

K-40693

Affidavit of Mailing Notice of Sale

I, D. R. Johnston

say and certify that:

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 the successor in interest named in the Trust Deed described in the attached Notice of Sale.

I have given notice of the sale of the real property described in the attached Notice of Sale by mailing a copy of the notice by registered or certified mail and first class mail to each of the following named persons at their last known addresses, to-wit:

Name & Address

Registered or Certified #.

See Attached Exhibit "A"

The persons mailed to include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or whose interest the trustee or the beneficiary has actual notice, any person requesting notice as provided in ORS 86.785 and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original Notice of Sale by Peelle Financial Corporation, Of Washington, the trustee named in said notice; each copy was mailed in a sealed envelope, with postage prepaid, and was deposited by me in the United States post office at Portland, Oregon, on July 12, 1988. Each notice was mailed after the date that the Notice of Default and Election to Sell described in said Notice of Sale was recorded which was at least 120 days before the day of the trustee sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

State of Oregon

County of Multnomah

D. R. Johnston
Foreclosure Assistant

On this 12th day of July, in the year 1988 before me, the undersigned, a Notary Public in and for said County and State, personally appeared D. R. Johnston personally known to me to be the person whose name is subscribed to this instrument and acknowledged that she executed it.

Witness my hand and official seal.

Notary Public in and for said County and State
My Commission Expires: 8-19-91

Peelle Financial Corporation 2525 Southwest First Avenue Suite 170 Portland OR 97201 (503) 228-5950

After Recording Return to:

Peelle Financial Corporation
2525 S.W. First Suite 170
Portland, OR 97201

PFC # 10551 Loan # 49902123

17
PM 12
OCT 24
1988

EXHIBIT "A"

17878

NAME & ADDRESS

CERTIFIED

James R. Hardin
4439 Barry Avenue
Klamath Falls, OR 97601
10551

286 475

Winnie Hardin
4439 Barry Avenue
Klamath Falls, OR 97601
10551

286 476

James R. Hardin
Rt 2, Box 324
Bonanza, OR 97601
10551

286 477

Winnie Hardin
Rt 2, Box 324
Bonanza, OR 97601
10551

286 478

Trustee's Notice of Sale

17879

A default has occurred under the terms of a Trust Deed executed by

JAMES R. HARDIN AND WINNIE E. HARDIN
TRANSAMERICA TITLE INSURANCE COMPANY
dated August 11, 1983, and recorded September 1, 1983 in the official records of
Klamath County, Oregon, in (as) Vol. M-83 Page 14832
with PEOPLES MORTGAGE COMPANY as the original Beneficiary,
covering the following described real property:

The Northeastly 15 feet of Lot 9 and the Southwestly 50 feet of Lot 8, Block 4,
FIRST ADDITION TO TONATEE HOMES, according to the official plat thereof on file in the
office of the County Clerk of Klamath County, Oregon.
AKA: 4439 Barry Avenue, Klamath Falls, OR

Pelle Financial Corporation of Washington, Successor Trustee, and the
Beneficiary have elected to sell the property to satisfy the obligations secured by the Trust Deed and
recorded a Notice of Default pursuant to ORS 86.735(3). The default for which the foreclosure is
made is the failure of Grantor or Grantor's successor in interest to:
make monthly payments of \$473.00 each, commencing with the payment due October 1, 1987,
until March 1, 1988 when the payment decreases to \$472.00, and continuing each month
until this Trust Deed is reinstated or goes to Trustee's Sale, plus a late charge of
4% on each installment not paid within 15 days following the due date, and all
Trustee's fees and other costs and expenses associated with this foreclosure,
and any further breach of any term or condition in subject Note and Trust Deed.
By reason of the default the Beneficiary has declared all obligations secured by the Trust Deed
immediately due and payable. The sums now due are: \$36,826.07
plus accrued interest at the rate of 11.875% per annum from September 1, 1987 until paid
plus all accrued late charges, Trustee's fees, foreclosure costs, advances of \$140.96 and
any further sums advanced by the Beneficiary pursuant to the terms of the Trust Deed.
Notice Is Hereby Given that the undersigned Trustee will on **NOVEMBER 15 1988** at the
hour of 11:00 o'clock, (A.M), standard of time established by ORS 187.110, at:

THE FRONT 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 the above described property which the
Grantor had or had power to convey at the time of execution of the Trust Deed and any interest which
the Grantor or his successors in interest acquired after the execution of the Trust Deed, to satisfy the
secured obligations 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 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 the principal as would not then be due had no default
occurred, together with all costs and expenses actually incurred in enforcing the obligation and Trust
Deed, and statutory Trustee's and attorney's fees, and by curing any other default stated in the Notice
of Default and any other default under the Trust Deed that may have occurred subsequent to the
recording of the Notice of Default, by tendering the performance required under the obligation or
Trust Deed, at any time prior to five days before the date last set for the sale.

