

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

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:

Frederick B. Spence
7551 West Wood Drive
Gilroy, CA 95020

James R. Scales
0 Hillcrest Road
Keno, OR 97603

James R. Scales
709 Orangewood Lane
San Dimas, CA 91773

James R. Scales
PO Box 315
Keno, OR 97603

James R. Scales
PO Box 7
Binford, ND 58416

James R. Scales
PO Box 7
Hillsford, ND 58416

Terril K. Scales
0 Hillcrest Road
Keno, OR 97603

Terril K. Scales
709 Orangewood Lane
San Dimas, CA 91773

Terril K. Scales
PO Box 315
Keno, OR 97603

Terril K. Scales
PO Box 7
Binford, ND 58416

Terril K. Scales
PO Box 7
Hillsford, ND 58416

Laura Lorraine Spence
aka Laura L. Spence
7551 West Wood Drive
Gilroy, CA 95020

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 Kelly D. Sutherland, attorney for the successor-trustee, 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 **August 2, 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.

[Signature]
GEORGE C. REINMILLER, Successor-Trustee

Subscribed and sworn to before me this **December 6, 1988**

[Signature]
Notary Public for Oregon. My Commission Expires 2-22-91

After Recording Return to:
George C. Reinmiller
521 SW Clay
Portland, OR 97201

5264 WS v Scales

88 DEC 8 PM 1 41

OT

TRUSTEE'S NOTICE OF SALE

20926

Reference is made to that certain trust deed made by James R. Scales and Terril K. Scales, husband and wife, as grantor, to D.L. Hoots, as trustee, in favor of Security Savings & Loan Association, as beneficiary, dated August 27, 1979, recorded August 31, 1979, in the mortgage records of Klamath County, Oregon, in book Trust Deeds No. M-79 at page 20945, or as fee/file/instrument/microfilm/reception No. _____ (indicate which), covering the following described real property situated in said county and state, to-wit:

Lot 2, Block 4, Tract No. 1083, CEDAR TRAILS, in the County of Klamath, State of Oregon.
(0 Hillcrest, Keno, OR 97603)

Beneficial interest assigned to American Savings & Loan Association by instrument recorded May 29, 1981 as Vol. M81, 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 default for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly installments of \$680.27 each, commencing with the payment due May 1, 1988 and commencing with the payment due July 1, 1988 payments increase to 773.13 and continue each month until this trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$54.52 as of July 22, 1988 and further late charges of \$27.26 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, evidence that taxes are paid as provided by the terms of the Trust Deed, and plus the deficit reserve account balance of \$185.19.

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 \$53,067.01 with interest thereon at the rate of 11.00% per annum from April 1, 1988, 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, evidence that taxes are paid as provided by the terms of the Trust Deed, and plus the deficit reserve account balance of \$185.19.

WHEREFORE notice hereby is given that the undersigned trustee will on December 9, 1988, 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 performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance 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 obligation, 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 August 1, 1988

GEORGE C. REINMILLER

521 SW Clay

Portland, OR 97201

226-3607

GEORGE C. REINMILLER - Successor-Trustee

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

SERVE:

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.

SHERIFF'S RETURN OF SERVICE

20927

STATE OF OREGON)
) ss.
County of Klamath)

Court Case No. _____

Sheriff's Case No. 88-2697

I hereby certify that I received on Aug. 4, 1988

the within:

- () Summons & Complaint () Summons & Petition () Summons () Complaint () Petition
() Subpoena () Citation () Order () Motion () Affidavit
() Small Claim () Restraining Order () Order for Appearance of Judgement Debtor
() Writ of Garnishment () Order to Show Cause () Order Waiving Fees and Costs
(X) TRUSTEE'S NOTICE OF SALE

for service on the within named: ALL ADULT OCCUPANTS

(X) SERVED RYAN HUNTSMAN & DONNA HUNTSMAN personally and in person.
at 16290 Hillcrest, Klamath Falls, OR

() SUBSTITUTE SERVICE - By leaving a true copy with _____
a person over the age of fourteen years, who resides at the place of abode of the within named, at said
abode: _____

() OFFICE SERVICE - By leaving a true copy with _____
the person in charge of the office maintained for the conduct of business by _____

() By leaving a true copy with _____ of said corporation.

() OTHER METHOD _____
() NOT FOUND. After due and diligent search and inquiry, I hereby return that I have been unable to find
the within named: _____ within Klamath County.

All search and service was made within Klamath County, State of Oregon.

DATE AND TIME OF SERVICE OR NOT FOUND: August 6, 1988 Ryan 4:19 p.m., Donna 5:04 p.m.

Klamath County, Oregon

By



Deputy

Affidavit of Publication

STATE OF OREGON,
COUNTY OF KLAMATH ss.

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

#209 Trustees sale-Scales

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

(4 insertion s) in the following issue s:

Oct. 18, 1988

Oct. 25, 1988

Nov. 1, 1988

Nov. 8, 1988

Total Cost: \$288.32

Sarah L. Parsons

Subscribed and sworn to before me this 8
day of Nov 1988

[Signature]
Notary Public for Oregon

My commission expires Jan 15, 1990

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by James E. Scales and Terry L. Scales, husband and wife, as grantor, to D. L. Linton, as trustee, in favor of Security Savings & Loan Association, as beneficiary, dated August 27, 1979, recorded August 31, 1979, in the mortgage records of Klamath County, Oregon, in Volume No. M-79 at page 2045 covering the following described real property situated in said county and state, to-wit:

Lot 2, Block 4, Tract No. 1080, CEDAR TRAILS, in the County of Klamath, State of Oregon.

(0 Millcrest, Klamath, OR 97603)

Beneficial interest assigned to American Savings & Loan Association by instrument recorded May 24, 1981 as Vol. 4481, Page 9403, Klamath County Record.

Both the grantor 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 84.725(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: Monthly installments of \$680.27 each, commencing with the payment due May 1, 1988 and commencing with the payment due July 1, 1988 payments increase to \$773.13 and continue each month until this trust deed is reinstated or goes to Trustee's sale; plus accrued late charges of \$4.52 as of July 22, 1988 and further late charges of \$27.26 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, evidence that taxes are paid as provided by the terms of the Trust Deed; and plus the deficit reserve account balance of \$185.19.

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 \$33,067.01 with interest thereon at the rate of 11.00% per annum from April 1, 1988, 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, evidence that taxes are paid as provided by the terms of the Trust Deed; and plus the deficit reserve account balance of \$185.19.

WHEREFORE, notice hereby is given that the undersigned trustee will on December 9, 1988, at the hour of 1:00 p.m. in accordance 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 said 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 for this notice. Notice is further given that any person named in ORS 84.753 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 performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance 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 84.753.

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 obligation, 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 August 1, 1988
GEORGE C. REINMILLER, Successor Trustee
521 SW Clay
Portland, OR 97201

226-3607
#209 Oct. 18, 25, Nov. 1, 8, 1988

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

George C. Reinmiller

on this 8th day of Dec A.D., 1988

at 1:41 o'clock PM and duly recorded

in Vol. M88 of Mortgages Page 20925

Evelyn Biehn County Clerk

By [Signature] Deputy

Fee, \$23.00