthly installments of \$339.86 each, beginning with February 1, 1988, until paid, plus monthly late charges of \$10.11 each, beginning July 16, 1987, until paid;

By reason of said default, the beneficiary or the beneficiary's successor in interest has declared all obligations secured by said trust deed immediately due and payable, said sums being the following: \$18,281.65, with interest thereon at the rate of 12 percent per annum, from October 1, 1987, until paid, plus monthly late charges of \$10.11 each, beginning July 16, 1987, up to and including October 16, 1987, until paid; plus deferred interest in the sum of \$1,421.19, together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; and any further sums advanced by the beneficiary or the beneficiary's successor in interest for protection of the above-described real property and its interest in it.

NOTICE IS HEREBY GIVEN that the beneficiary and trustee or their successors in interest, have elected and do hereby elect to sell at public auction to the highest bidder for cash the interest in the above-described property which the grantors had or had the power to convey at the time of the execution of said trust deed, together with any interest which the grantors or grantors successors in interest acquired after the execution of said trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensations of the trustee or successor trustee and the reasonable attorneys fees incurred. A notice of default and election to sell has been recorded pursuant to Section 86.735(3), Oregon Revised Statutes.

Said sale will be held on July 13, 1988, at the hour of 10 o'clock, A.M., based on the Standard of Time as established by Section 187.110, Oregon Revised Statutes, at the following place: the main entrance to the Klamath County Courthouse, 316 Main Street, in the City of Klamath Falls, County of Klamath, State of Oregon, which is the hour, date and place fixed for said sale.

NOTICE IS FURTHER GIVEN that any person named in Section 86.753, Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by curing the above-described defaults and by payment to the

beneficiary of the entire amount then due other than such portion as would not then be due had no default occurred, together with costs and trustee's and attorney's fees, at any time prior to five days before the date last set for said sale.

Dated 3/8/88

Forrest N.A. Bacci  
Forrest N.A. Bacci, Successor Trustee

FOR FURTHER INFORMATION  
PLEASE CONTACT: Theresa A. Kempenich  
222-2804

STATE OF OREGON )  
County of Multnomah )

I, the undersigned, certify that I am 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.

Ann K. Jerhoff, OSB #84419  
Attorney for Successor Trustee

AFTER RECORDING, RETURN TO:

BOGLE & GATES  
Theresa A. Kempenich  
The 811 Building, 6th Floor  
811 S.W. Front Street  
Portland, Oregon 97204

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath Title Co. the 7th day  
of July A.D., 19 88 at 11:41 o'clock A. M., and duly recorded in Vol. M88,  
of Mortgages on Page 10602.

Evelyn Biehn County Clerk  
By Audine Millardore

FEE \$18.00