Dated: June 29, 1988

Pelle Financial Corporation Of Washington

By: Joanne M. Perret
Joanne M. Perret - Foreclosure Officer

Trustee

Pelle Financial Corporation

2525 Southwest First Avenue, Suite 170, Portland, OR 97201

PFC # 10551

Loan # 4990123

ORS 224 NCS 100267

(503) 228-5950

AFFIDAVIT OF NON-OCCUPANCY

17880

STATE OF OREGON

County of KLAMATH
~~KLAMATH FALLS~~

I, DAN LINDSEY, being first duly sworn, depose and say: That I am, and have been at all material times hereto, a competent person over the age of eighteen years and a resident of KLAMATH county, State of Oregon. I am not a party to, an attorney in, or interested in any suit or action involving the property described below.

That on the 8th day of JULY, 1988, after personal inspection, I found the following described real property to be unoccupied:

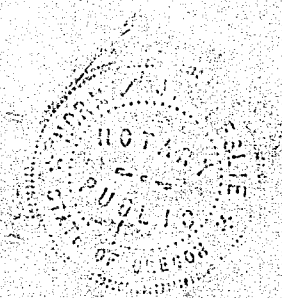
Commonly described as: (street address) 4439 BARRY

KLAMATH FALLS, OREGON

Dan Lindsey
DAN LINDSEY - PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 8th day of July, 1988

Norma J. Leslie
NOTARY PUBLIC FOR OREGON
My commission expires: 3-31-91



Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH

I, Sarah L. Parsons, Office Manager
being first duly sworn, depose and say that
I am the principal clerk of the publisher of
the Herald and News

a newspaper of general circulation, as
defined by Chapter 193 ORS, printed and
published at Klamath Falls in the aforesaid
county and state; that the

#162 Trustees sale-Hardin

PFC#10551

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for four

~~successive and consecutive week days~~

(4 insertion s) in the following issue s: —

Sept. 27, 1988

Oct. 4, 1988

Oct. 11, 1988

Oct. 18, 1988

Total Cost: \$252.96

Sarah L. Parsons

Subscribed and sworn to before me this 18

day of Oct. 1988

Lita Backa
Notary Public of Oregon

My commission expires Jan 15 1990

TRUSTEE'S NOTICE OF SALE
A default has occurred under the terms of a Trust Deed executed by JAMES R. HARDIN AND WINNIE E. HARDIN, as Grantor, to TRANSAMERICA TITLE INSURANCE COMPANY, as Trustee, dated August 11, 1983, and recorded September 1, 1983, in the official records of Klamath County, Oregon, in (as) Vol. M-83, Page 1432 with PEOPLES MORTGAGE COMPANY, as the original Beneficiary, covering the following described real property: The northeasterly 15 feet of Lot 9 and the Southwesterly 50 feet of Lot 8, Block 4, FIRST ADDITION TO TONATEE HOMES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. AKA: 4439 Barry Avenue, Klamath Falls, OR. Peelle Financial Corporation of Washington, Successor, Trustee, and the Beneficiary, have elected to sell the property to satisfy the obligations secured by the Trust Deed and recorded a Notice of Default pursuant to ORS 86.735(3). The default for which the foreclosure is made is the failure of Grantor or Grantor's successor in interest to: make monthly payments of \$473.00 each, commencing with the payment due October 1, 1987, until March 1, 1988 when the payment decreases to \$472.00, and continuing each month until this Trust Deed is reinstated or goes to Trustee's Sale; plus a late charge of 4% on each installment not paid within 15 days following the due date, and all Trustee's fees and other costs and expenses associated with this foreclosure; and any further breach of any term or condition in subject Note and Trust Deed. By reason of the default the Beneficiary has declared all obligations secured by the Trust Deed immediately due and payable. The sums now due are: \$36,526.07 plus accrued interest at the rate of 11.875% per annum from September 1, 1987 until paid plus all accrued late charges, Trustee's fees, foreclosure costs, advances of \$140.96 and any further sums advanced by the Beneficiary pursuant to the terms of the Trust Deed.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on NOVEMBER 15, 1988 at the hour of 11:00 o'clock AM, standard of time established by ORS 187.110, at

THE FRONT 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 the above described property which the Grantor had or had power to convey at the time of the execution of the Trust Deed and any interest which the Grantor or his successors in interest acquired after the execution of the Trust Deed, to satisfy the secured obligations and the costs and expenses of sale, including a reasonable charge by the Trustee.

Notice is further given that any person named in ORS 86.735 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 the principal as would not then be due had no default occurred, together with all costs and expenses actually incurred in enforcing the obligation and Trust Deed, and statutory Trustee's and attorney's fees, and by curing any other default stated in the Notice of Default and any other default under the Trust Deed that may have occurred subsequent to the recording of the Notice of Default, by tendering the performance required under the obligation or Trust Deed, at any time prior to five days before the date last set for the sale.

Dated: June 29, 1988
Peelle Financial Corporation of Washington
By: Joanne M. Perret, Foreclosure Officer
Trustee, Peelle Financial Corporation
2525 Southwest First Avenue, Suite 170,
Portland, OR 97201
(503) 228-5950
PFC#10551 Loan #4990123
#162 Sept. 27, Oct. 4, 11, 18, 1988

STATE OF OREGON,
County of Klamath

Filed for record at request of:

Klamath County Title Co.

on this 24th day of Oct. A.D. 19 88
at 12:17 o'clock P.M. and duly recorded
in Vol. M88 of Mortgages Page 17877.

Evelyn Biehn County Clerk

By Pauline Mulvaney

Deputy.

Fec, \$28.00